

4.3 - 17/02149/FUL

Date expired 16 October 2017

Proposal: Proposed development of a multi-decked car park, ten townhouses and associated landscaping, including ground remodelling and landscaping to Environmental Park.

Location: Buckhurst 2 Car Park, Buckhurst Lane, Sevenoaks, Kent TN13 1JJ

Ward(s): Sevenoaks Town & St Johns

ITEM FOR DECISION

This application is being reported to the Development Control Committee as the Council is the applicant.

RECOMMENDATION: That planning permission be GRANTED subject to a suitable legal agreement being entered into to secure the affordable housing contribution of £329,867.02 and subject to the following conditions:-

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

In pursuance of section 91 of the Town and Country Planning Act 1990.

2) No development shall be carried out on the land until samples of the materials to be used in the construction of the external surfaces of the car park and residential units hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the approved materials. The local planning authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

To ensure that the appearance of the development enhances the character and appearance of the local area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

3) No development shall commence until the tree protection measures have been installed in full, as set out in the Arboricultural Implications Assessment by AGB Environmental dated the 5 September 2017. The approved measures shall be retained on site for the duration of the development, and no works, storage or activities within a protected area shall take place unless specifically set out in the above report or agreed in writing by the local planning authority.

To protect existing trees on site, in order to safeguard the character of the area and soften the impact of the development, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

4) Notwithstanding the submitted plans, no trees shall be removed on the site

other than those specifically shown for removal on the Tree Protection Plan submitted with the Arboricultural Implications Assessment by AGB Environmental dated the 5 September 2017, unless agreed otherwise in writing by the local planning authority.

For the avoidance of doubt and in order to safeguard the character of the area and soften the impact of the development, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

5) Notwithstanding the submitted landscape information, no development shall commence on the multi storey car park, the ten town houses or the regrading of the environmental park hereby permitted until full details of the hard and soft landscape works (excluding details of the soft landscaping of the rear garden areas to the townhouses) have been submitted to and approved in writing by the local planning authority. Those details shall include: planting plans (identifying existing planting, plants to be retained and new planting); a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities); and a programme of implementation. The landscape works shall be carried out in accordance with the approved details. If within a period of five years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species. The local planning authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

To safeguard the visual appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

6) Prior to first use of the car park, a minimum of four electric charging points shall be provided and maintained within the car park. Within the first year of the use of the car park commencing, full details of the demand for the electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. If the demand demonstrates a need for the provision of additional charging points full details of the infrastructure provided to accommodate the additional charging points should be provided within six months of the details of demand being submitted. The facilities and arrangements shall in all respects be constructed in strict accordance with the approved details.

To encourage the use of low emission vehicles, in accordance with Policy T3 of the Sevenoaks Allocations and Development Management Plan.

7) No lighting shall be installed to the car park or access road to the front of the townhouses hereby permitted, unless full details of such lighting together with evidence to demonstrate that it would conform with the limitations in table 2 (based on an E3 Environmental Zone) of the Guidance Notes for the Reduction of Obtrusive Light by the Institute of Lighting Professionals, has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and maintained as such thereafter.

To avoid unnecessary light pollution and unacceptable impacts upon neighbouring properties, in accordance with policies EN2 and EN6 of the Sevenoaks Allocations and Development Management Plan.

8) The applicant shall obtain a Secured by Design accreditation for the development hereby permitted, a copy of which must be submitted to, and approved in writing by, the Local Planning Authority within 3 months of the completion of the development.

In the interest of Security, Crime Prevention and Community Safety and in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

9) No development shall take place, including any works of site clearance, until a Construction Method Statement for the development of the application site including the movement of any excavated waste either off site or to the Environmental Park area with access arrangements, has been submitted to, and approved in writing by the local planning authority. The statement shall also provide for: the parking of vehicles of site operatives and visitors; loading and unloading of plant and materials; timings of deliveries; storage of plant and materials used in constructing the development, and the details of the management of noise during construction to follow the guidance within BS 5228-1:2009 +A1:2014. The approved statement shall be adhered to throughout the construction period.

To control the impact of the development on the public highway and in the interests of highways safety, and residential amenity in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

10) Before the use or occupation of the residential units hereby permitted, the car parking and turning areas shown on the approved drawing S8 rev P03 shall be provided and shall be kept available for the parking of cars at all times.

In the interest of highway safety.

11) Prior to the occupation and use of the car park a scheme for the long term landscape management of the Environmental Park shall be submitted to and approved in writing by the Local Planning Authority and maintained as such thereafter. To safeguard the visual appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

To safeguard the visual appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

12) Prior to the occupation of the car park and townhouses a community use agreement for the Environmental Park shall be submitted to and approved in writing by the local planning authority. The Park's long term use shall be maintained in strict accordance with the approved details.

To safeguard the visual appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

13) No development shall commence until a remedial strategy for

contamination, together with a timetable of works, is submitted to the local planning authority for approval in writing. These must be in accordance with the CLEAea guidelines and methodology and shall include:

1) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, to be carried out by a suitably qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology (ref 2).

2) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the local planning authority. Prior to any remediation commencing on site, approval shall be obtained from the local planning authority of any such remedial works required. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

3) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance (ref 3). If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the local planning authority.

4) Upon completion of the works, this condition shall not be fully discharged until a closure report has been submitted to and approved by the local planning authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. This shall include photographic evidence. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report, together with the necessary documentation detailing what waste materials have been removed from the site and evidence of the final point of disposal of any contaminated material, i.e. waste transfer notes.

Further information on compliance with this condition can be obtained from the Council's environmental health services team. Ref 1 : contaminated land research report no. 2, 3 & 4 (doe)Ref 2 : contaminated land research report no. 1 (doe)Ref 3 : ciria vols 1-12 contaminated land series and ciria "building on derelict land"

To ensure the site is fit for residential use, in accordance with the National Planning Policy Framework.

14) No development shall be carried out on the land until the applicant, or their agents or successors in title, has secured the implementation of a 'watching brief'. This shall be undertaken by an archaeologist approved in writing by the local planning authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written specification and timetable which has been submitted to and approved in writing by the local planning authority. The local planning authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

To investigate and record archaeological features as supported by Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

15) Prior to the commencement of the development details of drainage works including proposed soakaways and site investigations which evaluate the depth and extent of any works shall be provided to the Local Planning Authority and approved in writing. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details Further guidance is available from the Environment Agency website, and this information must be submitted for assessment before development commences at the site

To ensure the site is fit for use, in accordance with the National Planning Policy Framework.

16) Prior to the first use of the car park, full details of the improvements to the junction of Suffolk Way/Pembroke Road/High Street including a new pedestrian island on Suffolk Way, puffin technology at the junction and widening of the High Street (south) as shown in principle on drawing number T-02 rev. P3 shall be submitted to and approved in writing by the local planning authority. These approved details shall be constructed prior to the first use of the car park hereby approved.

In the interest of pedestrian and highway safety.

17) Prior to the first use of the car park a review of the variable message signing relating to parking in the town centre shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the first use of the car park hereby approved.

In the interest of pedestrian and highway safety.

18) Prior to the occupation of the car park a parking management plan shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the first use of the car park hereby approved.

In the interest of pedestrian and highway safety.

19) Prior to the commencement of the development a Construction Management Plan shall be submitted to and approved in writing by the local planning authority and shall include the following:(a) Routing of construction and delivery vehicles to / from site(b) Parking and turning areas for construction and delivery vehicles and site personnel (c) Timing of deliveries(d) Provision of wheel washing facilities(e) Temporary traffic management / signage

In the interest of pedestrian and highway safety.

20) Prior to the commencement of development details of the provision of measures to prevent the discharge of surface water onto the public highway shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the first use of the car park hereby approved.

In the interest of pedestrian and highway safety.

21) Prior to the commencement of development details of the provision of wheel washing facilities on site and for the duration of construction works shall be submitted to and approved in writing by the local planning authority. The approved details shall be operational for the duration of the construction works.

In the interest of pedestrian and highway safety.

22) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) 2015, no development shall be carried out within Classes A, B, C, D, or E Part 1 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order).

To safeguard the appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

23) The provision of the vehicle loading/unloading and turning facilities shown on the submitted plans located to the north of the hereby approved car park and residential homes, as shown and detailed on the Transport and Highways Mitigation Technical Note 2 Appendix A and Appendix B, proposed site plan 9005, and proposed ground floor plan 9101 shall be implemented prior to the use of the site commencing and shall be permanently retained as such.

In the interest of pedestrian and highway safety.

24) Details of cycle parking within the car park and the gardens of the residential homes hereby approved shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to occupation of the building, and retained thereafter

To ensure satisfactory cycle parking provision.

25) Full details of the construction and future maintenance of the vehicular access to the site as shown on the submitted plans ground floor GA Plan 9101 and Proposed Site Plan 9005 prior to the use of the site commencing, shall be submitted to and approved in writing by the local planning authority. The approved details shall be fully implemented prior to first use of the car park and retained thereafter.

In the interest of pedestrian and highway safety.

26) No development of the residential homes hereby approved shall commence until full details of the glazing to the windows on the rear elevations of the townhouses has been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the first occupation of the dwellings and thereafter maintained as such.

To prevent inappropriate levels of luminescence throughout the night and any adverse impacts on Knole Park.

27) No development shall take place until details of all boundary treatment including details of retaining walls and the boundary access gate for the new

townhouses have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The approved scheme shall thereafter be retained.

To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan and the NPPF. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

28) No development shall take place until details of the implementation and phasing for the development have been submitted to and approved in writing by the local planning authority. The approved scheme shall be phased as agreed in writing by the local planning authority.

To ensure the visual amenity of the area is maintained, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan and the NPPF.

29) No development shall take place until details of the on site treatment, sorting and disposal of all excavated materials has been submitted to and approved in writing by the local planning authority. The on site treatment, sorting and disposal of all excavated materials shall in all respects be carried out in strict accordance with the approved details.

To ensure the site is fit for residential use, in accordance with the National Planning Policy Framework.

30) Works of demolition and construction shall only be carried out between the hours of 08.00 to 18.00 hours Monday to Friday, and 08.00 to 13.00 hours on Saturdays, with no noisy working audible at the site boundary being permitted on Sundays or Bank Holidays.

In the interests of residential amenity in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

31) Full details of any piling or any other foundation designs, using penetrative methods shall be submitted to and approved in writing by the Local Planning Authority Any piling must be undertaken in accordance with the terms of the approved details.

To minimise disturbance of any existing contamination and the protection of groundwater and in the interests of residential amenity in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

Informatives

1) The proposed development has been assessed and it is the Council's view that the CIL is payable. Full details will be set out in the CIL Liability Notice which will be issued with this decision or as soon as possible after the decision.

2) You are advised of the need to enter into an Agreement under Section 278 of the Highways Act 1980 with Kent County Council and for the approval of plans for the works to the highway before commencement of any works on the land. Please contact Kent Highways, West Kent Area Office, Block I, St. Michael's Close, Aylesford, Kent ME20 7TZ (Tel. 01622 605980).

3) A public right of way may be affected by this proposal and planning permission does not authorise its stopping up or diversion (even temporarily). There is a separate and sometimes lengthy procedure to deal with this and you should contact this Council for further information. It is an offence to obstruct a public right of way.

Note to applicant

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line (www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

- 1) Was updated on the progress of the planning application.
- 2) The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
- 3) Was updated of small scale issues which arose during the process of the application and was given time to address it.

Description of site

- 1 The application site encompasses the existing Buckhurst 2 car park and the environmental park to the east. The existing car park site slopes from up to the south and slopes up to the west and currently provides 285 spaces. It is used for long term stay Monday to Friday and is available for short stay parking at weekends. The car park is owned and managed by Sevenoaks District Council.
- 2 Towards the east and also included within the application site is the Environmental Park, an area of land that acts as a buffer between the built development of the town centre and Knole Park towards the east. The land levels within this part of the site drop away quite significantly to the east. This part of the site contains extensive tree cover, largely forming woodland to the east.
- 3 The Environmental Park, formerly owned by the Knole Estate but located outside the historic parkland was leased to Sevenoaks District Council. It currently consists of a playground, play facilities, shelters and landscaping. The Council relinquished the lease a number of years ago and since this time the area has not been maintained and the former cleared grassed areas and planting have become overgrown.
- 4 The car park site sits behind Sevenoaks Town centre, with the library and leisure centre to the northwest and north respectively. The application site lies within the built confines of Sevenoaks, within the Town Centre area and is also identified as an area of change in the Sevenoaks Core Strategy. The site does not lie within or adjoins the Sevenoaks Conservation Area.
- 5 The metropolitan Green Belt designation overs the Environmental Park. Whilst the historic Knole Park, a site of special scientific interest (SSSI) which contains ancient woodland and the Kent Downs Area of Outstanding Natural Beauty lie just to the east and southeast of the application site.
- 6 There is a pedestrian footpath (known locally as Webb's Alley) running to the south of the site which connects to Knole Park via a steep bank. Beyond this bank, at a higher level off Akehurst Lane, are two storey residential dwellings known as Webb's Meadow which houses accommodation for the elderly.
- 7 The western boundary lies adjacent to the rear gardens the residential dwellings in Buckhurst Avenue, numbers 1-13 and also the flank elevation of 15 Buckhurst Avenue.

