

16 June 2016 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks
Despatched: 08.06.16



Development Control Committee

Membership:

Chairman, Cllr. Williamson; Vice-Chairman, Cllr. Thornton
Cllrs. Ball, Barnes, Bosley, Brown, Clark, Cooke, Edwards-Winsor, Gaywood, Hogg,
Horwood, Mrs. Hunter, Kitchener, Layland, Parkin, Purves, Reay and Miss. Stack

Agenda

	Pages
Apologies for Absence	
1. Minutes To approve the minutes of the meeting of the Committee held on 19 May 2016, as a correct record.	(Pages 1 - 16)
2. Declarations of Interest or Predetermination Including any interests not already registered	
3. Declarations of Lobbying	
4. Planning Applications - Chief Planning Officer's Report	
4.1 SE/16/00918/FUL - Bradbourne Car Park, Bradbourne Park Road, Sevenoaks TN13 3YD Construction of a multi storey car park on surface of existing car park to provide three levels (ground, first & second) of decked parking.	(Pages 17 - 50)
4.2 SE/16/01023/FUL - Land North East Of Magistrate Court, Morewood Close, Sevenoaks, Kent The temporary change of use and formation of a car park (up to 12 months) with access and associated arboricultural works.	(Pages 51 - 66)

4.3 **SE/16/00306/HOUSE - Long Range , Rock Hill, Orpington BR6 7PP** (Pages 67 - 78)

Replacement of existing two storey extension with new two storey extension to rear, alterations to fenestration, demolition of existing garage and erection of new garage, new pitched roof to replace flat roof over utility room, installation of 8 sqm. of photovoltaic panels. Raised pathway to front, and extension of patio to the rear.

EXEMPT INFORMATION

At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.

Any Member who wishes to request the Chairman to agree a pre-meeting site inspection is asked to email democratic.services@sevenoaks.gov.uk or speak to a member of the Democratic Services Team on 01732 227247 by 5pm on Monday, 13 June 2016.

The Council's Constitution provides that a site inspection may be determined to be necessary if:

- i. Particular site factors are significant in terms of weight attached to them relative to other factors and it would be difficult to assess those factors without a Site Inspection.
- ii. The characteristics of the site need to be viewed on the ground in order to assess the broader impact of the proposal.
- iii. Objectors to and/or supporters of a proposal raise matters in respect of site characteristics, the importance of which can only reasonably be established by means of a Site Inspection.
- iv. The scale of the proposal is such that a Site Inspection is essential to enable Members to be fully familiar with all site-related matters of fact.
- v. There are very significant policy or precedent issues and where site-specific factors need to be carefully assessed.

When requesting a site inspection, the person making such a request must state under which of the above five criteria the inspection is requested and must also provide supporting justification.

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 19 May 2016 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Ball, Barnes, Clark, Cooke, Edwards-Winsor, Gaywood, Hogg, Horwood, Mrs. Hunter, Kitchener, Layland, Parkin, Purves, Miss. Stack and Reay

Apologies for absence were received from Cllrs. Bosley and Brown

Cllrs. Dr. Canet, McGregor, Piper and Searles were also present.

1. Minutes

Cllr. Layland queried that L06 Policy had been omitted as a reason for refusal under Minute 99 - SE/15/00376/FUL Westerham House, Fircroft Way, Edenbridge TN8 6EL. The Development Manager advised that whilst included in debate he recollected from listening to the audio of the meeting that this had not been put forward in the motion agreed by the Committee.

Resolved: That the minutes of the Development Control Committee held on 26 April 2016 be approved and signed by the Chairman as a correct record.

2. Declarations of Interest or Predetermination

Councillors Ball, Barnes and Hogg declared for Minute 4 - SE/16/00253/FUL United House, Goldsel Road, Swanley BR8 8EX that, in their capacity as members of Swanley Town Council, they had received information and a presentation from Swantex Paper Mill but remained open minded.

Cllr Clark declared for Minute 5 - SE/16/00234/HOUSE 38 Ridge Way, Edenbridge TN8 6AR, that he was longstanding friends with one of the objectors and that he would not take part in the debate or voting thereon and would leave the Chamber during consideration of this item.

Cllr. Layland declared for Minute 5 - SE/16/00234/HOUSE 38 Ridge Way, Edenbridge TN8 6AR, that he was Ward Councillor and a member of Edenbridge Town Council but remained open minded.

3. Declarations of Lobbying

Councillors Ball, Barnes, Hogg, Layland and Miss. Stack declared that they had been lobbied in respect of Minute 5 - SE/16/00234/HOUSE 38 Ridge Way, Edenbridge TN8 6AR.

Reserved Planning Applications

The Committee considered the following planning applications:

4. SE/16/00253/FUL - United House, Goldsel Road, Swanley BR8 8EX

The proposal was for demolition of existing industrial and office buildings and redevelopment of site for 185 dwellings with associated parking and public open space.

It had been referred to Committee by Councillor Searles to consider the impact of the development on the operation of Swantex Paper Mill, the density of the development and its impact on highways and local infrastructure.

Members' attention was brought to the main agenda papers and the late observations sheets which proposed amendments to the conditions.

Against the Application:	-
For the Application:	Rick DeBlaby
Parish Representative and	
Local Member:	Cllr. Searles

Members asked questions of clarification from the speakers and officers, concerning density, single aspect buildings, noise and security. Cllr. Searles confirmed that he had not been involved in any of the negotiations as local member.

It was moved by the Chairman and duly seconded that the recommendations in the agenda as amended by the late observations sheets, be agreed.

Members discussed the measures within the application which sought to address the previous concerns and reasons for refusal of a similar application. Members debated suitability of density and single aspect dwellings.

The motion was put to the vote and it was

Resolved: That

a) planning permission be granted subject to

i) the conditions set out below, subject to officers being authorised to make any appropriate amendments arising following negotiations and/or in the light of legal advice -

ii) in the event a satisfactory legal agreement made under section 106 of the Town and Country Planning Act 1990 (as amended) and any other appropriate legislation being completed no later than 27 May 2016 (or if officers are satisfied that the applicant has agreed in writing to the

extension of the statutory period for determination, officers are authorised to agree to the extension of the time for completion of the legal agreement and the issue of the decision notice) ;and

iii) the S.106 legal agreement including the following requirements

- 16% affordable housing provision; and
- Provision, protection and maintenance of public open space.

