



**Late Observations Sheet**  
**DEVELOPMENT CONTROL COMMITTEE**  
**19 October 2017 at 7.00 pm**

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## DEVELOPMENT CONTROL COMMITTEE

Thursday 19 October 2017

### LATE OBSERVATION SHEET

#### 4.1 17/02111/FUL Land At Salmans Farm, Salmans Lane, Penshurst

##### Amendment to Report

##### *Insertion between paragraphs 161 and 162*

The overarching theme of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development.

Paragraph 7 of the NPPF sets out the three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

Paragraph 17 of the NPPF sets out 12 core planning principles that should under-pin decision taking. Amongst these, the following are considered particularly relevant to the application proposal.

Planning should:-

- *proactively drive and support sustainable economic development to deliver, amongst other things, thriving local places that the country needs and respond positively to opportunities for growth;*
- *take account of the different roles and character of different areas...recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;*

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- *contribute to conserving and enhancing the natural environment and reducing pollution.*

Chapter 1 requires that the planning system supports sustainable economic growth, with the planning system acting to encourage rather than impede economic growth.

Chapter 3 states that local plans should “support sustainable growth and expansion of all types of business and enterprise in rural areas...and promote the development and diversification of agricultural and other land-based rural businesses.”

Chapter 11 recognises that great weight should be given to the conservation of landscape and scenic beauty within AONBs and that planning permission for major development within designated areas should be refused except in exceptional circumstances, particularly paragraphs 109, 115, 116 and 118.

Paragraph 187 confirms that decision takers at every level should ‘seek to approve applications for sustainable development’ where possible.

### *Insertion between paragraphs 164 and 165*

Paragraph 14 of the National Planning Policy Framework provides for what is commonly called the ‘tilted balance’ in favour of granting planning permission. Planning permission should be granted unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted.

There are two issues which are important to understand in relation to paragraph 14 of the National Planning Policy Framework. Firstly, the development plan retains its statutory force under section 38(6) of the Town and Country Planning Act 1990 but the focus shifts to ‘other material considerations’. The ‘other material considerations’ will then be determined in accordance with paragraph 14 of the National Planning Policy Framework.

It is noted that there are no specific policies that relate to construction of polytunnels in the existing Core Strategy or ADMP. Policy LO8 of the Core Strategy is silent in respect of this and only refers to benefits to the local economy. As such, the ‘tilted balance’ of paragraph 14 is engaged.

### *Insertion between paragraph 165 and 166*

The second limb of Paragraph 14 states that permission should be granted unless:

- specific policies in this Framework indicate development should be restricted<sup>9</sup>.

Footnote 9 referred to here gives examples of restrictive policies and refers expressly to policies relating to sites in land designated as Areas of Outstanding Natural Beauty.

Therefore, the potentially restrictive policies of the NPPF relating to AONBs are to be considered, notably, paragraphs 109, 115 and 116 that seek to safeguard the character and appearance of the land that has been nationally designated. This does not automatically mean that the development should be restricted. If the proposal satisfies the exceptional circumstances set out in paragraph 116 of the NPPF then that particular policy does not serve to restrict the development.

As mentioned in paragraph 165 above, the development would harm the character and appearance of the AONB and would neither preserve nor enhance it. Nevertheless, great weight has been given to the consideration of preserving or enhancing the AONB and it is considered that other material considerations outweigh the failure to preserve or enhance the designated land.

Paragraph 116 of the NPPF states that planning permission for major developments should be refused in designated areas (including AONBs) except in exceptional circumstances and where it can be demonstrated they are in the public interest as cited in paragraph 162 of the report.

Paragraph 116 of the NPPF is therefore a potentially restrictive policy of the NPPF, in accordance with footnote 9 of paragraph 14. This proposal is a major application and therefore there is a presumption that it is refused unless the exceptional circumstances and public interest test can be satisfied. The exceptional circumstances have already been outlined above in paragraph 162 and are further addressed below:

### *Insert after paragraph 189*

In conclusion, all of the above elements, together with the fact that it is considered in the public interest for this development to be permitted (for the same reasons), provide justification for approval of this proposal within the AONB. Paragraph 116 of the NPPF does not serve to restrict this development when assessed against the criteria for exceptional circumstances, and the presumption in favour of granting permission, applying the tilted balance in paragraph 14, is applied.