Description of proposal

- 8 This proposal is for a multi-storey car park which will provide 481 parking spaces. This is an increase of 196 spaces over the existing surface level car park (285 spaces). The proposed scheme also involves the erection of ten townhouses as part of enabling works to help fund the cost of the extensive

engineering works required to lower the new car park's ground levels, as the existing car park rises up towards Webb's Alley to the south.

- 9 The inert materials removed from the car park excluding any badly contaminated soil, which will be removed from the site, will be used to regrade the adjacent Environmental Park to create a more useable open space, along with associated and extensive landscaping works.

Multi storey car park

- 10 The proposed multi-decked car park is over four levels, with the ground floor level being partially excavated. The proposed car park is located in the central part of the site, over the location of the existing surface car park. The application proposes a lower ground floor level achieved through excavation works. This will minimise potential adverse impacts on nearby residential properties and address the wider visual impact of the project.
- 11 The existing vehicular access to Buckhurst 2 car park is off Buckhurst Lane in the north-western corner of the site. This arrangement will remain the same for the proposed scheme.
- 12 The proposed ground level for the new car park has been taken from the existing car park entrance. The proposed car park, partially excavated, results in the new car park structure having an overall maximum height internally from the lower ground level to the top of the stair core of 12 metres.
- 13 The primary structure will be constructed using a galvanised steel frame. The columns, beams and bracing will be predominately screened from view by the use of external timber fins. The staircase will be in concrete with galvanised handrails to either side. Due to the changes in ground levels across the site from north to south only the second and third open deck level of the car park would be visible from properties on Akehurst Lane and from the access to the car park from Webb's Alley.
- 14 The ground floor car park level will be clad in ragstone panels with the upper three floors being enclosed with timber fins. This will provide both natural ventilation and a softer appearance. The design would be further enhanced by green walling climbers to the cores.
- 15 The lighting for the car park and external areas will use Passive Infrared Sensors (PIR) at every level. This allows the detection of movement to be monitored and once a level is no longer in use the lighting to that level will turn off. Timers can also be set to any required delay before activating the lighting to switch back on or off.
- 16 As part of the car park management strategy, the applicants propose to limit the use of the top deck of the car park to businesses holding yearly permits rather than for residents. This will increase the probability that the top level will be quieter after 7 pm. At every level of the car park, a 1.2 metre solid metal panel will be constructed around the car park perimeter. This panel acts as both a vehicle crash barrier as well as a car headlight

countermeasure. On the upper deck, this barrier will also act as the car park's edge restraint.

- 17 A 1.8 metre high mesh fence is proposed along the south car park retaining wall which extends to the west boundary and is in combination with a secure gate at the northwest corner, access by the general public to the planted area between the car park and Buckhurst Avenue is restricted.
- 18 Three pedestrian access points are proposed to the car park. To the north; one of the two dedicated access cores provides a direct link across to the leisure centre whilst an access point via the main entrance will link to the High Street. An existing access point off Webb's Alley in the south-west corner of the site will be maintained and lead to the second dedicated access core.
- 19 Whilst the existing surface car park does not provide any accessible parking bays, a total of 13 parking bays are to be provided. Ten accessible spaces along the east wall of the car park are proposed to be dual use to maximise the car park capacity; the spaces could be changed from accessible spaces to normal use as demand requires. The details of how this will work would be provided through a car park management plan
- 20 It is also proposed to accommodate 15 cycle spaces and 25 motorcycle spaces within the new car park. As part of the proposals, 4 of the spaces will be fitted with electric charge facilities, with a further 8 spaces designed to have the potential to be fitted with electric charge facilities at a later date.
- 21 Landscaping is proposed around the edges of the car park to help integrate the new building into the adjacent townscape and wider landscape beyond. Lines of trees have been included along the Leisure Centre and Buckhurst Avenue boundaries to help soften views of the development and to provide shade along the walkway to the Environmental Park and pre-school. A number of existing trees have been retained alongside Webb's Alley and have been added to with new planting. Street trees are proposed in front of the townhouses.
- 22 As part of the application, a parking survey has been submitted which assesses the need for the expansion of car parking provision in the town centre. Traffic flow surveys were also undertaken at a number of key junctions. Additionally pedestrian counts were completed at the Suffolk Way/Pembroke Road/High Street junction.

Ten townhouses

- 23 Ten 4 bedroom town houses are proposed to be constructed to the east of the multi storey car park, overlooking the Environmental Park and Knole Park beyond. Each dwelling would have provision for one off street car parking space.
- 24 The proposed townhouses are set out in three blocks and utilise the changing ground levels, which rise to the south. The proposed town houses

are constructed over four floors between 13 metres to 13.2 metres in height, depending on ground levels.

- 25 The residential units will reflect the natural materials palette of the car park's external structure, using a solid brick base at the lower level and timber on the upper levels. The upper levels of the dwellings will be brought forward to create a covered entrance area at the front with open terraces to the rear. This change will be demarcated by the differentiating external materials on the lower and upper levels.
- 26 The east elevations overlook the Environmental Park, and so large windows are proposed to maximise views and natural surveillance. The western elevation of the townhouses face the car park structure, thus smaller windows are proposed here to maintain privacy levels.
- 27 A separate vehicular access road is proposed running along the north side of the car park, to serve the new residential development. This road will also allow a chemical tanker access to the swimming pool plant room at the rear of the leisure centre. In order to provide enough space for manoeuvring of the large vehicle, the road will be widened to 5.5 metres and the kerb radii both at the site entrance and at the turn to the leisure centre service yard adjusted.
- 28 The existing pedestrian footway will be reinstated slightly closer to the leisure centre to gain the extra width for the proposed road and at the same time maintain the proposed row of trees north of the path and the hedgerow south of it. The more generous turning radii results in the reduction of the planting area to the northeast corner of the site.
- 29 Permeable paving is proposed for most of the length of the road as part of the drainage strategy for the site; tarmac is only maintained at the east end of the road as it is an appropriate and robust material for the turning of heavy vehicles. There will be a low level sliding gate to the residential road to the west of the new houses.
- 30 The residential town houses will have private enclosed space through a combination of front and rear gardens.

Environmental Park

- 31 The access to the Environmental Park is still maintained.
- 32 In terms of the landscaping, a landscape masterplan for the car park, the residential units and the improvements to the Environmental Park has been submitted with the application together with an Arboricultural Impact Assessment. This provides details of all the appropriate hard and soft landscaping proposed and species of all planting in suitable locations throughout the site in order to soften the site's overall visual appearance. The report sets out the proposed mitigation measures to protect replacement and existing retained trees.
- 33 Due to the excavation proposed a significant volume of excavated soil is created. The need to find a sustainable location for this material has

resulted in the design proposal to use this soil to remodel the adjacent Environmental Park. This approach is supported by Policy CSW13 of the Kent Minerals and Waste Local Plan 2013-30.

- 34 This supports the redevelopment of brownfield sites, soil decontamination and the subsequent reuse in the redevelopment within the site. Policy CSW 13 seeks to ensure that contaminated land is treated in situ or in combination with other contaminated land when those sites are to be redeveloped.
- 35 This reuse of the soil will enable the park to be remodelled to create a flatter open lawn in the area closest to the town centre. A small grassed amphitheatre is proposed within the park to be used by current and future residents, as well as visitors to the town centre, as an informal area for relaxation but also as a potential space for community events.
- 36 The existing lower slopes of the park will be retained with the mature trees adjacent to Knole Park providing a treed screen. As part of the landscape works some mixed species of smaller Ash, Willow, Sycamore and Hawthorn trees will be removed to clear overgrown areas of the existing footpath and seating areas. This would remove existing dead wood and ensure the long term health of the more mature trees adjacent to the boundary with Knole Park. This approach will help to preserve the existing biodiversity where the site meets Knole Park SSSI (Site of Special Scientific Interest). New tree planting and ecological mitigation will be introduced on the remodelled slope.
- 37 A suitable section within the northern part of the environmental park is to be retained specifically for use as an on-site reptile receptor area. This is located adjacent to the children's play area and equipment and is indicated on the submitted Landscape Masterplan and Planting Plan. Upon completion of the works in the Environmental Park, the reptiles will then be able to recolonise the rest of the site. The reptile receptor area is therefore excluded from the extent of the terrain modification.

Policies

Sevenoaks Core Strategy

38 Policies:

- L01 Distribution of development
- L02 Development in Sevenoaks Urban Area
- L03 Development in Sevenoaks Town Centre
- SP1 Design of new development and conservation
- SP2 Sustainable development
- SP3 Provision of Affordable Housing
- SP5 Housing Size and Type
- SP7 Density of Housing Development
- SP9 Infrastructure provision
- SP10 Green Infrastructure, Open Space, Sport and Recreation Provision
- SP11 Biodiversity

Allocations and Development Management Plan (ADMP)

39 Policies:

- SC1 Presumption in favour of sustainable development
- EN1 Design principles
- EN2 Amenity protection
- EN4 Heritage Assets
- EN5 Landscape
- EN6 Outdoor Lighting
- EN7 Noise Pollution
- GI1 Green Infrastructure and New Development
- T1 Mitigating Travel Impact
- T2 Vehicle Parking
- T3 Provision of Electrical Vehicle Charging Points.

Other:

40 National Planning Policy Framework (NPPF)

Relevant planning history

41 14/02924/RG5 - Environmental Impact Assessment Screening Request - Not required. 28/08/2014.

14/02988/FUL - Erection of a part two, part three storey car park structure to provide 578 car parking spaces. Application withdrawn 16/10/2014

17/02083/RG5 - Environmental Impact Assessment Screening Request - Not required 30/06/2017

Consultations

Sevenoaks Town Council

42 Additional comments: Sevenoaks Town Council recommended approval subject to the mitigation measures outlined in the reptile survey being attached as a condition of approval.

43 Following a re-consultation upon receipt of a transport assessment addendum Sevenoaks Town Council recommended approval and agrees that the proposed traffic mitigation scheme should be implemented.

44 Previous comments from the Town Council on the proposal as originally submitted which are still of relevance are as follows:

Recommend approval subject to the following:

- A more detailed design being submitted for the restoration of the environmental park for its return to community use, this should be developed in consultation with end users to avoid unnecessary reworking of the site post completion.
- An appropriate plan for re-provision of spaces during construction; especially for

- businesses which require easy and frequent access to their cars during the day.
- A construction management plan created with local businesses to minimise the impact on the road network, avoiding any traffic during peak hours, especially through Pembroke Rd junction. The Town Council objects to the proposal to focus deliveries in the 7-8am window, and requests this is replaced by a prior to 7:30am arrangement.
- While the Town Council welcomes the ability to increase the number of electrical charging points in the future, it believes that in light of changes in government legislation there should be additional infrastructure included to allow a larger number of electrical charging points to be installed when necessary.
- The Town Council requests that the developer enter into a s106 agreement to fund the restoration of Webb's Alley to provide a improved and alternative pedestrian link to Knole house.
- The Town Council is concerned there will be a detrimental impact on the flow of traffic through Pembroke Rd traffic lights as a result of the development and requests that other access routes should be investigated to solve the issue.

Tree Officer

- 45 Additional comments: Further to my previous comments the consultant dealing with the landscaping issues has amended the previous drawings showing the proposed planting in line with the issues I previously raised.
- 46 In line with my comments, the northern boundary planting is to include 3 Pine trees and the size of the Acers has been increased to a more acceptable size.
- 47 The western boundary has had the proposed Birch trees removed from the proposals and has been replaced with varieties of Hawthorn and Sorbus which are much more appropriate than the previous proposal.
- 48 The proposed sizes of trees to be planted along the southern boundary have been increased in size in line with my recommendations.
- 49 The proposed park planting to the east was shown to be a monoculture and as the revised drawing number HED.1278.301 shows this has been revised to show a better mix of not only species but differing sizes.
- 50 These aforementioned alterations to the proposals are more acceptable than the previous proposals. I do continue to state however that there should be a management programme into the long term future of the site to ensure that the trees are managed to a good standard as they grow into maturity.