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) The development hereby permitted shall be carried out in accordance with the following approved plans: 101-P, 102-A, 120-B, 121-B, 122-B, 133-F, 134-E, 135-D, 136-E, 140-B, 141-B, 142-B, 143-B, 144-B, 145-B, 146-B, 147-B, 148-B, 149-B, 150-B, 151-B, 152-B, 153-B, 154-B, 155-B, 156-B, 157-C, 158-B, 159-B, 160-B, 161-B, 162-B, 163-B, 164-B, 165-B, 166-B, 167-B, 168-B, 5630/100/D; 104; 105/A; 107; 111/E, LON.0005_06C; 07B; 08B; 09B; 11B; 12B; 16B; 17A; 18C; 19D; 20B; 21B; 22B; 24A; 25, Noise modelling and façade acoustic design strategy (Report Number 4930.6/B dated 25 February 2016 by Apex Acoustics Limited), Acoustic non-technical summary (Report Number 4930.5 dated 29 January 2016 by Apex Acoustics Limited), Archaeological Desk-Based Assessment (dated 18/01/2016), Flood Risk Assessment (ref. 5630/2.3F, dated January 2015), Landscape and Visual Appraisal (Ref. LON.0005_REV B), Arboricultural Report Impact Assessment and Draft Tree Protection Plan (dated 12 January 2015), Preliminary Ecological Assessment (dated January 2016), GCN and Reptile Survey (dated January 2016), Planning Statement (dated 29 January 2016), Sustainability and Energy Statement (dated Jan 2016), Sustainable Waste Management Plan (dated January 2016), Transport Assessment (Ref. 5630/2.3, dated January 2016), Design and Access Statement (dated January 2016).

For the avoidance of doubt and in the interests of proper planning.

3) 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 buildings hereby permitted have been submitted to and approved in writing by the Council. No development shall take place other than in accordance with the approved details.

To ensure that the appearance of the development is in harmony with the existing character of the surroundings as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan. 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.

- 4) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority. No development shall take place other than in accordance with the approved details.

To ensure that features of archaeological interest are properly examined and recorded as supported by Policy EN4 of the Sevenoaks Allocations and Development Management Plan. 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.

- 5) No development shall be carried out on the land until a scheme of measures to minimise the risk of crime according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) have been submitted to and approved in writing by the Local Planning Authority. The measures so approved shall be implemented prior to the first occupation of any of the residential units and retained thereafter.

To ensure the creation of a safe and secure environment in accordance with policy EN1 of the Sevenoaks Allocations and Development Management Plan. 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.

- 6) No development shall be carried out on the land until a detailed sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The detailed drainage scheme shall demonstrate that both the rate and volume of run-off leaving the site post-development will be restricted to that of the existing site during any rainfall event (up to and including the climate change adjusted 100yr critical storm). No development shall take place other than in accordance with the approved details.

To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage

provisions in accordance with the National Planning Policy Framework. 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.

- 7) No development shall be carried out on the land until it has been appropriately demonstrated that the existing on-site surface water flow-routes and accumulation points will not be altered in such a way that the development places property at risk from flooding during any rainfall event, up to and including the climate change adjusted critical 100yr storm.

To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions in accordance with the National Planning Policy Framework. 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.

- 8) No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
- i) a timetable for its implementation, and ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime. No development shall take place other than in accordance with the approved details.

To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions in accordance with the National Planning Policy Framework. 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.

- 9) No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. No development shall take place other than in accordance with the approved details.

To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

- 10) No development shall be carried out on the land until a phased contaminated land investigation comprising a Phase 1 (desk top) study, Phase 2 (intrusive) investigation and remediation strategy has been submitted to and agreed in writing by the Local Planning Authority. No development shall take place other than in accordance with the approved remediation strategy.

In the interests of pollution prevention and safety and to comply with the National Planning Policy Framework. 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.

- 11) No occupation of any of the residential units shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan and certificates for removed material and imported soils to demonstrate that the site remediation criteria have been met. No development shall take place other than in accordance with the approved details.

In the interests of pollution prevention and safety and to comply with the National Planning Policy Framework.

- 12) No development shall be carried out on the land until a detailed and comprehensive scheme of acoustic protection, to include the position, construction details and density of any noise barrier and details of acoustic ventilation and glazing for all residential units has been submitted to and approved in writing by the Local Planning Authority. No development shall take place other than in accordance with the approved details.

To ensure the provision of adequate residential amenities for future occupiers and to safeguard the ongoing operation of the adjacent industrial premises in accordance with paragraph 123 of the National Planning Policy Framework and policies EN2 and EN7 of the Sevenoaks Allocations and Development Management Plan. 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.

- 13) No occupation of any of the residential units shall take place until a verification report demonstrating completion of the approved acoustic

protection measures and the effectiveness of those measures has been submitted to and approved in writing by the Local Planning Authority.

To ensure the provision of adequate residential amenities for future occupiers and to safeguard the ongoing operation of the adjacent industrial premises in accordance with paragraph 123 of the National Planning Policy Framework and policies EN2 and EN7 of the Sevenoaks Allocations and Development Management Plan.

- 15) No development shall be carried out on the land until full details of the access road, including footways, cycleways, lighting and drainage as shown on drawing 5630/100D has been submitted to and approved in writing by the Local Planning Authority. No such works shall be carried out other than in accordance with the approved details prior to first occupation of any residential unit on the application site.

In the interest of highway safety as supported by policy T2 of the Sevenoaks Allocations and Development Management Plan. 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.

- 16) No development shall be carried out on the land until full details of the internal roads, including footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, driveway gradients, car parking and street furniture has been submitted to and approved in writing by the Local Planning Authority. No such works shall be completed other than in accordance with the approved details prior to first occupation of any residential unit on the application site.

In the interest of highway safety as supported by policy T2 of the Sevenoaks Allocations and Development Management Plan. 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.

- 17) Prior to the first occupation of any of the hereby approved residential units a final Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include the appointment of a Travel Plan co-ordinator, targets for non-car modes of travel and details of the arrangements for promotion of the Travel Plan. The Travel Plan shall be implemented in accordance with the details so approved and monitored at yearly intervals and the results, including an annual report, together with any amendments to the Travel Plan, shall be submitted to the Local Planning Authority.