### *Amend paragraph 191 to read*

It is concluded that the harm is significantly and demonstrably outweighed by the economic needs of the agricultural business, its terms of its benefits to the local economy, in terms of the sustainable use of the agricultural land, environmental management/enhancements and the ongoing viability and vitality of a well-established agricultural business and appropriate land-use of agricultural land in this location.

### Further information

1 representation letter dated 17 October 2017 from Winckworth and Sherwood Solicitors acting on behalf of Penshurst Village Society. (It is understood that this letter has been circulated to all DC Committee members prior to the meeting)

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### Officer's response to letter of 17 October 2017:

- Impact of this major development on the AONB is incorrect

The letter makes reference to paragraph 116 of the NPPF. -

*This has been considered and where appropriate further comment has been made in this late observations paper;*

- It is not considered that the adverse visual impact arising from the development will be effectively moderated by the proposed conditions;
  - *Where appropriate, the conditions have been amended and additional conditions have been recommended;*
- Comments made by the AONB unit and CPRE, Liz Lakes Associates on the harm to the AONB, the Council has not sought an independent opinion on the harm to the landscape;
  - *There is no statutory duty on the Council to seek further independent opinion on this matter. Furthermore, there are two separate reports produced by professional landscape experts, one of which applies the practice standard methodology, which provide a solid basis to make a planning judgement at officer level.*
- Reference to paragraph 14 of the NPPF
  - *With reference to paragraph 14 of the NPPF, further comments has been made in this late observations paper;*
- Evaluation for permanent planning permission
  - It is agreed that by virtue of temporary planning permission there is no presumption that the grant of a temporary permission should be granted permanently;*

Reference that the Council has not considered the pre-2004 baseline landscape position of the scheme i.e. no polytunnels

The investment by the current tenant was made in the full knowledge that planning permission was temporary. Such investment was made, this was at the tenant's own risk.

- Other matters in the committee report
  - Noted that polytunnels could be used without restriction for the full eight months *This may be so. However, every season is different and there needs to be some flexibility for the applicant to effectively operate the soft fruit growing business. It would not be beneficial for the polytunnels to remain dormant as this could lead to damage of the coverings;*
  - Heritage assets have not been properly identified.  
*Reference has been made to the heritage assets throughout the report. It is clear that the officer considers that Section 66 of the Planning (Listed Buildings and*

*Conservation Areas) Act 1990 has been triggered and has undertaken an appropriate assessment at paragraphs 134 to 138.*

- *Penshurst Conservation Area not referred to. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 relates to development within conservation areas and provides that, in the exercise of its functions, the local authority should pay special regard to the preservation or enhancement of the character or appearance of that area. This statutory duty is not applicable here as the development is outside of the designated conservation area. Consideration of the setting of the conservation area is not a statutory requirement. However, the Council's Conservation Area Appraisal for Penshurst does not contain southwards views from the designated area. It does not refer to any particular views westbound towards the area in which this proposal is located. The impact of the development is noted at paragraphs 137-138 of the report.*
- *Proposed conditions*
  - *Proposed conditions 1, 7 and 9 should be amended and an additional condition on lighting is recommended.*
  - *Where appropriate, the conditions have been amended and an additional external lighting condition is proposed. It is not intended to revise condition 7 as it is appropriate and meets the relevant tests for conditions as drafted.*

A further 12 objections received from both local residents and those further afield reiterating comments already in the report and objecting for the additional reasons -

- Would allow more seasonal caravans on-site;
- Incorrect boundary as shown on plan within drainage strategy;
- Loss of agricultural land rendering it unusable for agriculture in the future;
- Early removal of polytunnel coverings - preconceived attempt to coincide with planning application;
- Polytunnels are an eyesore during winter months;
- No third party verification that a unique micro-climate exists.

A further statement of opposition from ADU planning on behalf of Protect Penshurst Campaign Group. In summary, states -

- Green Belt policy is still engaged;
- This is a major development and paragraph 116 is applicable;
- Has not been demonstrated why this operation cannot be carried out elsewhere.