Environmental Health Officer

- 51 • The SRL noise impact assessment demonstrates that the parking structure is likely to result in an increase in the typical daily noise

- environment of around 2 dB(A) based on the LAeq, this change would be unlikely to be noticed by those in the vicinity of the parking structure.
- There would be an inevitable increase in impulsive events from door slams etc. but monitoring data suggests they will have very little impact if any on the proposed dwelling or existing nearby residential properties.
 - The monitoring information demonstrates the proposed dwellings can be adequately protected from noise to meet the requirements of BS 8233 and World Health Organisation guidance.
 - No adverse comments regarding the acoustic information for this application.
 - The ground investigation report contains significant information for foundation design etc.
 - A detailed remedial strategy should be submitted and agreed to ensure that on completion the residential gardens are suitable for use. The proposals within the report for soft landscaped areas are fine, however oversight of any remediation will be necessary for the final validation of the development.
 - Excavated soils can be suitable for reuse in other areas such as the Environmental Park providing they are chemically suitable for the intended end use as identified within the report.
 - The remedial strategy and final validation can be by condition should you be minded to grant permission.
 - Having reviewed the construction management plan it has little information on noise. Whilst it is commendable that those on site have access to noise meters but no noise parameters have been stated in the management plan. It would therefore be prudent for the construction 2 management plan give an undertaking to follow the guidance within BS 5228-1:2009 +A1:2014 as this has comprehensive information on noise assessment and control to ensure adequate protection of neighbouring business and dwellings during the construction of this development.
 - The lighting proposals which appear to have very little potential for light spill and glare which prevent concerns over light pollution/nuisance, however potential adverse impacts can be controlled by condition.

Conservation Officer

- 52 The application site sits indirectly on the western boundary of Knole Park. The Environmental Park is a buffer between the site and the Park. The proposed multi-storey car park is located on the site of the current Buckhurst II car park but the proposed structure will not occupy the whole site.
- 53 The site is elevated above Knole Park on a ridge that marks the end of the Sevenoaks town development. The land falls away from the application site through the Environmental Park and to the base of the Gallops within Knole Park. From the bottom of this valley the views are narrow and linear and do not include the application site. The development would not be visible from this point.

- 54 The applicant has demonstrated the visibility from several key points and in long views from within the park, including Echo Mount and this seems to be reasonable.
- 55 In terms of the relationship between the house and the park the proposed development will not be harmful. The development will not be visible from the house and the development will also not impact on how the house is experienced within its park setting.
- 56 The car park will be a prominent feature within the immediate townscape and there will be long views out of the conservation area along Buckhurst Road into the application site. The car park will introduce a new aesthetic into this area with the materials and the form. However, this part of the town is characterised by car parks and large scale ancillary development like the leisure centre and library. The views from the conservation area along Buckhurst Road are currently open with the terrace drawing the view away. Currently the view finishes with an open sky which could act as a locational tool and indicate Knole Park. However, the small loss of this openness is not considered to be harmful to character of the conservation area as the value of this view makes little contribution towards the articulated character of the conservation area.
- 57 From the park the development will not be a dominant or prominent physical feature. The residential units and car park could be glimpsed through the trees from several points but the depth of the tree coverage already limits the visual permeability of the site at this point. The glimpses of the residential gables are consistent with the glimpses and clear snatches of gables and rooflines of other Sevenoaks buildings from within the park. These glimpses characterise the western perimeter of the park and reflects the established and historic relationship between the park and town.
- 58 Unlike many large country houses and their estates the rapid increase in development towards the end of the nineteenth and early twentieth century saw previously rural houses and parkland abut urban sprawl. This is not the case with Knole which has always been located adjacent to the community of Sevenoaks. This means that Sevenoaks, as a town, is part of the setting of Knole Park and makes a positive contribution.
- 59 However, it is important to note that intensive development on this scale along the perimeter of the Park will have a cumulatively harmful impact on the setting of the Park. Over urbanisation of the boundary would not be appropriate and would upset the delicate balance between park and town. Occasional glimpses of town development are an established element of the setting but overly dominant qualities of townscape (not only visual) would be inappropriate and any proposals must be carefully considered and assessed.
- 60 The proposals would not harmfully effect the appreciation of the significance of the park because it does not alter the delicate balance between the town and park or harmfully alter the delicate balance between. Routes in to and out off the site are unaltered and follow the historic pattern; the park will retain its open and green qualities with

glimpses into the town through the trees to the western boundary. The car park is a non-dominant development which is part of the evolution of Sevenoaks as a thriving town. Cumulative changes can be harmful to the character of an area and development along the western perimeter must be carefully considered in order to maintain the delicate relationship between the town and park.

- 61 The applicant has demonstrated that the proposals will not be a dominant or prominent feature from within the Park and will only be glimpsed through the trees, not over them. This appears to be a reasonable assumption and there is no available evidence to contradict this assessment. There is an established yet delicate relationship between Park and town which is experienced from within the park. The demonstrated visibility is not contrary to this pattern but the lighting could negatively impact on the park by providing inappropriate levels of luminescence throughout the night. For this reason I recommend a condition should be added managing light levels.
- 62 In terms of the conservation area I am satisfied that the design, mass and bulk of the proposed developments will not detract from the articulated special interest as defined by the character appraisal.
- 63 I have taken account of the English Heritage Guidance 'The Setting of Heritage Assets' and I conclude that this development preserves the setting of the designated heritage assets.

Historic England

- 64 Historic England commented on the previous iteration of the scheme (SE/14/02988) that proposes to erect a three storey car park adjacent to the western boundary of the grade I registered formal gardens and parkland at Knole.
- 65 The parkland retains its 18th century landscape character in the form of open parkland dotted with clumps, individual trees and avenues. At the heart of the park sits Knole House, which is rightly grade I listed, and is considered to be one of the finest houses in Kent. The current application now includes a row of ten townhouses located between the park boundary and the proposed car park.
- 66 Our previous advice recommended that your Council should request long view assessments from the principal house in order to assess any potential harm caused by the proposals to the significance and the setting of Knole house and park land. We are pleased that long view assessments have been included within the current application.
- 67 We conclude that the new development will be glimpsed through the existing tree cover and that this visibility will lead to some element of harm. Although we consider that the level of harm will be low, NPPF paragraph 134 clearly states that your Council is required to weigh this harm against the public benefits of the proposals.
- 68 Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be

addressed in order for the application to meet the requirements of paragraphs 134 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Kent County Council Archaeological Officer

- 69 No objections to the proposal subject to a planning condition requiring the implementation of a watching brief to be undertaken by an archaeologist approved by the local planning authority with a approved written programme and specification prior to the commencement of development.

Environment Agency

- 70
- Proposal will have a low environmental risk. We therefore have no comments to make.
 - The applicant may be required to apply for other consents directly from the Environment Agency. The term consent covers consents, permissions or licenses for different activities (such as water abstraction or discharging to a stream), and we have a regulatory role in issuing and monitoring them.

Kent County Council Flood and Water Management

- 71
- No objection to the application detailed above subject to a number of planning conditions
 - We note that the applicant is aware of the requirement to incorporate SuDS features at the master planning stage and has done so, but also offer the following comments.
 - The site is located within Zone 2 Groundwater Source Protection Zone, consultation is recommend with our groundwater protection team regarding the use of infiltration on this site.
 - The drainage statement (section 2.6, Drainage Statement, CTP, June 2017) makes reference to the likelihood of a perched water layer underlying the site: the proposed site investigations must evaluate the depth and extent of any perched layer, and ensure a 10m unsaturated separation zone between any proposed infiltration and the proven groundwater level.
 - The underlying strata are the Hythe Formation (Ragstone) in which there is a risk of encountering loosely infilled features known as ‘gulls’. The installation of soakaways may lead to ground instability if these features are present and are inundated with water. Forthcoming ground investigations should carefully evaluate the potential instability risks associated with infiltration drainage into these deposits.
 - Discharge rates will need to be carefully considered if the ground conditions are found to be unsuitable for infiltration.
 - The applicant should be aware and take into account the new guidance published in February 2016 relating to climate change allowances in

flood risk assessments. It is likely that the LLFA will require (as a minimum) any design to accommodate the 1 in 100 year storm with a 20% allowance for climate change

Kent County Council Transport and Highways

72 Access to the car park and the residential units is provided from Buckhurst Lane by means of two separate accesses and tracking diagrams have been provided which indicate that this is acceptable. Each of the new houses is provided with a parking space and this too is acceptable for this location. The car park provides adequate disabled parking spaces and electric charging points and cycle spaces are included.

73 The traffic movements associated with the existing car park has been calculated using ticket sale records and these have been used to establish trip rates per parking space which can then be applied to the number of proposed spaces to calculate the trip generation expected.

74 Traffic generation for the residential element has been calculated using the TRICs database. The car park and residential development is expected to generate the following traffic:

Total trips of extended car park and including new residential trips:

	Arr	Dep	Total
AM	359	8	367
PM	12	105	117
Sat	81	53	134

75 The residual impact is the new development trips less existing car park trips as shown below:

	Arr	Dep	Total
AM	144	5	149
PM	7	43	50
Sat	33	22	56

This traffic has been assigned to the highway network using 2011 Census data

Impact

76 In order to establish existing traffic flows surveys were undertaken at a number of key junctions on Thursday 27 April 2017 and Saturday 6 May 2017. Additionally pedestrian counts were completed at the Suffolk

Way/Pembroke Road/High Street junction. Growth rates were applied to the surveyed traffic flows in order to assess the impact of the development traffic in 2017 and 2023 at the following junctions:

- Suffolk Way / Buckhurst Lane priority junction
- High Street/ London Road/Rockdale Road priority junction
- London Road/Pembroke Road/Argyle Road signalised junction
- Suffolk Way/Pembroke Road/High Street signalised junction combined with Holly Bush Lane/Dartford Road priority junction

Suffolk Way / Buckhurst Lane priority junction

77 The results indicate that the junction operates within capacity in the future year with the development traffic included. The ratio of flow to capacity is below 0.85 on each approach and the maximum queue length is 2 vehicles.

High Street/ London Road/Rockdale Road priority junction

78 The proposed development is estimated to increase traffic flows by approximately 1%. The junction capacity assessment indicates that the High Street (north) will operate over capacity in 2023 with the degree of saturation (DoS) of 0.996 in the AM peak and 1.111 during the PM peak. The addition of the development traffic will have a slight adverse effect with the DoS reaching 1.025 in the AM peak and 1.129 during the PM peak. This level of increase will add approximately 4 vehicles to the queue length and this would not be regarded as a severe impact.

London Road/Pembroke Road/Argyle Road signalised junction

79 The results indicate that the junction operates within capacity in the future year with the development traffic included. The degree of saturation is below 0.85 on each approach.

Suffolk Way/Pembroke Road/High Street signalised junction combined with Holly Bush Lane/Dartford Road priority junction

80 This junction is experiencing capacity problems in the 2017 scenario. The 2023 assessment indicates that the junction will have significant capacity issues therefore mitigating measures are proposed in the form of a pedestrian island on the Suffolk Way arm to allow a two stage pedestrian crossing. This can be achieved within the highway and although the footway would be narrowed, a width of 2.17m would be available. Additionally wider traffic lanes are proposed on High Street (south) to increase road capacity. A footway width of 2.05m will be available for pedestrians.

81 Puffin crossings will replace the existing pedestrian crossings at the junction. The capacity assessment indicates that with these measures in place the junction will operate with less delay and generally shorter queue lengths than the 2017 without development scenario.

82 A comparison of the results for the different scenarios is provided below (DoS refers to degree of saturation and MMQ is mean maximum queue)

AM Peak	2017 no dev. DoS %	MMQ	2023 no dev. DoS %	MMQ	2023 + dev + mitigation DoS %	MMQ
Pembroke Rd	94.2	12.2	100.1	15.9	88.4	12.4
High Street (N)	97.4	27.4	103.4	39.5	91.9	25
Suffolk Way	72.0	3.7	76.6	4.2	77.1	4.3
High St (s)	83.1	14.2	95.3	19.5	81.9	14.1
Dartford Road	37.5	4.0	40.3	4.4	41.3	3.9
Holly Bush Lane	67.8	11.2	73.5	18.8	81.5	11.7
PRC	-8.3		-14.9		-2.1	
Avg. delay	73.3		116.1		55.7	

PM Peak	2017 no dev. DoS %	MMQ	2023 no dev. DoS %	MMQ	2023 + dev + mitigation DoS %	MMQ
Pembroke Road	95.3	16.6	100.9	21.10	89.9	15.3
High Street (N)	97.4	26.4	101.8	33.5	92.9	24.6
Suffolk Way	95.3	21.5	103.5	34.4	91.1	21.5
High Street (S)	82.6	15.4	88.4	16.6	68.5	16.3
Dartford Road	55.1	5.1	58.5	5.7	61.5	5.8
Hollybush Lane	49.8	7.8	54.0	11.2	54.5	7.1
PRC %	-8.3		-15.0		-3.2	
Avg. Delay	96.5		135.9		77.0	

- 83 An additional assessment was completed allowing additional time for pedestrian crossing movements as concerns were raised that increased pedestrian demand or slow moving pedestrians may adversely affect capacity. The results indicate that with additional time given to the pedestrians crossing, the junction still operates within capacity and capacity is improved when compared to the 2023 without development and without mitigation scenario.
- 84 A robust and detailed assessment has been completed for this development proposal. The extension to the car park and provision of ten new homes will not be likely to result in any detriment to highway safety or capacity and therefore I do not wish to raise any objection subject to appropriate planning conditions on any approval.