To promote and encourage sustainable modes of transport, in accordance with policy SP1 of the Core Strategy and the National Planning Policy Framework.

- 18) The parking spaces, turning areas and means of access shown on the hereby approved plans shall be provided prior to first occupation of any of the residential units hereby approved and be kept available for such use at all times and no development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 or not, shall be carried out on that area of land or to preclude vehicular access thereto.

In the interest of highway safety as supported by policy T2 of the Sevenoaks Allocations and Development Management Plan.

- 19) No development shall be carried out on the land until details for the provision of electric vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging points shall be installed in accordance with the details so approved prior to the first occupation of any of the residential units hereby approved.

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

- 20) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The Statement shall stipulate a scheme for:- the parking of vehicles of site operatives and visitors;- loading and unloading of plant and materials;- storage of plant and materials used in constructing the development;- the erection and maintenance of security hoarding;- measures to control the emission of dust and dirt during construction;- a scheme detailing the measures to be employed to minimise construction noise disturbance during term time at High Firs Primary School;- a scheme for recycling/disposing of waste resulting from demolition and construction works.- a scheme to provide a safe route at all times during the construction process for pedestrians along Goldsel Road and along the footpath to Court Crescent and High Firs Primary School;- a programme of implementation. No development shall take place other than in accordance with the approved details throughout the construction period.

In the interests of highways safety and the amenities of the surrounding area during the construction phase in accordance with policies EN1 and

T1 of the Sevenoaks Allocations and Development Management Plan. 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.

- 21) No development shall take place, including any site clearance works, until details of wheel-washing facilities have been submitted and approved in writing by the Local Planning Authority. No development shall take place other than in accordance with the approved details and shall be retained and utilised throughout the construction of the development.

To mitigate the impact during construction relating to highways safety and neighbouring amenities, in accordance with policy EN1 of the Sevenoaks Allocations and Development Management Plan. 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.

- 22) No development shall be carried out on the land until details of secure cycle storage for all residential units has been submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be provided in accordance with the details so approved prior to the first occupation of the relevant residential units.

To promote and encourage sustainable modes of transport, in accordance with policy SP1 of the Core Strategy and the National Planning Policy Framework. 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.

- 23) No development shall be carried out on the land until details of refuse and recycling storage for all parts of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling storage shall be provided in accordance with the details so approved prior to the first occupation of the relevant residential units.

To ensure satisfactory provision of refuse and recycling facilities and to safeguard residential amenity in accordance with policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan. 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.

- 24) No development shall be carried out on the land until an energy strategy, to include details of how the 'fabric first' approach set out in the hereby approved Sustainability and Energy Statement (dated 07 January 2015), or other approach as may be agreed in writing by the Local Planning Authority, shall secure at least a 10% reduction in the total carbon emissions over the requirements of Part L of the Building Regulations has been submitted to and approved in writing by the Local Planning Authority. No development shall take place other than in accordance with the approved details.

To ensure the creation of a sustainable development, in accordance with policy SP2 of the Core Strategy and the National Planning Policy Framework. 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.

- 25) The first floor level windows in the side elevations of unit nos. 164 and 158 shall be obscure glazed and fixed shut below 1.7m from finished floor level and shall be retained and maintained as such thereafter.

In order to safeguard the residential amenities of surrounding occupiers in accordance with policy EN2 of the Sevenoaks Allocations and Development Management Plan.

- 26) No extensions or external alterations shall be carried out to any of the dwellings hereby approved, despite the provisions of any Development Order.

In order to safeguard the residential amenities of existing and future occupiers of the development and surrounding properties in accordance with policy EN2 of the Sevenoaks Allocations and Development Management Plan.

- 27) No development shall be carried out on the land until details of the specific locations of the proposed reptile fence has been submitted to and approved in writing by the Local Planning Authority. The reptile mitigation strategy shall be implemented in accordance with the recommendations contained in the hereby approved Reptile Survey (dated January 2016) and no development shall take place other than in accordance with the approved details.

In order to enhance the protect and enhance the biodiversity value of the site in accordance with policy SP11 of the Core Strategy, policies EN1 and G11 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework. 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 be carried out on the land until details of reptile enhancement works and a management plan for the proposed pond and surrounding open space has been submitted to and approved in writing by the Local Planning Authority. No development shall take place other than in accordance with the management plan and approved details.

In order to enhance the biodiversity value of the site in accordance with policy SP11 of the Core Strategy, policies EN1 and GI1 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework. 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.

- 29) No development shall be carried out on the land until full details of appropriate measures to enhance the biodiversity and nature conservation value of the site, including for breeding birds and bats shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place other than in accordance with the approved details prior to the first occupation of the development.

In order to enhance the biodiversity value of the site in accordance with policy SP11 of the Core Strategy, policies EN1 and GI1 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework. 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.

- 30) No development shall be carried out on the land until details of proposed external lighting, including street lighting, lighting to be attached to the buildings and any external lighting proposed elsewhere within the site, shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include siting, angles, levels of illumination, timing and any shields. No development shall take place other than in accordance with the approved details.

To safeguard neighbour residential amenity and the visual amenity and biodiversity value of the area in accordance with policies EN1, EN2, EN6 and GI1 of the Sevenoaks Allocations and Development Management Plan. 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.

- 31) No development shall be carried out on the land until a landscaping scheme consistent with the hereby approved Landscape Strategy shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include the following details:
- a) trees and shrubs to be retained (including details of appropriate tree protection measures for the existing trees and shrubs shown to be retained);
 - b) soft plantings, including trees, grass and turf areas, shrub and herbaceous areas; their location, species (use of native species where possible), density and size;
 - c) enclosures: including types, dimensions and treatments of walls, fences, pedestrian and vehicular gates, screen walls, barriers, rails, retaining walls and location, species and size of hedges;
 - d) hard landscaping: including ground surfaces (including the Public Right of Way through the site), kerbs, edges, ridge and flexible pavings, unit paving, steps and if applicable synthetic surfaces; and
 - e) any other landscaping feature(s) forming part of the scheme.
- All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within fifteen years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season. No development shall take place other than in accordance with the approved details and shall be maintained as such thereafter.