Landscape Rebuttal statement by Liz Lake Associates (October 2017) (commissioned by Protect Penshurst Campaign Group) in response to Huskisson Brown rebuttal in August 2017. In summary, states - that the Huskisson Brown rebuttal assessment of the development upon the highly valued, sensitive and protected landscape is understated. The proposal would not retain the remarkable character or scenic beauty within this designated area. Maintain that the proposed development would

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result in permanent and unavoidable long term harm to the landscape and its effects are understated.

Landscape rebuttal statement from Huskisson Brown Associates in response to Liz Lakes Associates Rebuttal Statement October 2017. In summary, its states - statements are made about the magnitude of change effected by the development; this is often presented as if it is equivalent to the significance of the effect. There are differences in opinions when informing a opinion on landscape and visual issues. The absence of a proper methodology in the Liz Lakes Associates report when compared to the findings of Huskisson Brown, which used the practice standard methodology, the two reviews cannot be directly compared.

### Amendments/additions to recommended conditions

Condition 1 should now read:

The gross area of fields, outlined in red on approved plan no. 02, containing polytunnels shall not exceed 15 hectares.

*Reason: To safeguard the visual appearance of the area as supported by Policies EN1, EN5 of the Sevenoaks Allocations and Development Management Plan.*

Condition 6 should now read:

Three months after the permanent cessation of the use of the polytunnels for growing soft fruit, all polytunnels and associated equipment and plant shall be removed from the site. The site shall be made good in accordance with a programme of restoration works which shall have been submitted to and approved by in writing by the local planning authority three months prior to the permanent cessation of the use of the polytunnels for growing soft fruit. The restoration works shall be carried out in complete accordance with the approved details.

*Reason: To safeguard the visual appearance of the area as supported by Policies EN1, EN5 of the Sevenoaks Allocations and Development Management Plan.*

Condition 9 should read:

The proposed soft landscaping measures as recommended in the submitted Landscape Assessment Review dated March 2017, shall be carried out in the first planting season following the date of this permission for the polytunnels. If within a period of five years from the completion of the works, 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.

*Reason: To safeguard the visual appearance of the area as supported by Policies EN1, EN5 of the Sevenoaks Allocations and Development Management Plan.*

Additional condition:

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No external lighting shall be installed on the site or affixed to any buildings on the site unless the local planning authority has approved in writing details of the position, height, beam angle, design, measures to control light spillage and intensity of illumination. Only the approved details shall be installed and maintained thereafter.

*Reason: In order to safeguard the visual amenity of the Area of Outstanding Natural Beauty in accordance with Policies EN1, EN5 of the Sevenoaks Allocations and Development Management Plan.*

Recommendation

That permission be granted, as per the main papers and late observations.

**4.2 17/02113/FUL Land At Salmans Farm, Salmans Lane, Penshurst**

Further information

A further 4 objections received from both local residents and those further afield, reiterating objections already cited in the report and for the additional reasons -

- Would allow more seasonal caravans on-site;
- Disputing that there is no unique micro-climate within Penshurst;
- No third party verification that a unique micro-climate exists;
- The non-local and national economic contribution are not proven as data has been withheld;
- The site will be considered as previously developed land and could be made suitable for further housing;

Amendment to recommended conditions

Condition 3 should now read:

If within a period of five years from the implementation 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.

*Reason: To safeguard the visual appearance of the area as supported by Policies EN1, EN5 of the Sevenoaks Allocations and Development Management Plan.*

Further Information

With regard to the table showing the amount of staff required to operate the site effectively, for clarification purposes the average number of staff are required are -  
Low - on average there are 15 workers required on site  
Medium - on average 20-30 workers required  
High - on average 80 workers required

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The site is currently served by Countrystyle Recycling who collect and remove waste from two large green wheelie bins during the high season and one large green wheelie bin during the low season.

The portable toilets, which are available in the fields when required by the workers, are emptied and maintained by Kent Loos.

All plastic, string, pots etc are paid to be recycled by Clock House Farm with Born again recycling.

In terms of lighting, there is no existing lighting in the polytunnels and no lighting is proposed. If a response is needed within one of the tunnels at night, then torches or head torches are used. Because of the site's topography and aspect, generally no picking occurs during a frost because the colder air sinks to the bottom of the valley where no fruit is grown. The picking of fruit only occurs during daylight hours. Normally the tunnels/site only need to be checked at night, involving a torch, if there is an emergency problem with the computerised irrigation system.