Kent County Council Public Rights Of Way

- 85
- Recommends a Section 106 agreement to fund a complete overlay of the footpath (500mm DMB tarmac) SU23 from the southeast corner of the plot of 15 Buckhurst Avenue to the gate into Knole Park, a distance of approximately 250m, that is beside the proposed car park and environmental park.
 - Request a condition that the planting of the border/hedge between the footpath and the car park to be maintained at a height of no more than 1 metre to stop more overshadowing and that Sevenoaks District Council or the company responsible for the landscape maintenance maintain the verge of the footpath SU23 on its northern side, between the south eastern corner of 15 Buckhurst drive and the entrance into Knole Park. While this may not be shown as being registered to Sevenoaks District Council at the Land Registry, the surface of a highway adjacent to a registered title may or may not be shown on the official plan as part of it but that is not conclusive and is subject to the General Boundaries Rule in the Land Registration Act 2002, Section 60. There is, under common law, a rebuttable presumption of medium filum that the adjacent landowners each own to the middle of the path. 2
 - This mitigation would go some way to alleviating my concerns about the adverse impact on users of the footpath from the intended multi storey car park and housing development.

Kent Police Crime Prevention Design Officer

- 86
- The car park aims to achieve the “Parkmark” ‘Secure Car Park Award’ which is part of The Safer Parking Scheme, a national standard for UK car parks that seeks to ensure the safety of people & vehicles, discourage anti-social behaviour and reduce crime.
 - Supporting the Park Mark scheme is ‘Secured by Design’, a national police project focusing on the design and security for new and refurbished homes, commercial premises and car parks. During the next phase of design a Secure by Design Advisor will be engaged to review and assess the proposal as a whole (car park and residential units) to

highlight where opportunities to 'design out crime' can occur through physical security and processes.

- We note that the upper roof level of the car park is open with a metal barrier at 1.2m in height as a proposed safety measure for both pedestrians and vehicles. It is very important that this is the minimum height of the barrier and that it conforms to building regulations for such structures, particularly in regard to height, in order offer the maximum protection against falling from the roof.

87 CCTV is required at all levels and any lighting or cctv columns should not provide foot holds for climbing.

- With the above in mind, I have no further comments to make at this time and look forward to working with the applicant/agent in regard to working towards achieving Secured By Design (SBD) and Park Mark Safer Parking Scheme (SPS) for this proposal, should it receive planning permission.

Kent County Council Ecology:

- 88
- Further surveys for great crested newts along with any necessary mitigation measures;
 - Further surveys for reptiles along with any necessary mitigation measures;
 - Further surveys for bats along with any necessary mitigation measures;
 - Further surveys for dormice newts along with any necessary mitigation measures;
 - Further surveys for invertebrates along with any necessary mitigation measures;
 - Further information demonstrating that there will be no impacts upon the nearby SSSI.

89 The additional information has been submitted and we are awaiting further comments from KCC Ecology. These will be reported in the late observations papers along with any suggested conditions.

Natural England

- 90
- Natural England has assessed this application using the Impact Risk Zones data (IRZs) and is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which Knole Park SSSI has been notified.
 - This SSSI does not represent a constraint in determining this application.
 - The proposed development is for a site within or close to a nationally designated landscape namely Kent Downs AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal.

- Your decision should be guided by paragraph 115 of the National Planning Policy Framework which gives the highest status of protection for the ‘landscape and scenic beauty’ of AONBs and National Parks. For major development proposals paragraph 116 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.
- We have not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species.
- You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.
- This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application.

Kent Wildlife Trust

- 91
- Welcomes the completion of the reptile survey and assessment.
 - No objection to the recommended mitigation strategy and objectives for an ecological management plan for the Environmental Park.
 - A series of other essential protected species survey reports remain outstanding for invertebrates; great crested newts; dormice; and bats (incorporating an impact assessment of illumination to be provided within and between the proposed multi-storey car park and the houses).
 - Recommends that a comprehensive ecological management plan (EMP) for the Environmental Park should be submitted for approval. The Plan should incorporate the management recommendations from the reptile survey.
 - Recommends the imposition of conditions to secure implementation of the EMP.
 - Would like to see the use of native species of local provenance for all new tree and shrub planting across both the carpark site and the Environmental Park

The Sevenoaks Society

- 92
- The Society recognises the significant improvement on the previous scheme.
 - They remain concerned that the traffic reports and assessments are not correct and that the estimated traffic increases are wrong.
 - They consider that there would be an increase in traffic and congestion
 - Air pollution would be worse.
 - There should be a much better mix of house and more affordable.

- The houses are of a significant height and scale.
- Webb's Alley should be improved and upgraded.
- Further details of the materials should be provided.

Sevenoaks Conservation Council

- 93
- The applicant's Technical Note 2 (September 2017) and the highway authority's advice (15 September 2017) fails to mention the matters referred to by the Conservation Council in its second representation relating to (a) whether the projected flows through the High St/Suffolk Way junction take into account flows to and from Trinity School and the new Grammar School; and (b) the amenity and safety aspect of the proposed reduction in pavement widths at that junction and the apparent conflict with the highway design standards of both the DOT and Kent Highways in respect of pavement widths in shopping streets. It is to be hoped these matters will be properly addressed in the officers' report, references to the relevant design standards being set out in the Conservation Council's second representation.
 - The SCC expressed strong concern relating to the previous withdrawn application on environmental and traffic grounds. The submitted documentation is voluminous. These representations are based primarily upon the contents of (1) the Design and Access Statement (2) the Heritage Statement (3) the Planning Statement and (4) the Transport Assessment, and perusal of some of the submitted plans and drawings. This Representation does not address the Traffic Addendum and its appendices which were only placed on the local planning authority's website on 8 August 2017, and on which we have been informed that the consultation period has been extended for a further 14 days (email from the Council's Chief Executive of 9 August 2017). The SCC considers that the new application is markedly superior to the previous one in design terms in three respects: (1) the sinking of the carpark building (supported last time by the SCC) is a considerable improvement and will reduce visibility from the adjoining Conservation Area and Knole Park (a Registered Park and Garden). (2) the proposed cladding of the carpark building is probably as sensitive as can reasonably be expected and uses a rich blend of materials. The inclusion of landscaping improvements to the adjoining proposed Environmental Park appears to be a sound way to dispose of surplus spoil. The landscaping should reduce the effects on Knole Park and has the potential to provide a significant public benefit in terms of use and amenity.
 - However, in respect of each of these three matters, attention is drawn to the statement in the Design and Access Statement (para 2.4) that "any development would require a very sympathetic design". This is elaborated in the Heritage Statement (page 27 and 31) which recognises that "concerns about impact and appearance are legitimate" and how challenging it is to "design and build in a way that positively contributes to the area". The Heritage Assessment recognises (page 29) that there will still be a "notable impact" and that there will still be "visibility of rooflines [of the new houses] from certain viewpoints at certain times of the year" within Knole Park, in addition to the marked change of views down Buckhurst Lane. In our view this makes it the more important that

there is strict adherence to the details of the submitted designs for facades and landscaping, and we urge that conditions are imposed to require the submission of further suitable large-scale and detailed plans before implementation to ensure there are no changes made or short-cuts taken.

- In respect of the proposed Environment Park, it is in our view essential that conditions are imposed to ensure that there is public access to the Environmental Park (which is not within the Council's ownership) and provision made for its future maintenance.
- It is also necessary to ensure that access through the Environmental Park and into Knole Park is improved (which is not readily apparent from the present drawings, but is, we have been told, intended).
- We remain concerned at the capacity of the High Street/Suffolk Way to accommodate the increased flows which will result from the increased capacity of the new carpark (approximately a net increase of 250 vehicles: see the figures in the planning application). We note the anticipated increase in vehicle movements for the morning peak hour (144 arriving and 5 departing: see para 6.1.5 of the Traffic Assessment), but the originally submitted documents contained no details of how this could be accommodated at this critical junction. As stated above, this representation is made without study of the new Traffic Addendum and appendices, in respect of which the SCC's position is reserved.
- We understand the need for an element of new housing to render the revised proposals financially viable. We accept that the proposed design of the 10 new houses will to some extent mask the visual effect of the carpark building. We also accept that the financial return from 10 4-bedroom private-market houses will secure the greatest financial return to the Council as developer (para 5.2.8 of the Planning Statement). In our view, however, the applicant should be required to demonstrate that it would not be viable for the proposed development to proceed if it included either smaller units of private housing (including flats) and/or an element of affordable housing. In this respect we draw attention to policies SP3 and SP5 of the Core Strategy and the statements on the pressing need for smaller houses and affordable housing in the local planning authority's consultation document "Issues and Options" (July 2017).
- In this respect we regret the applicant's decision not to make available for public inspection its "Housing Mix and Affordable Housing Statement" (see para 5.2.8 of the Planning Statement). We would also seek further details of the Council's "proposed off-site contribution" towards affordable housing (referred to in para 5.4.1 of the Planning Statement, but not otherwise referred to in the documentation). We therefore broadly welcome the application, but draw attention to various concerns on which satisfaction is needed before permission should be granted.

National Trust

- 94 The National Trust owns a central portion of the Knole historic parkland site, which is considered to be highly sensitive in landscape terms, due to its designation as Grade I Historic Park & Garden, and the Grade I listing of the

mansion, as well as its Site of Special Scientific Interest nature conservation value. Development of the application site will impact on the setting of these heritage assets, and the historic parkland in particular. The National Planning Policy Framework (NPPF) and relevant case law highlight the importance of a heritage assets setting in both the NPPF para 128 and the requirements of para 129;

129: Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

95 Local Plan Policy EN4 sets out the Council policy on heritage assets:

Proposals that affect a Heritage Asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset. Applications will be assessed with reference to the following: (a) the historic and/or architectural significance of the asset; (b) the prominence of its location and setting; and (c) the historic and/or architectural significance of any elements to be lost or replaced.

96 The National Trust recognises and supports the need for additional car parking in Sevenoaks. The development of the site as a multi-story car park is supported and the additional design consideration given to the height and external appearance of the structure is appreciated. In general terms the car park structure will have an impact on the setting of the historic parkland and in particular the designed views out of the parkland. The parkland edge will also be compromised by the closing of this gap in the built form that borders the historic parkland. Further built form facing into the parkland can only erode the character and impact on the sensitivity and significance of the parkland.

97 The original layout iterations indicated that the 'enabling' development of residential units required to financially support the scheme, would be located on the urban side of the site, facing towards the existing built area. The layout as applied for has changed this layout to present the residential units facing into the Knole parkland. This change is considered to be inappropriate and likely to increase the impact of the development on the parkland setting.

98 The scale of the residential units has increased to comprise 3 storey units of high prestige (and value) and in particular the height appears to have increased significantly. The impact of ten 3 storey 'townhouses' fronting directly onto the historic parkland is considered to be far greater, and more intrusive and damaging, than the plain elevation of the car park would be likely to constitute. The residential units will increase light pollution, glare, visual intrusion, noise and present a more complex and distracting element into the parkland edge. The impact on the setting of the historic parkland is greatly increased by the siting of these houses fronting the park, than may

have been caused by the plain and better designed elevation of the car park itself. The heritage statement notes on page 25 that the car park is clad with timber fins that create a softer finish, and while this is to some degree mirrored in the townhouses, the complexity of the residential elevations will be greatly increased. The breaks between and within the residential units design, vertical emphasis from glazing and other features, including the broken roofline, rather than providing a 'broken rhythm varied height and material treatment' as stated on page 25 of the heritage statement, will increase the complexity, and the detailing of the visual receptor from within the parkland raising the visual impact of this elevation facing the historic parkland, to the detriment of its setting.