To enhance the visual appearance and green infrastructure of the area as supported by policies EN1 and GI1 of the Sevenoaks Allocations and Development Management Plan. 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.

- 32) No works of excavation shall take place until full details of the foundation design and no dig construction method for the hereby approved footpath/cycleway on the southern side of the access road has been submitted to and approved in writing by the Local Planning Authority. No development shall take place other than in accordance with the approved details.

To secure the retention and long term health of existing trees as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 33) No development shall be carried out on the land until impact studies of the existing water supply infrastructure have been submitted to and approved in writing by the Local Planning Authority. The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point. No development shall take place other than in accordance with the approved details.

To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand. 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.

- 34) No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. No development shall take place other than in accordance with the approved details.

The proposed works will be in close proximity to underground water utility infrastructure and piling has the potential to impact on local underground water utility infrastructure.

- 35) No development shall be carried out on the land until details of a landscaping scheme for the proposed buffer planting strip to the rear of plots 150-158 has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include the following details:

- a) trees and shrubs to be retained (including details of appropriate tree protection measures for the existing trees and shrubs shown to be retained);
- b) soft plantings, including trees, grass and turf areas, shrub and herbaceous areas; their location, species (use of native species where possible), density and size;
- c) enclosures: including types, dimensions and treatments of walls, fences, pedestrian and vehicular gates, screen walls, barriers, rails, retaining walls and location, species and size of hedges; and
- d) any other landscaping feature(s) forming part of the scheme.

All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within fifteen

years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season. No development shall take place other than in accordance with the approved details and shall be maintained as such thereafter.

To safeguard the residential amenities of neighbouring residents and to enhance the visual appearance and green infrastructure of the area as supported by policies EN1, EN2 and GI1 of the Sevenoaks Allocations and Development Management Plan. 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.

- 36) No development shall take place until details of the hereby approved layby on Goldsel Road have been submitted to and approved in writing by the Local Planning Authority. These details shall include a timetable for implementation that is prior to the commencement of works on site. No development shall take place otherwise than in accordance with the approved details.

To safeguard the parking provision for these properties during and after the construction process and to protect the residential amenities of neighbouring residents as supported by policies EN1 of the Sevenoaks Allocations and Development Management Plan. 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.

- 37) No development shall take place until details of a scheme to provide utilities connections to the dwellings hereby permitted to facilitate access to infrastructure that meets modern communication and technology needs, including broadband and where feasible Superfast Fibre Optic Broadband, high speed internet cabling and digital TV cabling has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be provided prior to first occupation of any of the residential units hereby permitted.

To secure the installation of infrastructure that meets modern communication and technology needs and to avoid the need for retrofitting in accordance with policy EN1 of the Sevenoaks Allocations and Development Management Plan. 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.

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) Please be aware that this development is also the subject of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990.
- b) if the S106 legal agreement is not signed in accordance with Minute 4 a) above, then planning permission be refused on the following grounds
 - 1) The proposal fails to make provision for affordable housing and it is therefore contrary to policy SP3 of the Sevenoaks Core Strategy and the Sevenoaks Affordable Housing Supplementary Planning Document and the National Planning Policy Framework.
 - 2) The proposal fails to make provision for open space and the management of it contrary to policies SP9 and SP10 of the Sevenoaks Core Strategy, and Policies H2 and GI1 of the Sevenoaks Allocations and Development Management Plan.

5. SE/16/00234/HOUSE - 38 Ridge Way, Edenbridge TN8 6AR

The proposal sought erection of a single storey rear extension, pergola structure and covered decking area.

It had been referred to Committee by Councillors Scholey and McGregor because the proposal would be contrary to point 5.9 of the Residential Extensions SPD in that it would not maintain an acceptable outlook for neighbouring residents.

Members' attention was brought to the main agenda papers.

Against the Application:	Edward Cookson
For the Application:	-
Parish Representative:	-
Local Member:	Cllr McGregor

Members asked questions of clarification from the speakers and officers in relation to permitted development rights.

It was moved by the Chairman and duly seconded that the recommendation in the agenda to grant planning permission be agreed.

Agenda Item 1

Development Control Committee - 19 May 2016

Members noted the neighbour's concerns and discussed the application in comparison with what could be possible if permittee development rights were exercised.

The motion was put to the vote and it was

Resolved: That planning permission be granted 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) The materials to be used in the construction of the development shall be those indicated on the submitted application form.

To ensure that the appearance of the development is in harmony with the existing character of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 3) The development hereby permitted shall be carried out in accordance with the following approved plans: SD2324-GA-B

For the avoidance of doubt and in the interests of proper planning.

(Having declared an interest, Cllr Clark was not present during consideration of this item)

THE MEETING WAS CONCLUDED AT 8.27 PM

CHAIRMAN

4.1 - SE/16/00918/FUL

Date expires 28 June 2016

PROPOSAL: Construction of a multi storey car park on surface of existing car park to provide three levels (ground, first & second) of decked parking.

LOCATION: Bradbourne Car Park, Bradbourne Park Road, Sevenoaks TN13 3YD

WARD(S): Sevenoaks Town & St Johns

ITEM FOR DECISION

This application is being referred to Development Control Committee because the Council is both the applicant and the landowner.

RECOMMENDATION: That planning permission be GRANTED 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 building hereby permitted have been submitted to and approved in writing by the Council. 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 is in harmony with the existing character of the 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 Higginson Associates. 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 Higginson Associates, 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 information, the building hereby permitted shall not be used as a car park until full details of soft landscape works have been submitted to and approved in writing by the Council. 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) The car park hereby permitted shall not be used for vehicle parking until the implementation of a scheme for the closure of the public car park known as the Sennocke car park on Hitchen Hatch Lane and the removal of 70 existing season ticket permits for commuters on Mount Harry Road and Hitchen Hatch Lane, the details of which shall have been submitted to and approved in writing by the Local Planning Authority prior to such first use. If the Sennocke car park is re-opened as a car park in the future, then the equivalent number of spaces in the multi storey car park hereby permitted shall be removed from use.

To accord with the terms of the application, and to prevent an accumulation of parking spaces in the area, which would add to traffic generation and impacts in the area and has not been considered in the Transport Assessment submitted with the application, in accordance with policies SP2 of the Core Strategy, EN1 and T1 of the Sevenoaks Allocations and Development Management Plan.