The existing agricultural buildings are lit by four existing floodlights which are controlled by a switch and a timer if left on. Each of the mobiles has a bulk head light which are controlled by a sensor, switch and timer.

### Recommendation

That planning permission be granted, as per the main papers and late observations.

### **4.3 17/02149/FUL Buckhurst 2 Car Park, Buckhurst Lane, Sevenoaks TN13 1JJ**

#### Condition 21

To be replaced with a new condition requiring details of temporary signage as details of wheel washing facilities during construction works are already required to be submitted as part of condition 19.

The new condition 21 will read as follows:

No development shall take place (including any ground works, site or vegetation clearance) until the full details of all temporary signage relating to parking in the town centre is submitted to and approved in writing by the local planning authority. The temporary signage shall be implemented and maintained as approved until the use of the new car park commences.

In the interest of pedestrian and highway safety.

#### Condition 24

Amended wording to read as follows:

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 development, and retained thereafter

To ensure satisfactory cycle parking provision.

#### Condition 25

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Amended wording to read as follows:

Prior to the use of the site commencing 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, 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.

### Condition 30 hours of construction

To be amended to include no working on Sundays or Bank Holidays. To read as follows: 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 work 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.

### Additional condition:

No development shall take place (including any ground works, site or vegetation clearance) until a method statement for ecological mitigation has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a) Purpose and objectives for the proposed works;
- b) Detailed design(s) and/or working method(s) necessary to achieve stated objectives including the results of the completed ecological surveys;
- c) Extent and location of proposed works, including the identification of a suitable receptor site, shown on appropriate scale maps and plans;
- d) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) Persons responsible for implementing the works, including times during construction when specialist ecologists need to be present on site to undertake / oversee works;
- f) Use of protective fences, exclusion barriers and warning signs;
- g) Initial aftercare and long-term maintenance (where relevant);

The works shall be carried out in accordance with the approved details and shall be retained in that manner thereafter.

To protect habitats and species identified in the ecological surveys from adverse impacts during construction.

### Consultations

Additional consultation responses received as follows:

#### **Sevenoaks District Council Environmental Health:**

The air quality assessment has been carried out according to current best practice. The assessment has identified a slight worsening of air quality as a result of the development. The assessment proposes mitigation in the form of the provision of electric car charging spaces, but also relies on the Council's Air Quality Action Plan to deliver improved air quality.

#### **Sevenoaks District Council Housing Policy Strategic Planning:**

A development of 10 homes with a combined floor space of over 1000 square metres results in a need to provide affordable housing. Policy SP3 of the Core Strategy

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requires that 30% of the homes should be affordable and policy states these should be provided on site, although in exceptional circumstances a corresponding financial contribution. In light of the homes proposed on this site - 4 bedroom houses, it is highly unlikely these could be considered for affordable housing as their value would require local applicants to have a household income in excess of the Help to Buy (shared ownership) annual income cap (of £80,000). It is also not considered possible to deliver the homes for Affordable Rent because the indicative rent level of 80% local open market rent would substantially exceed the Local Housing Allowance and consequently create affordability issues. In this case, the provision of a corresponding financial contribution (£329,867.02) could be used to support the delivery of affordable housing and related housing strategy priorities within the District. The provision of a financial contribution is therefore supported by Housing Policy.

### **Kent County Council Ecology:**

Sufficient information has been provided. If planning permission is granted, we advise that a condition securing a biodiversity method statement and ecological enhancements is attached - see additional condition.

### **The Sevenoaks Conservation Council (SCC):**

A further supplementary representation was received in response to the re-consultation carried out following the submission of a Transport Addendum. The comments made are summarised as follows:

- If the new parking arrangements were to give rise to traffic capacity problems, this would be of major concerns to SCC.
- The report wrongly states that the town centre is a destination as opposed to a place people drive through and this is incorrect. Traffic travels through Sevenoaks to get to the Trinity School and other schools and retail and employment areas in Otford Road.
- If permission is granted the proposal must be accompanied by a commitment to carry out traffic mitigation works.
- It is unclear whether account has been taken of the increased traffic flows as a result of the opening of two new schools in Seal Hollow Road.
- The proposed mitigation at the Suffolk Way junction result in harm to pedestrian safety.
- The reduction in the widths of the pavements would not be acceptable in a town centre location. The 2 metre pavement width would be unacceptable and contrary to Department For Transport Guidance Manual for Streets (2007) which states that where people walk in groups or near shops wider pavements are recommended. Kent County Council's guidance Creating the Design, Step 3 Designing for Movement suggests footways should be at least 3 metres where pedestrian levels are high in areas such as outside shops. It is requested that both the highway authority and the local planning authority carefully address this issue when considering the proposals.