- 99 This elevation will be visible from the parkland, especially in winter and from Knole Mansion. The historic character of the parkland is that the significant views are from the parkland out to the wider area. Future management led by greater understanding of the historic character and advice from conservation management plans, could likely indicate opening up of views from the parkland. Thus the existing screening and tree cover cannot be guaranteed or be necessarily relied on to manage the impact of the development on the wider parkland. In historic landscape terms the development may be said to be 'stealing the historic views' within the parkland by siting intrusive and complex built form into the visual envelope of the historic parkland without sufficient information and understanding of the character of the setting.
- 100 It is suggested that additional research, and understanding of the setting is required to fully assess the impact of the development on the setting of the grade I historic parkland, and that this assessment of the impact on the heritage assets has not been fully undertaken by the application. Neither the Heritage Statement or the Landscape and Visual Impact Assessment appear to take full account of the historic character of the parkland and its setting and the nature of its design, simply concerning themselves with visual issues and/or the experience and awareness of the town in relation to the park, leading to the simple conclusion in section 3.4, p24 of the heritage statement that;
- 101 Given these points it is possible to conclude that at present part of the Site that is currently used as a car park makes no contribution to the significance of the heritage asset (or those contained within it) whereas the Environmental Park makes a minor contribution to the overall setting and significance of the Registered Park and Garden.
- 102 This appears to be a superficial assessment of the impact of the development or the contribution of the site to the Grade I heritage assets that it affects, with insufficient understanding of the historic character of the parkland and how it relates to the wider area. In this respect it is not considered that the application meets the tests in para s128 and 129 of the NPPF to fully take account of the heritage significance of the asset it is affecting.
- 103 Overall the National Trust consider that the proposed housing development is unwisely sited and not justified in heritage terms in respect of the

impacts on the highly sensitive heritage assets that it overlooks. The historic parkland and mansion are of the highest Grade I listing and sensitivity and a more informed and considered view of the impacts and effects of the development on the historic character of these assets is required to make a fully informed judgement about the scale of the harm.

- 104 The need for the car park is probably justified in public benefits terms but the need for the enabling housing and the additional harm that they represent is not justified by their siting, or need for such larger scale 'prestige' development to raise the enabling finance. The National Trust therefore consider that the design and layout of the whole development does not meet the heritage tests in the NPPF and has not been fully considered and supported by sufficient evidence and understanding of the heritage assets, and the consequent impact upon them. The application therefore does not meet the heritage tests in the NPPF, and does not meet the Council local plan policy EN4, and thus fails to meet the requirements of national and local planning policy.

Representations

- 105 59 representations were received in response to the application. 26 of these representations objected to the proposals and their objections can be summarised as follows:

- The new parking will cause even more congestion in the town centre and surroundings which already are very poorly managed for traffic.
- Questions around whether the proposed works to the traffic island will really improve capacity
- The traffic survey shows that parking spaces fluctuate during the course of the day
- The Suffolk Way / Pembroke Road / High Street junction is presently over-loaded, causing frequent significant delay on Dartford Road and Seal Hollow Road, with consequent impact on air quality and the safety of pedestrian movements at the over-loaded crossroads. This application will further exacerbate an unacceptable situation
- SDC should commission a feasibility study to consider the implementation of a One-Way system in the Town Centre as a direct alternative to the proposed Multi-Story Car Park in Buckhurst.
- Questions raised over various statements in the Transport Assessment over traffic movements, junction capacity, highway safety, queuing traffic and traffic island/refuge
- Current overloaded road junction configuration will not cope.
- Where will the current car users be displaced go?
- There is poor access and egress to the existing car park, with no sound proposals in place to improve upon this.
- Other ways to revitalise shopping centres by reducing traffic congestion by taking measures to reduce car-borne commuting to the town centre.
- Improvement of the traffic flow at the Suffolk Way / High Street traffic lights is a fundamental requirement.

- A more wide-ranging solution is needed that considers traffic control generally rather than compounding the traffic issue with the addition of simply more car parking
- The cost of gaining 188 additional parking spaces works out at over £50K per space. The previous application was rejected partly because of the traffic congestion at the junction of Suffolk Way, Pembroke and the High Street adding 188 additional spaces would only exacerbate it.
- The proposal completely overlooks the health risks posed by Nitrogen Dioxide (NO2) & Particulates from vehicle exhaust emissions in the area.
- The proposed 4 storey building would dwarf its surroundings, however well landscaped, and would be an eyesore when viewed from Knole Park, adding to the unwelcome creeping urbanisation of Sevenoaks.
- Loss of views across the heritage parkland due to the proposed ten townhouses
- The unattractive massing of the Car Park would be bad enough without the added significant loss of privacy (resulting from sightlines from the upper level) for existing residents of Buckhurst Avenue.
- Town houses proposed as part of this development are totally inappropriate. The opportunity could be used to provide a sympathetic sight line from the Knole Park side.
- Loss of light, outlook and privacy to neighbouring residential properties
- The top floor of the proposed car park provides direct views into all of the bathroom and bedrooms of Buckhurst residents. The design is as tall as the Buckhurst houses.
- Night-time light pollution will harm residential amenity.
- Impacts on the structural stability of the houses, given houses in Buckhurst Avenue which were built about 1890 and therefore the foundations meet the standards of that time.
- Noise and disruption to the residents during the proposed construction.
- Noise disturbance from use of the multi storey car park
- light pollution from the new building would be harmful to the area.
- Concern as to whether residents will be able to continue to walk from Webb's Alley through to the leisure centre and library along the west side of the proposed new car park as they have the right to do at present.
- Houses being offered as either shared ownership or at least a few of them as social housing.
- We don't need more cars in the centre but more affordable housing.
- The amount of published documents for this application are excessive.
- Concerns expressed about the loss of any existing trees.

106 15 comments in support of the application and 18 comments neither supporting nor objecting to the application were received. All of these comments can be summarised as follows:

- Lack of sufficient long stay parking in town
- The town centre relies on the businesses within it. The retailers and restaurants need staff, the offices need staff and all these people along with visitors and residents utilise the facilities of the town. If the council don't make better provision, Sevenoaks will become a ghost town.
- Support additional parking but it does need to be reasonably priced for staff working in the retail units in the town.
- Whilst the construction would cause some disruption proposal would provide much needed parking.
- The lack of parking is resulting in loss of trade and employees leaving.
- People would stay longer and spend more if they were not concerned about the parking
- I understand how this could affect the community and its residents, but it would bring more trade into Sevenoaks. It would be an asset.

Chief Planning Officer's appraisal

107 The main issues for consideration are:

- Principle of development and demonstrable need for car park.
- Design of development and impact upon character and appearance of area.
- Impact upon the Site of Special Scientific Interest and the Area of Outstanding Natural Beauty.
- Impact on the Metropolitan Green Belt.
- Impact on historic assets.
- Impact to highways and parking.
- Impact on neighbouring amenity.
- Impact on trees, landscaping and ecology.
- Viability and mix of housing.
- Noise, air quality and contamination.
- Other Issues.

Principle of development/demonstrable need

108 Paragraph 14 of the National Planning Policy Framework confirms that the NPPF has a presumption in favour of sustainable development, and that development that accords with the development plan should be approved unless material considerations indicate otherwise. (See paragraphs 11, 12, and 13 of NPPF).

109 Paragraph 14 of the NPPF (and footnote 9) also advises that where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless there are specific policies in the NPPF that indicate that development should be restricted. This applies to a variety of designations, including Sites of Special Scientific Interest, Green Belt, Areas of Outstanding Natural Beauty, designated heritage assets and locations at risk of flooding.

- 110 Paragraph 9 of the NPPF states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):
- making it easier for jobs to be created in cities, towns and villages;
 - moving from a net loss of bio-diversity to achieving net gains for nature;
 - replacing poor design with better design;
 - improving the conditions in which people live, work, travel and take leisure
- 111 Paragraph 14 of the NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.
- 112 Paragraph 19 of the NPPF states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.
- 113 Paragraph 20 states that to help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.
- 114 Paragraph 21 states that investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing.

Multi storey car park

- 115 Policy LO1 of the Core Strategy defines where we would like to see development in our district. LO2 and LO3 are more specific, focusing on Sevenoaks urban area and the management of car parking. These policies require the focus of development to be within the confines of existing settlements, where development can be a catalyst for regeneration and where redevelopment will better meet the needs of business both for parking provision and in terms of future investment in the town centre.
- 116 The location of the new multi storey car park - within the urban confines of Sevenoaks town centre complies with these policies, providing an enhancement to the environment and increased car parking provision in an area which will support businesses and residents.
- 117 The increase in car parking provision in the town centre, where there are known deficiencies, will also comply with policy SP9 of the Core Strategy.

This policy supports the development of infrastructure facilities required to resolve existing deficiencies and to support the scale and distribution of development proposed in the core strategy.

- 118 Our general policy SC1 of the Allocations and Development Management Plan (ADMP) requires us to take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.
- 119 In accordance with Policy EN1 of the Allocations and Development Management Plan, proposals should have regard to the compatibility of the proposal to its location; the impact of the proposal on its surrounding environment, landscape, habitats and biodiversity, the contribution to creating balanced communities, the conservation and enhancement of our cultural heritage, the contribution to and impact on our economy; and the impact on existing infrastructure and contribution to new supporting infrastructure.
- 120 As such there is significant support in the Development Plan policies for redeveloping the existing car park site to provide a decked car park to support the vitality and viability of the town centre, through the introduction of important and much needed infrastructure project.
- 121 Buckhurst 2 car park is owned and managed by Sevenoaks District Council and has an existing capacity for 285 vehicles. There is a waiting list for season tickets for this car park and the current capacity is not adequate to provide for the demand created by employees of local businesses and local residents.
- 122 At the Economic & Community Development Advisory Committee held on Wednesday, 26th February 2014 a report was considered by Members of the committee at item 9 on the agenda entitled the Sevenoaks Town Centre Parking Review. This report included an independent parking survey that clearly showed very high utilisation rates for the Buckhurst 2 long stay car park. The outcome of the assessment concluded that between 170 and 221 additional parking spaces were required in the town centre area. The current proposals provide an opportunity to increase the car parking provision, close to Sevenoaks Town Centre.
- 123 It is therefore clear that this application is fundamental in providing sufficient parking to meet current and future demand for long term spaces and to help to alleviate parking stress within Sevenoaks. The proposal will provide 196 extra parking spaces and address some of the concerns raised by the Economic & Community Development Advisory Committee about the lack of parking facilities within the town centre.
- 124 Due to the location of the site, it would enable continued management of our parking stock and importantly, freeing up short stay parking in other town centre car parks whilst expanding the long stay car parking provision.
- 125 The principle of the proposal to increase car parking provision through a new decked car park is compliant with these adopted policies.

- 126 It is acknowledged that this provision would not relate to a sustainable form of transport, it would support and contain growth within an urban area rather than displacing car use into less sustainable locations. As such, the proposal would accord with elements of the NPPF.
- 127 The principle and the need for the provision of additional long stay parking within the town centre in this location is acceptable.

Ten townhouses

- 128 The proposed development includes significant ground works to reduce the overall height of the proposed car park and minimise its impact on the surrounding area.
- 129 The inevitable consequence of the considerable groundworks is to increase the construction costs. The applicant has sought to bridge the funding gap, by incorporating some enabling development to help fund the engineering works proposed.
- 130 This enabling development is in the form of ten town houses situated to the east of the new car park. The proceeds from the sale of these houses will support the provision of much needed town centre infrastructure in the form of additional town centre parking provision.
- 131 The development of part of the application site for housing seeks to make efficient use of previously development land within the urban confines of Sevenoaks Town Centre. This is in accordance with national planning policy that encourages the effective use of previously developed land (NPPF paragraph 111). Furthermore, the proposed development is in accordance with Policy LO1 of Sevenoaks Core Strategy which sets out that Sevenoaks Town Centre will be the principal focus for development within the District.
- 132 Policy LO2 of the Core Strategy requires the provision of approximately 1,330 dwellings until 2026 in the Sevenoaks urban area. Paragraph 47 of the National Planning Policy Framework requires local planning authorities to ensure their local plan meets the full, objectively assessed needs for market and affordable housing. Paragraph 49 of the NPPF is then clear in that policies for the supply of housing cannot be considered up to date if the local planning authority cannot show a robust supply of housing land. To meet the current requirements for the supply of housing and to achieve the numbers of new dwellings required until 2026 sites such as this need to be considered for the provision of new housing. The erection of these ten additional dwellings will make a contribution to the housing supply in the area, in line with the requirements of the NPPF.
- 133 Residential development is already established in this area, with existing dwellings situated in close proximity to the application site along Akehurst, Buckhurst Avenue and Buckhurst Lane. The application site is within walking distance of Sevenoaks town centre and is highly accessible through well-connected infrastructure and alternative public transport methods nearby, including bus routes and train services.
- 134 The principle of residential development is acceptable in this location and compliant with policy.

Environmental Park

- 135 The scheme involves proposed enhancements to the underutilised environmental park. Excavated soil from the construction of the car park will be used to remodel the Environmental Park to create a level area of

open space closer to the town centre which will encourage better use of the area.