7) Prior to first use of the car park, a minimum of 12 disabled parking spaces (to include a 1.2 metre safety and access zone to the side and rear of each space) shall be provided and marked out on the ground floor of the site, unless justification for a smaller number has been submitted to and approved in writing by the Local Planning Authority. The spaces shall thereafter be maintained for disabled parking.

To provide safe and easy access for those with disabilities, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

8) Prior to first use of the car park, a minimum of 2 electric charging points shall be provided and maintained within the car park, and infrastructure shall be provided to accommodate an additional 8 future charging points.

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

9) No development shall take place until a remediation strategy, based on the findings and recommendations of the Ground Investigation Report by Geo Environmental, to deal with the risks associated with potential contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include a discovery strategy should contamination be found that was not previously identified in the Ground Investigation Report. The scheme shall be implemented as approved.

In order to ensure that potential contamination is treated appropriately, in accordance with the National Planning Policy Framework.

10) The car park hereby permitted shall not be used until a verification report, demonstrating completion of works set out in the approved remediation strategy, has been submitted to and approved in writing by the local planning authority. The report shall include evidence to demonstrate that the remediation criteria have been met.

In order to ensure that potential contamination is treated appropriately, in accordance with the National Planning Policy Framework.

11) No lighting shall be installed to the car park 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.

12) The development hereby permitted shall incorporate measures to minimise the risk of crime. No development shall take place until details of such measures, according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is occupied and thereafter retained.

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

13) The disposal of surface water shall be undertaken in full accordance with the drainage details provided by CTP and submitted with the application, unless otherwise approved in writing by the Local Planning Authority. The car park shall not be used until such measures have been installed in full.

To ensure appropriate drainage is provided for the development, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

14) The development hereby permitted shall be carried out in accordance with the following approved plans: BRA-BBA-ZO-ZZ-DR-A-01001 D5 Rev P2, BRA-BBA-ZO-ZZ-DR-A-01002 S2 Rev P, BRA-BBA-ZO-GF-DR-A-02001 D5 Rev P3, BRA-BBA-ZO-01-

DR-A-02001 D5 Rev P3, BRA-BBA-ZO-ZZ-DR-A-03001 D5 Rev P4, BRA-BBA-ZO-ZZ-DR-A-03002 D5 Rev P4 and BRA-BBA-ZO-ZZ-DR-A-04002 D5 Rev P4

For the avoidance of doubt and in the interests of proper planning.

15) Before development commences, a scheme of measures to promote alternative forms of transport to access Sevenoaks train station, other than by motor car, shall be submitted to and approved in writing by the Local Planning Authority. Such measures shall be carried out in accordance with the approved details.

To promote alternative forms of travel as part of an overall package of travel options for users of Sevenoaks Train station, in accordance with Policy SP2 of the Sevenoaks Core Strategy.

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) The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
- 2) The applicant was provided the opportunity to submit amendments to the scheme/address issues.

Description of Proposal

- 1 This application seeks planning permission to erect a multi-storey car park on the existing surface level public car park at Bradbourne Park Road.
- 2 The proposed car park would provide a total of 435 parking spaces over three levels. The decked area, comprising the first and second floors, would extend along the south east and south west boundaries of the site, and the front building line of the deck would be sited behind the existing landscaped bank fronting Bradbourne Park Road, at a distance of between 4.5 metres and 9 metres from the pavement edge. The deck would be set back from the northern boundary of the site in a staggered arrangement, varying between 1 metre and 22 metres distance from this boundary.
- 3 The structure would be clad in coloured aluminium fins on the elevation fronting Bradbourne Park Road, as well as part of the north elevation closest to the road. The height of the structure would vary from 7.5 metres in height to 9.2 metres height (measured to the top of the fins on the elevation fronting Bradbourne Park Road), with some localised increased to 10.5 metres where staircases would be provided within the development.
- 4 Access into and out of the car park would be onto Bradbourne Park Road on the southern side of the site, as is the existing arrangement.

Description of Site

- 5 The site currently operates as a surface level public car park, containing 216 spaces. The car park is on a generally level surface, despite the fact that Bradbourne Park Road slopes down in a northwards direction. As a result, the northern part of the car park rises above the level of the road and a landscaped bank manages this difference in levels.
- 6 The site is located next to the BT Building and associated car park to the south and west, and opposite the Granville School to the east of the site. To the north is a sheltered housing development called “The Acorns”. Due to the changes in level, the Acorns is sited substantially below the level of the existing car park. Further to the north is established residential housing.
- 7 Due to the proximity of the car park to the railway station, it is popular with commuters and a large number of spaces are allocated as season tickets.

Constraints

- 8 Within an Area of Archaeological Potential
- 9 Former Landfill site

Policies

Sevenoaks Core Strategy (Adopted Feb 2011)

- 10 Policies - LO1, LO2, SP1, SP2

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Sevenoaks Allocations and Development Management Plan (Adopted Feb 2015):

11 Policies - SC1, EN1, EN2, EN6, EN7, H1, T1, T2, T3

Material Considerations

12 The National Planning Policy Framework (NPPF)

Key Paragraphs include

Paragraph 14 - The presumption in favour of sustainable development

Paragraph 17 - the 12 principles that underpin planning, including to drive and support economic development, high quality design, the effective use of brownfield land, and managing patterns of growth.

Paragraph 19 - support for sustainable economic growth

Paragraph 29 - promoting sustainable transport and giving people choice about how they travel

Paragraph 30 - encouragement to solutions that reduce pollution and congestion

Paragraph 31 - development of strategies for the provision of viable infrastructure necessary to support sustainable development

Paragraph 32 - all developments that generate significant traffic should be supported by a Transport Assessment. Plans and decisions should take account of whether

- Opportunities for sustainable transport modes have been taken up, to reduce the need for major transport infrastructure
- Safe and suitable access can be achieved for all people
- Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented / refused where residual cumulative impacts are severe

Paragraph 56 - The importance of good design in the built environment

Paragraph 64 - Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 69 - promotion of safe and accessible environments where crime and disorder and fear of crime do not undermine quality of life or community cohesion

13 The Sevenoaks District Strategy for Transport (SDST)

Most relevant is chapter 10, which states the following -

Section 10 - Priority initiative - “In combination with measures to promote alternative forms of transport to access stations, provide sufficient off-street parking at stations and controls in nearby streets.”