### **Kent County Council Transport and Highways provided an additional response to the above comments which is summarised as follows:**

Traffic Flows Incorporating Local Developments - High Street/ Suffolk Way/ Pembroke Road junction -

It is not considered that the small number of trips associated with the remaining expansion of the Trinity School and the Grammar School Annex would significantly impact the operation of the junction. Secondary schools in the area typically have a

mode share of under 10% of journeys made by car and this will be distributed across the local highway network from the school site which is over 2km from the High Street/ Suffolk Way/ Pembroke Road junction.

That being said the surveyed traffic data used within the High Street/ Suffolk Way/ Pembroke Road junction modelling has been 'growthed' to 2023 using industry standard TEMPRO growth rates, TEMPRO is a National Trip End Model Forecast, which are appropriate to Sevenoaks. This accounts for development and other traffic growth projected in the area. It is considered that the applicant has undertaken a robust assessment of the operation of the junction.

Footway Widths - High Street/ Suffolk Way/ Pembroke Road junction -

The minimum footway width proposed by the applicant for the High Street/ Suffolk Way/ Pembroke Road junction is 2m. Section 3.1 in the Department for Transport Guidance on Inclusive Mobility states that this is sufficient for two wheelchair users to pass one another comfortably as noted in the representation from Sevenoaks Conservation Council. For clarity the section is quoted (below) in its entirety. The guidance states that further reduced widths can be considered as absolute minimums as well as recommendations that additional space be provided where there are likely to be high numbers of pedestrians such as outside shops. It is considered that the scheme as proposed is a reasonable compromise between catering for pedestrian movements as well as traffic flows. Furthermore, there are no outstanding concerns in relation to this within the Stage 1 Road Safety Audit.

*"3.1 Widths: A clear width of **2000mm** allows two wheelchairs to pass one another comfortably. This should be regarded as the minimum under normal circumstances. Where this is not possible because of physical constraints **1500mm** could be regarded as the minimum acceptable under most circumstances, giving sufficient space for a wheelchair user and a walker to pass one another. The absolute minimum, where there is an obstacle, should be **1000mm** clear space. The maximum length of restricted width should be **6 metres** (see also Section 8.3). If there are local restrictions or obstacles causing this sort of reduction in width they should be grouped in a logical and regular pattern to assist visually impaired people. It is also recommended that there should be minimum widths of **3000mm** at bus stops and **3500mm to 4500mm** by shops though it is recognized that available space will not always be sufficient to achieve these dimensions." Inclusive Mobility Guidance - Department for Transport 2005.*

Three additional local representations have been received that reiterate the comments already received and summarised within the committee report. One additional comment which is not summarised within the committee report states the following:

- The negative effect on the light, privacy and outlook of the occupants of houses in Buckhurst Avenue. The 25 degree angle fails to take into account the single storey extension at number 7. The new window sill will be much lower when installed.

### Officer response:

The effect on the light, privacy and outlook of the occupants of houses in Buckhurst Avenue has been considered within the committee report at paragraphs 224 to 238. It

is, as stated within the report considered that there is no adverse impact upon residential amenity. Whilst number 7 Buckhurst Avenue is in the process of implementing their approved rear extension it is not considered that this changes the assessment and conclusions contained within the committee report at paragraphs 224 to 238.

### Amendment to recommendation:

#### Recommendation A:

Grant planning permission subject to conditions and a legal agreement to secure the affordable housing contribution

#### Recommendation B:

In the event that, using all reasonable endeavours, the legal agreement referred to in recommendation A is not completed by 19 January 2018 the Chief Planning Officer be authorised to refuse the application for the following reason:

In the absence of a completed legal agreement the applicant has failed to comply with Policy SP3 of the Core Strategy Adopted February 2011 in relation to the provision of affordable housing units.