- 136 The Environmental Park is owned by the Knole Estate but located outside the historic parkland designation. It has been previously leased to the Council and play equipment was installed. The Council relinquished the lease a number of years ago and since this time the area has not been regularly maintained and has become overgrown. Whilst former play equipment has been either removed, very weathered or vandalised.
- 137 The environmental park lies within the green belt. The engineering works in the environmental park will create and enhance its use by residents and visitors to Sevenoaks. Paths and an amphitheatre together with soft landscaping are proposed to create a public park for town centre users.
- 138 A detailed green belt assessment is carried out below, but as a matter of principle outdoor recreational is an appropriate use in the green belt and engineering operations are also permitted subject to having no significant harm to the openness of the green belt.
- 139 The principle of utilising this land for public benefit and access is considered acceptable in principle.

Impact on historic assets

- 140 The Sevenoaks High Street Conservation Area lies approximately 20 metres away from the application site boundary to the west and south-west of the site. The car park, library and leisure centre all lie outside the Conservation Area. Due to the site's close proximity to the conservation area careful consideration needs to be given as to whether the current proposals would due to their height and scale result in any significant harm to the setting of the neighbouring conservation area.
- 141 Sections 66 and 72 Planning (Conservation Area and Listed Building) Act 1990 requires special attention be paid to the desirability of a conservation area, as well as also the character or appearance of a conservation area preserving or enhancing the setting of a listed building.
- 142 Paragraph 128 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. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.
- 143 Paragraph 129 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact

of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

- 144 Paragraph 132 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
- 145 Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 146 Policy SP1 of the Core Strategy states that proposals for development or redevelopment within or affecting conservation areas should be of positive architectural benefit by paying special attention to the desirability of preserving or enhancing the character or appearance of the area and its setting. Whilst the application site is not located within the conservation area careful consideration is needed as to whether or not the proposals would have any adverse impact on its setting.
- 147 Policy EN4 of ADMP states that proposals which affect a heritage asset or its setting will be permitted where the development conserves or enhances the character, appearance and setting of the asset. Applications will be assessed with reference to the historic and/or architectural significance of the asset, the prominence of its location and setting, and the historic and/or architectural significance of any elements to be lost or replaced.

Setting of conservation area

- 148 The Sevenoaks High Street Conservation Area lies to the west and south-west of the application site and is visible from within the conservation area. The car park, library and leisure centre all lie outside the Conservation Area but the conservation area is visible from the application site. This area has very different character to that identified as special about the historic core of the town and what constitutes the significance of the Conservation Area. In contrast to the historic form and tight grain described in the appraisal document, this part of the town is open and functional, with large buildings with substantial footprints, large areas of surface car parks can be seen just to the north and east of the Conservation Area boundary.
- 149 The Conservation Area appraisal acknowledges that traffic and parking is one of the most important factors in the development and character of the town. It describes the tension between the economic success of the shops

and businesses and the importance of tourism to the area but describes the impact of poorly managed traffic through the town centre. This scheme has the ability to better manage the parking areas in the conservation through additional spaces created outside the conservation area.

- 150 Given the predominating character of the area surrounding the site, and intervening built form, planting and changes in topography which restrict inter visibility between the Conservation Area and the site or the wider setting to the east including Knole Park, it is deemed that currently the site makes no material contribution to the setting of the neighbouring Conservation Area.
- 151 The proposed car park would be a prominent feature within the immediate townscape and there will be long views out of the conservation area along Buckhurst Road into the application site. The car park will introduce a new aesthetic into this area with the materials and the form. However, this part of the town is characterised by car parks and large scale ancillary development like the leisure centre and library. The views from the conservation area along Buckhurst Road are currently open with the terrace housing drawing views away. The proposed car park is set into the site and this reduces the overall height, scale and bulk.
- 152 The proposal would improve the setting of the conservation area by rationalising the present unsatisfactory parking and circulation within the surrounding area. In broader terms, the concentration of movement within this proposed site could draw traffic away from the centre of the conservation area and potentially improve its character and appearance.
- 153 The proposed development in its current form would cause no harm to the significance of the Sevenoaks High Street Conservation Area.
- 154 The proposal will not harm the setting of the conservation area, either from views into or views out of the Conservation Area. This view is supported our Conservation Officer. As such I am satisfied that the proposal will preserve the setting of the nearby Conservation Area.

Setting of listed and historic parklands

- 155 The historic parkland to the east of the site is clearly the most sensitive part of the site's setting due to the high status and high significance of both the Grade I listed Knole Park and the Grade I listed Knole House.
- 156 The site is elevated above Knole Park on a ridge that marks the end of the Sevenoaks town development. The land falls away from the application site through the environmental park and to the base of the Gallops within Knole Park. From the bottom of this valley the views are narrow and linear and do not include the application site. The development would not be visible from this point.
- 157 The applicant has demonstrated through a Landscape and Visual Assessment and a Heritage Assessment the visibility of the proposals from several key points and in long views from within the park, including Echo Mount.

- 158 In terms of the relationship between the listed Knole House and the historic park, the proposed development will not be harmful. The development will not be visible from the Knole House and the development would not impact on how the Knole House is experienced within its historic park setting. From the historic park the development will not be a dominant or prominent physical feature. The residential units could be glimpsed through the trees from several points but the depth of the tree coverage already limits the visual permeability of the site at this point. The glimpses of the residential gables are consistent with the glimpses and views of gables and rooflines of other Sevenoaks buildings from within the historic park. These glimpses characterise the western perimeter of the historic park and reflects the established and historic relationship between the historic park and town.
- 159 The only real indication that the town is located so close to the historic parkland is the presence of the traffic using the entrance to Knole Park accessed from the lodge gates off the High Street entrance. The floodlights of the rugby club to the north of the application site are also the only other indication of built development from the historic parkland. Once within the parkland, the Knole golf club is more visible and has more impact than the town of Sevenoaks that lies so close by.
- 160 From the south, from the area to the north of the main lodge houses, to the rear of the buildings along the eastern side of the High Street, the site is primarily concealed behind trees.
- 161 The existing planting within the environmental park will be retained or replaced to provide a visually dense verdant area. However, in winter the roofline of the townhouses would be glimpsed through the tree canopy and lights from the buildings would be seen from within the historic park. This can be mitigated appropriately through planning conditions on any permission to ensure lighting and glare from the buildings is minimised.
- 162 With regard to any impact on views from Knole House, or within the historic park, closer to the Knole House, it is considered that the distance between the Knole House and the site and the nature of the topography and planting between them means that views of the proposed car park would be remain significantly restricted. Ground level views from around the Knole House would remain unchanged however, views of the rooftops of the townhouses would be visible from the most elevated view from the Outer Wicket Tower.
- 163 In terms of the increased traffic movements due to the increased parking provision, the movement that might be associated with the proposed new use would be contained within the application site and would have no impact on the historic parkland due to the large expanse of planting in between which provides a buffer to the development.
- 164 Given these considerations, it is concluded that the proposed multi storey car park and the regrading of the environmental park would preserve the setting of the listed Knole House and its historic parkland. This view is shared with our Conservation Officer. As due to their height, the intervening distance and other proposed buildings, changing topography and planting, they will remain unnoticeable from within the Knole Park.

- 165 It is considered however that the proposed townhouses will cause a minor level of harm to Knole Park and Knole House, by virtue of light levels resulting from their use and the visibility of the rooflines from certain viewpoints at certain times of year. This will to a minor degree, decrease the level of separation currently experienced between the heritage assets and the town.
- 166 The proposed townhouses would cause less than substantial harm and minor harm to the significance of Knole Park and Knole House. This arises from the contribution that the site makes to the setting of these heritage assets.
- 167 The proposed construction of a multi storey new car park is an important infrastructure project for town, which would be of great public benefit to the town centre and its continued vitality and viability. The proposed ten townhouses are an integral enabling part of the car park development. The proposal car park would help to rationalise parking, the road network and pedestrian links in the area that could have an overall positive impact on the Conservation Area compared to the existing situation of an over-occupied surface car park. This is supported by Policy EN4 of the Allocations and Development Management Plan, through reducing the site's current impact and enhancing the setting of the Conservation Area. The potential minor harm of light can be controlled by planning condition.
- 168 This balancing of the harm against the public benefit and the imposition of a lighting condition is supported by our Conservation Officer.
- 169 Therefore I am satisfied that the very limited harm identified from the townhouses can be outweighed by the public benefit accrued from this project with the imposition of a lighting condition. As such the proposal meets the test and it is considered that in accordance with Paragraph 134 of the NPPF is acceptable in the context of the setting of the listed Knole House and its historic parkland.

Design of development and impact upon character and appearance of area.

- 170 Paragraph 57 of the NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- 171 Policy SP1 of the Core Strategy states that all new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated.
- 172 Policy EN1 of the ADMP states that the form of proposed development should respond to the scale, height, materials and site coverage of the area. This policy also states that the layout of proposed development should respect the topography and character of the site and the surrounding area.

Multi storey car park

- 173 The proposal for a four storey decked car park introduces additional mass and a greater scale than existing onto the site. The decked car park utilises

the changing ground levels to great effect, with a significant section being located beneath existing ground levels. This reduces its overall height, when viewed from the south and south west corner of the site. A number of elements have been introduced in the design of the structure to make it harmonise with its surroundings and to lessen its visual impact. The external appearance of the car park, finished in a timber fin cladding system with a ragstone base wall, would be in keeping with natural material palette of stone and timber. This is also in line with the proposed material for the proposed residential units.

- 174 The levels on the site have been utilised to keep the elevation closest to Knole Park as low as possible. The applicants during the planning application have repositioned the car park structure to pull it as far away from the housing in Buckhurst Avenue and Akehurst Lane as possible. This has resulted in a larger intervening distance from these houses and the car park western elevation. This reduces the proposal's impact on these dwellings.
- 175 The site is sufficiently shielded on the southern side of the site to ensure that its impact on this side, in design terms, would be minimal. To the northern side of the site, the structure would face on to other larger buildings and a more utilitarian setting and would appear in keeping with the character of the part of the site.
- 176 The materials that are proposed to be used on each elevation of the car park would successfully militate against its impact by reason of increased bulk and scale. The timber fins are slowly rotated along the east and west elevations which results in the fins in the central sections being parallel to the façade. The proposed car park is partially dug into the site through the excavation of the ground levels. This results in the overall height of the car park structure being lower within the street scene and less visually prominent. The change in height across the site from north to south results in only the second and third open deck level of the car park structure being significantly visible from properties on Akehurst Lane or when accessing the car park from Webb's Alley.
- 177 The use of materials and the basement level of the car park enable the structure to remain permeable and keep an element of lightness to the structure, while also shielding the vehicular activity within. The use of timber fins is intended to relate to the natural setting of the site on its eastern side and these would soften the appearance of the structure and break up its mass and intensity.
- 178 The use of green walling climbers on stainless steel wire rope and net to the concrete stairwell access cores will soften the appearance of bulk of the car park from all viewpoints. From the environmental gardens, the structure would not be significantly visible due to the proposed location of the ten town houses. As such from this elevation, the proposed car park would not appear overly solid or urban, but softer in appearance.
- 179 The proposal will result in an increase in lighting of the site. However, it is an urban site and setting where lighting would be expected. The use of

Passive Infrared Sensors (PIR) at every level is acceptable as it the proposed use and management of the top parking level.

- 180 The direction of the lighting can be required by condition, along with luminance details to ensure that the impact outside of the structure is kept to a minimum.
- 181 The excavated nature of the proposed car park reduces its overall impact upon the character and appearance of the area and the surroundings.
- 182 It is acknowledged that the new structure would have notable massing and a sizable footprint. However, the proposals include measures as described above by which the impact of the building can be tempered to some extent. The proposal would fit into the established grain of this part of the town. It would be a large building and a dramatic contrast to the smaller finely grained townscape of the High Street, but within its immediate context of the library, the leisure centre and the other surface and multi storied car parks within the area it would not be entirely out of place.
- 183 The site of the present car park is not visible from within the historic park or its buildings. The trees along the eastern boundary of the car park area and those within the former environmental park mean that views from the car park out towards the park and the buildings contained within it are screened by the trees. From within the parkland views out of the area, towards the site are blocked by trees along the boundary and within the parkland itself. At the highest point towards this western side of the parkland the site of the car park is still not visible.
- 184 Therefore, although the proposal would result in a large increase in mass and bulk on site, the positioning and treatment of the elevations would ensure that it's mass is visually broken up and is respectful of its context to an acceptable degree. The design of the structure is of a high quality and uses materials which would sit comfortably within its setting and would go some way to mitigating its impact. The use of motion sensor lighting and the elevational treatment, along with conditions relating to the direction and luminance of the lights would ensure that the lighting of the proposal is not overly dominant in its setting. The appearance and design of the proposal is therefore considered acceptable.
- 185 Policy EN6 of ADMP requires that outdoor lighting should be time limited and user activated, lamps should be shielded and aligned correctly and appropriate type and intensity of lighting should be used. As stated above the details of lighting can be subject to a planning condition if the application is approved. It is noted that appropriate mitigation measures such as the design of the building and motion sensors are proposed and this would ensure there is no adverse impact upon the AONB or SSSI.
- 186 The proposed decked car park has been well design, uses good quality materials and has utilised the changing ground levels to great effect. Whilst this development is significant, the proposed materials help to soften the scale and massing of the development. Therefore I am satisfied that the proposal will not harm the visual amenity of the local area.

Townhouses

- 187 The proposed townhouses are grouped together in two blocks of three and a central block of four houses. The proposed town houses are four storeys in height with the fourth storey located within the roof space.
- 188 The front elevation (west elevation) of the proposed town houses is partially screened from view by the proposed car park. The west elevation frames the more urban mews style access street. Smaller windows within this elevation maintain a level of privacy from the adjacent car park, while still providing sufficient daylight in secondary rooms of the house.
- 189 The external treatment of the houses would consist of composite timber cladding to the front at first, second and third floor level with stretcher brickwork to the ground floor level. The flank elevations and roof would be clad with zinc standing seam panels with no windows proposed to the flank elevations and windows to the front and rear being double glazed with some timber panels.
- 190 The rear elevation (east elevation) overlooks the Environmental Park and therefore large windows are proposed to maximise the views from the main living space and bedrooms with the same external finishes as the front elevation. A small balcony is proposed to the first floor with a glass balustrade.
- 191 The design of the residential properties with pitched roofs result in a development that is slightly visible from the edges of the park. However due to their design, rather than present a solid edge they have a broken rhythm, varied height and material treatment.
- 192 The height of the townhouses does not reflect the height of the surrounding houses in terms of number of storeys, however the position of them within the topography of the excavated site means that their roof-lines are only marginally above the existing buildings adjacent to the site.
- 193 In light of the above considerations I am satisfied that the proposed houses will not harm the visual amenity of the local area.

Environmental Park

- 194 The development of this site presents an opportunity to revitalise the environmental park which over time has become very overgrown and underused. The mature trees on the lower slopes of this park closest to Knole will be retained and provide mature planting and screening.
- 195 The proposed remodelling of the ground levels in the environmental park are extensive, with lower sections being raised up to 4 metres in places in order to create more useable open space. A lawn amphitheatre, woodland slopes, play areas, revamped seating areas, upgrading footpaths and the creation of a new access onto Webb's Alley.
- 196 Whilst a number of trees will be removed, extensive new planting is proposed and a more detailed tree assessment follows later in this report.

- 197 The proposed extensive landscaping and management plans will enhance the visual appearance of this underutilised park and preserve the visual amenity of the local area.

Impact upon the Kent Downs AONB

- 198 No part of the application site lies within the Kent Downs Area of Outstanding Natural Beauty (AONB). However a small part of the south eastern boundary of the environmental park is located adjacent to the Kent Downs AONB. The NPPF states that great weight needs to be given to conserving and enhancing landscape and scenic beauty within AONBs.
- 199 Policy EN5 states that their ‘settings will be given the highest status of protection in relation to landscape and scenic beauty.’ It also states that proposals within the AONB will only be permitted where ‘the form, scale, materials and design would conserve and enhance the character of the landscape.’
- 200 The proposed works closest to the AONB are engineering works within the environmental park. Whilst these ground levels will increase they will still be screened by the existing tree screen as well as the proposed additional tree planting on the woodland slope.
- 201 Within the Environmental Park the replacement trees will be native woodland planting with a native shrub understorey. This reinforces the retained woodland and creates a dense natural vegetation, replacing the biodiversity lost to the development and further assists to screen views of the development from the AONB. Therefore these works would not harm the landscape setting of the AONB.
- 202 The proposed built form of the townhouses and the decked car park lies some 114 metres from the AONB. The landscape appraisal acknowledges that there maybe may be partial glimpses of the development through the trees at certain times of the year, these would be limited views. Due to the topography of the site, extensive existing and proposed tree planting, the proposed scheme will not cause harm to the setting of the AONB.

Impact upon the SSSI and ecological issues

- 203 No part of the application site lies within the Knole Park SSSI. As with the AONB, a small part of the south eastern boundary abuts the SSSI.
- 204 Natural England has assessed the impact of the three different components of the development and has concluded, that the development proposed will not damage destroy the interest features for which Knole Park SSSI was created. They state that the SSSI does not represent a constraint in determining this application. Therefore the proposal will not harm the adjacent SSSI.
- 205 In terms of the ecology within the environmental park, this matter is still subject to assessment by the KCC Ecology team, as they have requested additional reports to be carried out. A detailed response, along with appropriate conditions will be set out in the late observations papers.

Impact on the Metropolitan Green Belt

- 206 The environmental park lies within the green belt. This is an open recreational use which is already an appropriate form of development in the green belt. Its continued and enhanced provision under this application is therefore appropriate development in the green belt as set out in paragraphs 81 and 89 of the NPPF.
- 207 Paragraph 90 of the NPPF allows for engineering operations in the green belt, so long as they preserve its openness and do not conflict with the purposes of including land within the green belt. In this instance the proposed works are to regrade the land levels to make this open space more usable and accessible. The proposal does not create bunds or visual blocks to the environmental park and actually provides opportunities for better access and outdoor recreation to green belt land.
- 208 Therefore I am satisfied that the proposal is appropriate development in the green belt.

Impact to highways and parking:

- 209 The previous application for the decked car park was withdrawn on the basis of objections raised by Kent Highways. As Members will note above, Kent Highways do not raise objections to this latest scheme.
- 210 Paragraph 32 of the NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:
- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
 - safe and suitable access to the site can be achieved for all people; and
 - improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.
- Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (my emphasis).**
- 211 In conjunction with the NPPF, the National Planning Practice Guidance (NPPG) was established in March 2014 as a supporting resource which is also a material consideration in determining planning applications. The NPPG includes a section titled 'Travel Plans, Transport Assessments and Statements in Decision-Taking'. The NPPG states that Transport Assessments, Transport Statements and Travel Plans can positively contribute to encouraging sustainable travel, lessening traffic generation and its detrimental impacts, and reducing carbon emissions and climate impact. In doing so, developments can create accessible, connected, inclusive communities with improved road safety, health and quality of life.

The document states that Transport Assessments, Transport Statements and Travel Plans should be proportionate to the size and scope of the proposed development, be tailored to particular local circumstances and be established at the earliest practicable possible stage.

- 212 Policy T2 of the ADMP states that vehicle parking provision, including cycle parking, in new residential developments should be made in accordance with the current KCC vehicle parking standards in Interim Guidance Note 3 to the Kent Design Guide (or any subsequent replacement).
- 213 Policy EN1 of the ADMP requires that proposed development should ensure the satisfactory means of access for vehicles and pedestrians provides adequate parking and refuse facilities.
- 214 Policy T3 of the Allocations and Development Management Plan sets out that major non-residential proposals should include a scheme for electric charging infrastructure. The application site is suitable to provide this, being a long-stay car park and highly accessible. The proposed car park will therefore provide 4no. of the spaces with charging facilities, with an additional 8 spaces designed to potentially be fitted with charging points in the future, in accordance with policy.
- 215 A Transport Assessment (TA) has been submitted with the application and this assesses how and to what extent the proposed development may impact on the surrounding highway network. The assessment concludes that in accordance with national policy, the development will not have a severe impact on the local highway and transport network.
- 216 As part of the Transport Assessment a number of surveys were undertaken which assessed the existing highway capacity. The assessment of the capacity was undertaken at four junctions within close proximity of the site to ascertain current levels of operation and the effects of additional development traffic. The junctions that were assessed were done as a result of detailed discussions and negotiations with Kent County Council Transport and Highways.
- 217 The traffic movements associated with the existing car park were calculated using ticket sale records and these were used to establish trip rates per parking space which were then applied to the number of proposed spaces to calculate the trip generation expected. Traffic generation for the residential element was calculated using the TRICs database. This is the UK and Ireland's national system of trip generation analysis which challenges and validates assumptions about the transport impacts of new developments.
- 218 A robust and detailed assessment has been carried out by the applicants for this development proposal in terms of its potential impacts on transport. Detailed traffic and pedestrian surveys were undertaken on existing roads within the area. The applicant has adequately demonstrated to the Council that they have properly considered the transport impact of the proposal and taken into account how to mitigate it. Therefore, the principle of the development accords with the aims and objectives of Policy T1 of the ADMP.

- 219 In terms of the parking provision and vehicle and pedestrian access to the proposed town houses, a dedicated access from Buckhurst Lane will help to keep residential traffic separate from the car park traffic. The residential access road will be a mews style street and will be a shared space. Access to the residential area will be controlled via a sliding gate with access provided solely to residents and service vehicles.
- 220 In accordance with Kent County Council parking standards, one parking space will be provided per unit. Each parking space will be located immediately outside the front of each dwelling. A pedestrian link between the housing and the car park will be provided in order to facilitate visitor parking within the car park. In addition, each house will be provided with four cycle parking spaces, with secure storage provided in the rear garden of each property.
- 221 The County Highways Engineer considers that the survey data and transport assessments are acceptable and will not result in any detriment to highway safety or capacity. No objections have been raised subject to a number of planning conditions ensuring certain highway improvements are carried out and disruption is minimised during construction.
- 222 The off site highway works to the refuge island at the junction will be subject to a section 278 agreement. This is a part of the Highways Act 1980 that allows developers to enter into a legal agreement with the county council to make alterations or improvements to a public highway.
- 223 It is therefore considered that on balance the proposal would be acceptable in terms of transport and highways matters and provides adequate parking provision and also preserves pedestrian and highways safety in accordance with the NPPF and Policies T1, T2, T3 and EN1 of the ADMP.

Impact on neighbouring amenity

- 224 Paragraph 17 of the NPPF identifies a set of core land-use planning principles that should underpin decision-taking. One of these principles is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 225 Policy EN2 of the ADMP states that proposals will be permitted where they would provide adequate residential amenities for existing and future occupiers of the development and would safeguard the amenities of existing and future occupants of nearby properties.
- 226 The British Research Establishment Guidelines - Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice are well established and are adopted by most Local Authorities as the appropriate scientific and empirical methods of measuring daylight and sunlight in order to provide objective data upon which to apply their planning policies. The Guidelines are not fixed standards but should be applied flexibly to take account of the specific circumstances of each case.
- 227 There are residential properties on the southern side of the site known as Webb's Meadow and Constant Meadow. These are separated from the

proposal by vegetation and a footpath. The flank elevation of Constant Meadow would be located approximately 14 metres away from the retaining wall of the car park and approximately 16.5 metres away from the south elevation of the car park building. Webb's Meadow at its closest point would be located approximately 16 metres away from the retaining wall of the car park and 18 metres away from the proposed south elevation of the building.

- 228 There are a limited amount of windows located within Constant Meadow that face towards the application site. Towards the west of the application site, the rear elevation of number 3 Buckhurst Avenue is approximately 17 metres away from the proposed development. The rear elevation of number 7 and 9 is approximately 14 metres away and number 11 is 16 metres away.
- 229 Numbers 1 - 13 Buckhurst Avenue are located towards the west of the application site. These are all two storey properties that back onto the site separated by their gardens and the side road. These are traditional Victorian style buildings with rear additions.
- 230 One method to test loss of daylight to neighbouring properties is through the use of the 45 degree test, to see if facing neighbouring windows could be affected by a loss of light. After carrying out this test there would be no harm from loss of daylight light to adjoining properties. Detailed drawings have also been provided which clearly indicate the proposal would pass a 25 degree light test in the Building Research Establishment (BRE), which also assists in assessing outlook from neighbouring windows.
- 231 To evaluate any potential loss of sunlight and overshadowing impact of the proposed car park on the neighbouring residential properties and the proposed dwellings, more detailed assessments have been carried out. These reports takes into account any impact on surrounding existing and future residents, and conclude that the development is generally consistent with the guidance set out by BRE. Therefore the proposed development would have no adverse impacts to amenity in terms of overshadowing, daylight and sunlight levels enjoyed by adjacent neighbours.
- 232 Of further consideration is any detrimental overlooking or loss of privacy to the neighbouring properties and their private amenity areas.
- 233 Neighbour comments have focused on the risk of overlooking towards neighbouring properties curtilage and gardens, and direct in-looking from the top levels of the car park. In order to minimise concerns regarding overlooking, the design of the fins slowly rotate along the east and west elevations. As a result, the fins in the central sections are parallel to the façade and therefore reduce the potential to look out and over the existing and proposed properties.
- 234 Given the above assessment, it has been demonstrated that neighbouring amenity and the amenity of future occupiers of the new dwellings will be secured. It is recommended that full details of the external design of the fins and full details of all boundary enclosures and treatments installed where there is a risk of additional harmful overlooking and loss of amenity is

controlled by detail submission; this would address any harm and protect neighbouring amenity.

- 235 The proposed top deck has a guard up to 1.2 metres in height and there is the potential of overlooking to occur into the residential properties in Buckhurst Avenue. However the use of the top car park will be transient and access restricted after 7 pm. Therefore on balance I do not consider the proposal will result in significant loss of privacy to neighbouring properties.
- 236 It is noted that objections have been raised with regard to light pollution - this is partly covered by Policy EN6, which reads that any scheme including lighting must ensure that 'there would be no harmful impact on privacy or amenity for neighbour residential properties'. The application site is located in a residential area, where a degree of light pollution from dwellings is already experienced. The proposed development does not appear to contain any design features that would increase the degree to which light pollution above what would be expected in this urban area.
- 237 However, external lighting to the building could represent one potential route through which harm is raised. Given this, it is recommended that, in order to ensure that no un-due light pollution is produced to the detriment of neighbouring amenity; details, by way of planning condition are required by the local planning authority regarding any external light fixtures.
- 238 In conclusion, the development is not considered to harm the amenities of neighbouring properties and is considered to provide a suitable standard of living accommodation with suitable levels of privacy, outlook and amenity. As such the proposal would accord with the NPPF and policy EN2 of the ADMP.

Impact on trees and landscaping

- 239 Detailed and comprehensive landscaping and planting plans have been provided. The proposed development would result in improvements to the existing environmental park and additional planting around the site with a more publicly accessible park.
- 240 Landscaping and tree planting form integral parts of the proposed housing and car park schemes to help soften their appearance.
- 241 The Landscape Officer raises no objection subject to a landscape management plan being put in place, which can be covered by condition.

Viability and mix of housing

- 242 The proposed development includes significant groundworks to cut the proposed car park into the existing sloping site, thereby reducing its height and massing. The inevitable consequence of this excavation work is an increased construction cost. Accordingly to assist in funding the new car park, the ten townhouses are proposed to enable the car park to come forward. Without the associated housing, this much needed and important town centre infrastructure project would not come forward otherwise.

- 243 Core Strategy Policy SP5 states that we will expect new housing development to contribute to a mix of different housing types in residential areas taking into account the existing pattern of housing in the area, evidence of local need and site-specific factors. It will seek the inclusion of small units (less than three bedrooms) in new development schemes in suitable locations to increase the proportion of smaller units in the District housing stock.
- 244 The preamble to the policy states that “...the Council will seek to achieve an average of 50% two bedroom or less across all developments. This is not intended to be a quota and in considering individual development schemes account will also be taken of the range of dwelling sizes of market and social housing in the local area and of site specific factors in considering the mix of dwelling sizes” (Core Strategy, Paragraph 5.3.22).
- 245 Core Strategy Policy SP3 states that in order to meet the needs of people who are not able to compete in the general housing market, the Council will expect the provision of affordable housing in all types of residential development including specialized housing. The location, layout and design of the affordable housing within the scheme should create an inclusive development.
- 246 Where an element of affordable housing is required at least 65% of the affordable housing units should be social rented, unless we are satisfied that an alternative mix meets a proven need.
- 247 In exceptional circumstances where it is demonstrated to our satisfaction through an independent assessment of viability that on-site provision in accordance with the policy would not be viable, a reduced level of provision may be accepted or, failing that, a financial contribution towards provision off-site will be required.
- 248 In this application an independent viability assessment has been carried out which provides an appraisal of the scheme and explains why it cannot support the full delivery of affordable housing. The viability assessment explains why the proposed mix of 10 four bedroom town houses is considered the most appropriate, having regard to all factors and issues, notwithstanding the aims of Policy SP5.
- 249 The independent assessment of the viability report concluded that the scheme would not be viable if required to support policy compliant affordable housing on site, and an additional a CIL payment (approximately £270K) and section 106 contributions over the £600,000 currently proposed.
- 250 These proposals seek to deliver a form of development which will ensure delivery of the car park in a financially sustainable way, and which minimises the burden on the public purse. Accordingly, the applicant has proposed a form, mix and tenure of housing which realises sufficient value to deliver the car park. The applicant is however willing to maintain the previous offer of a CIL and s106 affordable housing contribution of £600,000.

Noise

- 251 With regard to residential amenity and noise, Paragraph 17 of the NPPF identifies a set of core land-use planning principles that should underpin decision-taking. One of these principles is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 252 Policy EN2 of the ADMP states that proposals will be permitted where they would provide adequate residential amenities for existing and future occupiers of the development and would safeguard the amenities of existing and future occupants of nearby properties by ensuring that development does not result in, and is not located in areas where occupiers of the development would be subject to, excessive noise, vibration, odour, air pollution, activity or vehicle movements.
- 253 A detailed noise impact assessment has been submitted by SRL Technical Services as part of the supporting documentation for this application. The assessment acknowledges that the parking structure is likely to result in a small increase in the typical daily noise environment; however it concludes that this would have very little impact, if any, on the proposed dwellings or existing nearby residential properties.
- 254 The noise impact assessment has been reviewed by our Environmental Health team who have no objections to the conclusions of the assessment provided.
- 255 Therefore, subject to details of mitigation measures such as window details, details of sound insulation for the new dwellings and details of the design of the external materials for the car park the proposed development would meet the requirements of Policy EN2 and the NPPF.

Air quality

- 256 In terms of the air quality reports that have been submitted, this matter is still subject to assessment by our Environmental Health team.
- 257 A detailed response, along with appropriate conditions will be set out in the late observations papers.

Contamination

- 258 A detailed ground investigation report has been submitted which contains significant information for foundation designs and other construction details. Colleagues in Environmental Health have reviewed the details and conclude that they are satisfactory.
- 259 A detailed remedial strategy and final validation report will be conditioned to ensure full details of all remedial works are provided.

Drainage

- 260 With regard to the drainage of the site, details of sustainable drainage and its design has been provided. A number of planning conditions on any permission are suggested to address further details requested by Kent County Council Flood and Water Management.

Impact on foundations of neighbouring properties

- 261 In terms of the earth works proposed and the excavation works required, the potential impact this would have on the neighbouring properties and any damage to neighbouring properties is a civil matter.
- 262 Any potential damage to neighbouring foundations is subject to separate discussions between the applicant and neighbouring properties and is covered under the Party Wall Act.
- 263 The Party Wall Act is a procedure for resolving disputes between owners of neighbouring properties, arising as a result of one owner's intention to carry out works which would affect the party wall, involve the construction of a party wall or boundary wall at or adjacent to the line of junction between the two properties or excavation within certain distances of a neighbour's structure and to a lower depth than its foundations.

Public Rights of Way

- 264 With regard to the comments raised by the County's Public Rights of Way Officer which seeks funding through a section 106 legal agreement for complete overlay of the public footpath to Knole Park (Webb's Alley), a distance of approximately 250m, this is not considered as a reasonable or proportionate request. The proposed development is for 10 new houses and for a new car park to provide long stay car parking for the town centre. It is not considered that the use of the footpath to Knole would significantly increase as a result of this development and as such a financial contribution to its upkeep is considered unreasonable.

Displaced parking areas during construction

- 265 Whilst the proposed car park is redeveloped, the existing car park users will be displaced. Planning permission has already been granted for a temporary use Morewood Close until June 2019, which will provide 107 spaces. Members will note that the next item on the agenda is for 70 spaces to be created to the north of the Vine Cricket ground. The Council is also looking at other alternative parking arrangements to meet the remaining need.

Other issues

- 266 In terms of comments raised by residents about pedestrian access through the car park to the leisure centre, the High Street and the Environmental Park, this access will be maintained. Whilst public access across the site from the north-west to the south-east corner is no longer available, this route can still be undertaken via the car park's dedicated walkways and access cores if desired.

- 267 Three pedestrian access points are proposed to the car park. To the north; one of the two dedicated access cores provides a direct link across to the leisure centre whilst an access point via the main entrance will link to the High Street. An existing access point off Webb's Alley in the south-west corner of the site will be maintained and lead to the second dedicated access core. Primary pedestrian access to the dwellings will be via the residential access street to the north of the site. Pedestrian access will be provided at the side of an access-controlled vehicular entrance gate.
- 268 A secure gate at the south end of the residential road allows for a dedicated access point to the car park and provides a route through to the parking spaces and access core which in turn links to Webb's Alley. Situated between each of the residential blocks will be a secure access point to the Environmental Park and will be reserved for residents-use only.

Conclusion

- 269 The proposed development is considered to be acceptable in principle. The development would optimise the use of a previously developed site within the urban confines of Sevenoaks and provide much needed long stay car parking facilities for residents and local businesses. The development would provide an opportunity to provide car parking, additional homes and improve an existing area of publicly accessible open space for the future.

Contact Officer: Mark Mirams Extension: 7451

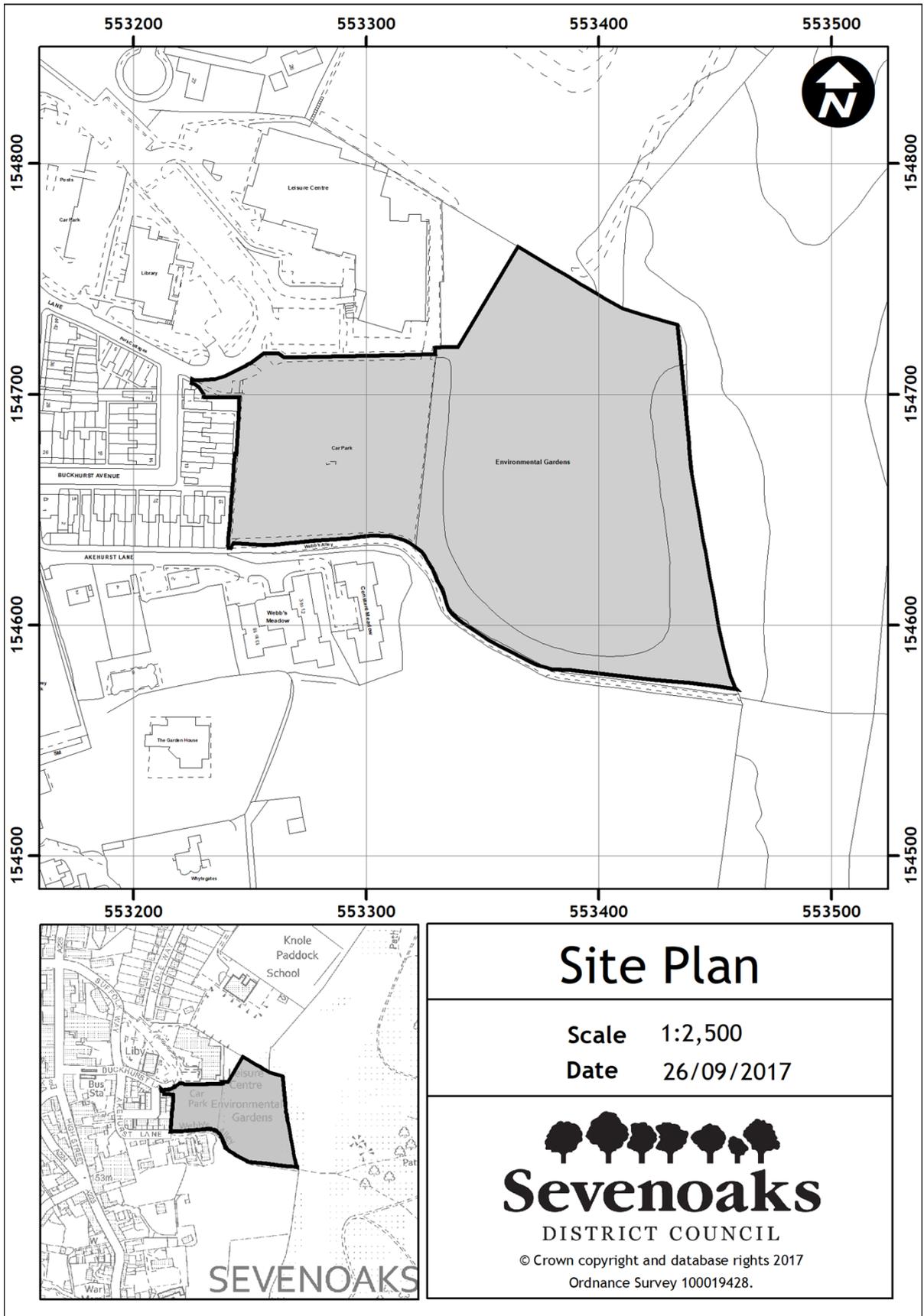
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OSOFBHBKM4S00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OSOFBHBKM4S00>



Site Plan

Scale 1:2,500

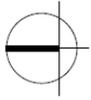
Date 26/09/2017



DISTRICT COUNCIL

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Ordnance Survey 100019428.



Block Plan