Section 10.3 - “It is important that improvements to the facilities at Sevenoaks district’s stations and access to the stations by all modes is improved. Integrating rail travel with access by car, bus, walking and cycling is essential.”

Section 10.8 - Rail objectives of the SDST

- That additional car parking will be required at Sevenoaks
- That demand for on-street parking can cause accessibility problems
- That proposals to increase station car parking should be combined with measures to improve accessibility by walking, cycling and public transport.

Planning History

- 14 No applications of relevance
- 15 Prior to use as a car park, the site appears to have formed part of a pit adjacent to a coal yard, subsequently filled.

Consultations

Sevenoaks Town Council

- 16 Sevenoaks Town Council recommended refusal on the following grounds:
- 1 The proposal would have a detrimental impact on the street scene, character of the area, and on the residential amenities of surrounding properties.
 - 2 The proposal will result in increased congestion in the surrounding roads, in particular at the already congested Bradbourne Park Road / Mount Harry Road Junction. In addition, it will draw traffic through the residential Bradbourne Lakes area.
 - 3 The proposal will have a detrimental impact on the schools in Bradbourne Park Road.
 - 4 There is no assessment of the proposal's impact on air quality over an adequate area.

Kent Highways

- 17 1. The application proposes the redevelopment and expansion of Bradbourne car park to provide a total capacity of 435 spaces. This would replace the existing 216 spaces provided. The Sennocke car park, located on Hitchen Hatch Lane, is intended to be redeveloped to provide a hotel. This car park holds 84 spaces. Additionally 230 on street spaces will remain but be no longer available to commuters for all day parking. Short term parking

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and residents will be able to use the spaces. The location of these spaces is Mount Harry Road and Hitchen Hatch Lane.

2. Sevenoaks District Council have confirmed that an appropriate condition will be applied to secure the closure of the Sennocke car park and the permits given to commuters for on street parking in order to ensure that the parking figures are not 'doubled up' (*officer note - see proposed condition 6*)

The resultant parking provision will therefore be as follows:

	Existing	Proposed	Difference
Bradbourne	216	435	+219
Sennocke	84	0	-84
On street	300	230	-70
Total			+65

The table above indicates that the uplift in parking spaces overall would be 65.

3. The minimum disabled parking provision should be in line with the minimum requirement for the uplift, ie. 12 spaces until such time as the Disabled Action Group inform that this quantity is not necessary.

(*Officer Note - see proposed condition 7*)

4. The level of pedestrian visibility is adequate bearing in mind that traffic speeds are reduced by the traffic calming feature.

5. I am concerned that pedestrians crossing the A224 for the station do so away from the crossing facility and outside of the guard railing provided. The number of pedestrians using this route will increase as a result of this development; therefore the potential for the removal of part/all of the guard railing should be investigated further including consultations and safety audit. If these are positive the work should be completed under a S278 Agreement. Swept path drawings have been provided which indicate that an artic vehicle can turn to and from Hitchen Hatch Lane without interference to pedestrians on the footway.

6. Traffic surveys have been completed to record the movements at the existing car park during the peak periods and on the highway. This has identified that the highway network peak hour overall is 0745 - 0845 and 1600 - 1700. Apart from this, Bradbourne Park Road also experiences a spike in traffic flows between 0800 and 0900 due to school traffic.

7. The survey indicates that the majority of arrivals to the car park occur before 0745 and leave after 1800. The car park survey has been used to calculate the trips rates per parking space and this can be used to estimate the uplift in traffic arising from the expansion of the car park. Based on the survey data the trip rates are as follows:

	Arrivals	Departures
AM PK	0.32	0.05
PM PK	0.06	0.12

Therefore the uplift in traffic arising from an additional 65 spaces is:

	Arrivals	Departures
AM PK	20	3
PM PK	4	8

8. The proposal will result in 65 new spaces, however consideration must be given to the redistribution of traffic from the Sennocke car park and the on street spaces on Mount Harry Road and Hitchen Hatch Lane which will no longer be available to commuters. Additionally the effects of the proposed development of an 80 bedroom hotel provided on the Sennocke car park site is considered.

9. There has been no application received for the hotel development and therefore this has not been assessed. However based on TRICs data, some traffic generation estimates have been provided. The results indicate that this would generate approximately 17 two way trips to the car park in the morning peak hour and 14 during the evening peak. Additionally a parking accumulation survey has been completed to inform on the number of parking spaces required and this indicates that a provision of 20 spaces would be adequate. These spaces are to be provided at the Bradbourne car park. The information in respect of the hotel will be assessed separately once an application is received.

10. A network diagram has been prepared in order to show the effects of the net difference in trips on the highway and at the car park accesses. This includes the new trips associated with the extended car park, those redirected from Sennocke car park and the on street spaces and also the new hotel trips.

11. Additionally junction capacity assessments have been completed for the junctions of the Bradbourne car park/Bradbourne Road, Bradbourne Park Road/ Hitchen Hatch Lane/Mount Harry Road and Hitchen Hatch Lane/ London Road for the following scenarios in both the AM Peak period and the PM peak period.

2015 Existing

2021 Existing with parking

2021 Existing with parking +hotel

12. The results indicate that all junctions tested are below the required maximum values - 0.85 RFC (ratio of flow to capacity) for Picady and 90% DoS (degree of saturation) for signals in the future design year with both the car park development in place and the hotel.

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13. Additional detail has been provided on queue lengths following concerns raised and to validate the traffic models. Traffic queuing occurs along Bradbourne Park Road, Mount Harry Road and Hitchen Hatch Road towards London Road during the morning due to school traffic. This has been observed on site and is reflected in the graph on Figure 7 of DHA's Formal Response to Highway Comments dated May 2016. The graph indicates that between 0800 and 0855 the queue on Hitchen Hatch Lane from the London Road signals often blocks back to Bradbourne Park Road.

14. The network diagrams show the net increase in traffic arising from this application and a potential hotel on the Sennocke site during the highway peak periods. This indicates that in the morning peak 20 additional vehicle movements are expected at the Hitchen Hatch Lane/London Road junction, as a result of this development; 4 from Bradbourne Park Road, 4 from Mount Harry Road and 12 from London Road. These figures over a period of an hour are minimal and within the daily variation of traffic flows expected at such junctions during peak periods.

15. During the evening peak an additional 15 vehicle movements are expected at this junction of which 7 would be from Bradbourne Park Road and 8 from London Road.

16. The existing queuing along Bradbourne Park Road and along Hitchen Hatch Lane on the approach to the London Road signals is an existing problem caused by school traffic. It would not be considered reasonable for this application to address an existing highway issues when the level of traffic increase is particularly low. This is in line with advice given in the NPPF:

'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe' - Section 4 paragraph 32

- 18 In view of the above I confirm that I do not wish to raise objection to this application subject to the following conditions:
- 19 The use of the new car park should be restricted until the Sennocke car park is closed and the permits given to commuters for on street parking are rescinded in order to ensure that the parking figures are not 'doubled up'.
- 20 The potential for the removal of part/all of the guard railing should be investigated further including consultations and safety audit. If these are positive the work should be completed under a S278 Agreement.
- 21 A construction management strategy is required and this should be agreed with our Roadworks Coordination Team prior to works commencing.

Environmental Health Officer

- 22 Having reviewed the submission I do not believe that the new development will result in an adverse impact on nearby residential occupiers and lead to unacceptable levels of air or noise pollution.

23 As a result, I have no adverse comments to make with regards the proposed application:

24 In reaching my opinion, particular regard was had to the following:

- Information, analysis and advice contained with the dha Transport Assessment which concluded that the proposed redevelopment would have a minimal impact on the surrounding highway network and that all junctions will continue to operate within capacity
- The Sennocke car park will cease to be used when the proposed car park is opened (the site will instead be used for a proposed hotel) and a minimum of 70 street parking bays in the immediate vicinity will cease to offer permitted on-street parking and will be relocated to the proposed car park redevelopment.

It is therefore, reasonable to conclude that the displacement of cars from these parts to another will have minimal traffic impact effect in itself or the area.

- The proposal would result in an increased provision of 65 spaces (130 associated vehicle movements) which in my professional opinion would not result in an adverse impact on air quality within the area.
- Development Plan Policies - Core Strategy Development Policy SP2: With respect to the Council's current Air Quality Action Plan, this area has not been identified as an Air Quality Management Area, although the plan does take account of a general aspiration to improve air quality across the District.

Had I been of the opinion that an unacceptable impact would have arisen as a result of the proposal, then I would have suggested seeking measures to mitigate the impact. (As per SP2)

In this case however, I do not believe such measures would be justified.

It is important to note, that even if I had concluded that the redevelopment could have resulted in an adverse impact, then I would have simply suggested mitigation measures be considered to overcome these concerns. I would not have objected to the application.

- Allocations and Development Management Plan Policy EN2. Consideration was given to the need to safeguard the amenities of occupiers of nearby properties, from excessive noise, vibration, odour, air pollution, activity or vehicle movements. My assessment acknowledged and thereby concluded that there are already a number of vehicles parking in the vicinity and so focussed on the potential impact arising from the additional spaces arising from this proposal.

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- 25 I believe as already stated, the additional vehicle movements associated with the additional spaces will not result in excessive air pollution or activity.
- Development Plan Policy Guidance (National Planning Policy Framework - para 109). I believe the comments I have already made based on my assessment of the information submitted and when reviewed in accordance of the above guidance, that the local environment and nearby residential occupiers will not be put at unacceptable risk or be adversely affected by unacceptable levels of noise or air pollution

Contaminated Land Officer

- 26 I have reviewed the ground investigation report and have a few observations on its findings. I am satisfied that proposed measures to protect against any ground gases are more than adequate.
- 27 However I feel it is important that the discovery strategy proposed in section 6.8 of the Ground Investigation Report reference:- GE15191 dated March 2016 by geo-Environmental is required by condition as part of a wider remediation strategy to be submitted and agreed in writing by the local planning authority prior to commencement of works.
- 28 On completion of all remediation and reinstatement works the applicant shall submit a validation report to demonstrate all works were undertaken as required.

Tree Officer

- 29 This proposal for a multi story car park as shown upon drawing entitled "proposed ground floor plan" shows this level to utilise the entire site with the exception of a soft landscaped strip to the north east of the site, which runs parallel with Bradbourne Park Road. The additional first and second floor levels are smaller in area in as much as they are set back from the northern boundary and the Acorns. In order to construct, there is a need to remove an amount of tree/shrub growth of varying species and sizes. This is all specified within the Arboricultural Implications Assessment dated February 2016. Much of the works specified have already been completed ahead of schedule to avoid contravening the Countryside & Wildlife Act 1981 in relation to nesting birds. The works included the removal of a thin strip of young mixed species of trees located along the southern boundary. These plants should not be missed as large amounts of planting exist immediately on the other side of the boundary fence line within the grounds of British Telecom. Further works have been carried out to mature trees along the grassed strip of land to the east of the site. Pruning works were necessary here to ensure that tree parts were cut back to be clear of the build area. Three trees were also removed from this strip to either accommodate the build or for good management.
- 30 The tree removals are clearly shown upon the Tree Protection Plan within the aforementioned report. Drawing entitled Proposed Ground Floor Plan shows different trees for removal, which needs to be clarified. I would also add that the Key for this drawing shows "Existing tree to be retained" and

"Proposed tree" with the same symbol. Given the tree losses that have already occurred, it is important to ensure that suitable new planting takes place. New planting would need to be located within the western green strip and specifically the first 20 metres to the immediate North West of the entrance, as this is now void of tree planting due to two of the aforementioned removals. The proposals for new planting include three different species and five trees in all. I consider the number to be appropriate but the chosen species and proposed planting locations need further consideration. The only information I have for tree planting is the "Tree Planting Plan" dated 10/03/2016, which shows T1 and T3 (*Euonymus europaeus*). The genus is typically known as a shrub but this clone is considered to be a tree. This tree has the ability to grow to a maximum of 3-5 metres. The planting locations shown for these two trees could work as understorey planting amongst the existing mature forest type trees. T2 (*Sorbus torminalis*) is also shown to be planted within the same area. This will become a slightly larger tree at 5 to 7 metres in height at maturity. There are overhead branches of the existing Sycamores that may need to be pruned out to accommodate this specimen.