### **4.4 17/02400/FUL Land South Of Vine Baptist Church, Park Lane, Sevenoaks TN13 3UP**

#### Further information

1 further objection received reiterating objections already cited in the report.

A further statement of opposition from Howard Sharp and Partners on behalf of The Vine Preservation Society. In summary, states -

- The lack of detail and associated information to support the application proposals which has not rendered it possible for the responsible Officers to appropriately consider the impact in terms of harm to the Conservation Area, trees, highway implications and residential amenities.
- The serious consequences associated with the proposed widening of the access both in terms of its permanence and substantial harm arising from the required excavation works.
- The conflict of use of the site and the adjoining highway network so close to the junction with Vine Court Road and Dartford Road.
- The anticipated harm to the health of existing trees along the western boundary and vegetation screening along the eastern boundary.
- The closure of the access currently available to residents in Park Lane for the purpose of large emergency vehicles.
- The land is the subject of a Deed of Transfer that conditions its use for the purposes of remembrance of the Fallen and as an open/recreational space for the benefit of persons resident in the District or neighbourhood.

### *Officer response*

The existing access into the application site will be utilised. This is not a new or altered access. We have liaised with KCC Highways during the application process and have been advised that the proposed works will constitute a widening of the existing access. The widened access is clearly shown on the application drawings. A work permit rather than a S278 application will be required for the highway works.

It is recognised that there are mature trees within and on the edge of the site. Our Tree Officer has been consulted and has advised that details of works to trees in terms of pruning and details in terms of work (including the laying of asphalt) within the RPA of trees can be conditioned. Therefore, an Arboricultural Survey or Arboricultural Impact Assessment is not required. Suggested conditions 3, 4 and 5 which reflect the professional view of the Tree Officer and are all pre-commencement conditions requiring further details. This is in order to protect the mature trees on and adjacent to the site from damage during the construction period and to ensure their retention thereafter.

The car park is intended for a temporary period to provide long term parking for town centre employees during the construction period for the Buckhurst 2 car park. The works are anticipated to commence in January 2018 and last for a period of 18 months. The application description correctly identifies this temporary change of use period and also includes the start date for the temporary period of use (i.e. from January 2018).

KCC Highways has been consulted on the application and have raised no objection to this temporary proposal. Clarification on some points were sought by KCC Highways, and these points have been addressed through our written response dated 19th September 2017. The issue of '*staggering of vehicle movements*' was raised by KCC Highways in its consultation response. Season ticket holders' normal arrival and departure times will be sought through a customer questionnaire, and Sevenoaks District Council will endeavour to allocate to particular customers to 'stagger' these times to help avoid peaks at particularly busy times of day. With regard to a Travel Plan, condition 6 requires a management plan to be submitted and approved prior to the development commencing. The management plan will need to show how the temporary car park will be managed. A Transport Statement or Transport Assessment was not required to be submitted as part of the planning application; however a Car Park Operational Management Plan was included in the application documentation.

Emergency vehicles currently access the properties in Park Lane overlooking the Vine cricket ground via the rear access points to these properties in Park Lane. The proposed temporary car park will not alter this access arrangement.

A section of wooden fencing on the boundary with Park Lane will need to be removed temporarily to enable the access to be widened. Earthworks will be kept to a

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minimum and any works will be made good and reinstated once the temporary use of the car park ceases. Proposed condition 1 seeks for a scheme of restoration.

In terms of the use of the Vine, its existing use is for overspill parking and at other times open recreational space. It is acknowledged that there will be times when the area cannot be used for recreational purposes however the use of the parking area is constrained as stated in paragraph 66 of the report.

With regard to the Deeds of Transfer, this is a civil matter and not a material planning consideration.

### Recommendation

That planning permission be granted, as per the main papers and late observations.

#### **4.5 16/02931/FUL Land South Of 162 Hever Avenue, West Kingsdown TN15 6DU**

No late observations.

#### **4.6 17/02769/LDCPR 9 Stanhope Way, Sevenoaks TN13 2DZ**

1. The proposed development would necessitate work to the highway and it is therefore recommended that the following informative be added to the decision notice:
  1. The development hereby approved involves works that affect the highway and / or its verge. Before commencing such works, you must obtain the separate consent of Kent County Council - the Highway Authority. Please find further information at:  
<http://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb>