



**Late Observations Sheet
DEVELOPMENT CONTROL COMMITTEE
03 April 2019 at 7.00 pm**

Late Observations

This page is intentionally left blank

DEVELOPMENT CONTROL COMMITTEE

Thursday 3 April 2019

LATE OBSERVATION SHEET

4.1 18/03443/FUL Site of 166 High Street, Sevenoaks TN13 1XEAmendments/additions to recommended conditions

To ensure adequate parking provision for the community, KCC Highways recommended that 5 disabled spaces and 4 motorcycle spaces should be incorporated into the scheme. The applicant has confirmed that the site layout can be amended to reflect this and will result in the net loss of 4 car parking spaces. This can be achieved by some minor changes to the western end of the car park, ensuring that the disabled spaces are located close to the public highway. It will not need wholesale changes to the car parking layout. The resultant scheme would provide 74 car parking spaces that include 5 disabled spaces and provision of motorcycle spaces. This would be in accordance with SPG4, KCC parking standards. Therefore it is recommended that an additional condition is required to seek amended details of the car parking layout. The applicant has agreed to the imposition of this pre-commencement condition.

The additional condition 15 should read:

“Notwithstanding the parking layout as shown on the approved plans, prior to the commencement of the development details of the car parking layout to show 74 car parking spaces that include 5 disabled spaces and 4 motorcycles spaces shall be submitted to and approved by the local planning authority. The car parked shall be marked in accordance with the approved details prior to its first use.

Reason: To ensure adequate parking provision and in the interests of highway safety, in accordance with policy EN1 of the Allocations and Development Management Plan.”

Amendment to condition 8 is to include the restriction of the use of lighting when the car park is in operation. Condition 8 should read:

“The installation of external lighting shall only be carried out in accordance with the approved outdoor lighting report ref: MMA14495 and implemented in full prior to the first use of the car park hereby permitted, unless otherwise agreed by writing from the local planning authority. The car park shall not be illuminated between the hours of 22:00 and 07:00 on any day.

To protect the amenities of the area as supported by policies EN1, EN6 of the Sevenoaks Allocations and Development Management Plan.”

For clarification, KCC Highways has verbally confirmed that more than one vehicle charging point is required; therefore condition 12 has been amended accordingly.

Condition 12 should now read:

“Details and location of electric vehicle charging units provided within the site shall be submitted to and approved by in writing by the local planning authority and implemented in full prior to the first use of the car park hereby permitted.

Reason: In order to mitigate and adapt to climate change in accordance with policies EN1 and T3 of the Sevenoaks Allocations and Development Management Plan.”

Amendment to report

In paragraph 13 the last planning application within the planning history section should read:

18/00704 - Temporary 3 year use as a car park - REFUSED

To highlight to members that the 2018 application was previously refused on the following grounds:

“The use of the land for a temporary long stay car park would be contrary to the provisions of the National Planning Policy Framework and Policies SC1 and T1 of the Sevenoaks Allocations and Development Management Plan as the proposal would encourage the use of the private motor car to the detriment of more sustainable means of transport. Furthermore no overriding need for the development has been given and no evidence has been submitted that there is a demand or shortfall of existing car parking provision within Sevenoaks Town Centre.”

And

“The 24 hour use of the land for a temporary long stay car park would create noise and disturbance to the detriment of the existing living conditions of adjacent occupiers of Warren Court and The Old Police Station, contrary to Policy EN1, EN2, EN7 of the Sevenoaks Allocations and Development Management Plan.”

It is considered that this amended scheme has overcome the previous reasons for refusal, as the scheme addresses the need for the car park as cited in paragraphs 32 - 37 of the main report. Furthermore as cited in the report, having regard to the restricted opening hours of the temporary car park, limited harm would be caused to residential occupiers of adjacent properties as the car park would be in operation between the hours of 0700hrs - 2200hrs and not for 24hrs. Any other impacts can be addressed by those conditions proposed.

Consideration has also been given to the off-site financial contribution to update the existing variable message signs (VMS) display system. These signs display the

number of vacant parking spaces available in specified parking areas within Sevenoaks. There are four of these signs that can be found in various locations around Sevenoaks. To incorporate and update the existing VMS to include the site, will require the financial outlay of approximately £50K to update and include the necessary infrastructure that is associated with it. Such an obligation would require a S106 agreement to secure this undertaking.

Paragraph 56 of the National Planning Policy Framework states that planning obligations must only be sought where they meet the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably real and in scale and kind to the development.

Upon considering the above, a financial undertaking of this nature would be unreasonable, as the development is temporary and further costs to add associated infrastructure inflates the cost of the development as a whole, as well as further cost to remove it when the use ceases. The effective use of the system would only be three years and therefore a financial contribution cannot be sought after. In addition to this, it should also be noted that the Councils' Parking Manager has not requested that such a contribution should be made and KCC Highways, whilst supporting such a provision, have verbally indicated that they would not oppose such development without the VMS S106 contribution. The applicant has verbally confirmed that financial obligation towards VMS is unviable and unreasonable in planning terms, considering that the development is for a temporary use.

The development is considered acceptable in highway terms without the need of the VMS to make it acceptable in planning terms.

Recommendation

Recommend to amend the wording to conditions 8 and 12 and add condition 15 as detailed above.

4.2 18/03520/FUL Land to the East of The Cottage, Badgers Road, Badgers Mount

Officer note: The proposed block plan was not originally included with the committee plans, as the existing block plan was included in error.

Recommendation Remains Unchanged

The application has been WITHDRAWN by the applicant.