- 31 T numbers 4 and 5 are also shown to be planted amongst the existing mature trees which are generally located towards the northern end of this strip of land. T4 (same as T2) is an acceptable species. T5 (*Cornus mas*) is typically considered to be a shrub. I would not expect this variety to attain any great height even as understorey planting, although I do not object to it being planted as it will add an amount of foliage and therefore some benefit. New planting within the southern area of this strip has been avoided. I am aware that a stairway is to be fitted at this end of the deck but I do not see why a tree or two cannot be planted here. Trees planted within this strip will not obscure the proposed deck. They will however soften the view of it. It is not necessary to plant large forest type specimens. Equally small shrub like trees will do little to benefit the street scene. I have also noted that no detail as to the sizes of the trees to be planted has been supplied for comment.
- 32 As a final note I strongly suggest that the Ivy growing on the boundary fence at the north eastern corner of the site is removed. This plant is beginning to grow over the footpath impeding foot traffic. It is also blocking light to the proposed planting areas for T numbers 1 & 2. I also suggest that the Ivy growing upon the mature trees at this location is severed as specified within the tree report.

Kent County Council Lead Drainage Authority

- 33 The proposed site occupies a site area of 0.6 ha which is largely impermeable and is stated as currently draining to soakaways. The proposed development provides for attenuation of flows, treatment through an oil water separator and discharge to a Thames Water sewer to the rear of the site.
- 34 The site is located within Source Protection Zone 3 which would require special consideration. The ground investigation report indicated that made ground was encountered within all investigation locations. Though moderate soakage rates were demonstrated, it is accepted that site

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conditions are such that utilisation of infiltration is not recommended for surface water management.

- 35 The proposed drainage strategy recommends an appropriate solution given these constraints to ensure that surface water generated by the site is managed with consideration of pollution control. It is recommended that consultation with the sewerage undertaker is undertaken.
- 36 We have no further comments to make on this application and have to objection to the proposal.

KCC Archaeology

- 37 No objections raised.

Kent Police (summarised)

- 38 The applicant/agent has considered crime prevention and has attempted to apply the seven attributes of CPTED in their Design and Access Statement (D&AS), however to date we have had no communication from the applicant/agent and there are other issues that may need to be discussed and addressed including a formal application for BREEAM and Secured By Design (SBD) if appropriate.
- 39 If this planning application is given approval and no contact has been made to the Crime Prevention Design Advisors (CPDAs) by the applicant/agent, then we would suggest that a condition be included as part of the planning approval to ensure that Crime Prevention is addressed effectively.

Officer note - the applicant has met with Kent Police to discuss the above. However in the absence of further detailed comments from Kent Police it is considered appropriate to impose a condition as suggested above in the event that permission is granted - see proposed condition 12

- 40 No responses received from Thames Water, South East Water, Network Rail, The Environment Agency

Representations

- 41 The application has been subject to two notification exercises (following the submission of additional material in May)
- 42 417 letters have been received in objection to the application, raising the following concerns (note that the number in brackets shows the number of people who raised that particular issue in their objection) -
- Overlooking/Loss of Privacy/Overlooking into Granville School/The Acorns (62)
 - Road Safety/Pedestrians Safety/ Children's Safety/ Cyclists Safety/ Increase in Accidents/Fatalities (190)
 - Traffic Increase/Congestion/Increase around Bradbourne Park Road/Mount Harry Road/Hitchen Hatch Junction/Increase in traffic during construction (331)

- Air Pollution/Air Quality/Fails to assess air quality properly (only on net gain of 65/No Air Quality Impact Assessment has been included (201)
- Inappropriate development in a residential area/to close to schools and to The Acorns/Inappropriate site (120)
- Design/Impact on Street Scene/Height and Scale (135)
- Increase in Anti-social behaviour/safety of people/hiding place for paedophiles (24)
- Poor use of taxpayers money/better used elsewhere/expensive to only create 65 new parking spaces (31)
- General Overshadowing/Overshadowing of The Acorns (40)
- Noise pollution in general and during construction (57)
- More commuters will mean more overcrowding on trains (2)
- Light pollution (12)
- Extending the station car park would be more suitable (6)
- On-street permit holders do not want to pay extra for car park - increase from £650/750 to £1100 (2)
- Existing car park is never full & therefore do not see reason for an extra 3 storeys (1)
- Suitable parking could be provided by arranging this with the existing BT building (2)
- The development would be contrary to Policies SP1 (2), SP2 (26), of the Core Strategy, and policies EN1 (1), EN2 (22), T1 (21) and T3 (1) of the ADMP.
- A hotel is not necessary / should have its own parking
- Increase in litter
- There may be asbestos on the site. How will this be handled?
- Traffic speeds on Mount Harry Road will increase
- Loss of spaces on Bradbourne Park Road

43 In addition to the above, a number of objectors have raised concern regarding the content and findings of the Transport Assessment, the design and access statement and planning statement

Of these, 14 letters either support or offer neutral comments, summarised as follows -

- Need for additional parking
- Will allow development of a much needed hotel
- Will support business community
- Will bring visitors and investment to the area
- Will help keep Sevenoaks a thriving and vibrant town
- Multi storey car parks are the most cost and space efficient
- Will reduce on street parking by commuters
- Commuter parking fills much earlier than the school run and local traffic so will have little impact
- Provides alternative to southeastern parking
- It is a necessary improvement
- More electric charging points are supported
- Would provide more street parking for residents

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- 44 2 petitions have been received objecting to the application, one petition signed by 560 people, one by 386 people. The petitions have been based on the following objections -
- The road is residential and unsuitable for a multi storey car park
 - Severe traffic congestion already exists, this will worsen congestion
 - Concerns regarding pedestrian and road safety, including schoolchildren
 - Questionable need / appropriateness for a hotel on the Sennocke car park which drives this application
 - Not good use of council money
 - Lack of consideration to other alternatives
 - Increased congestion on surrounding roads
 - Loss of residential amenity
 - Pollution
- 45 Objections have also been received from the following amenity groups / associations - The Sevenoaks Society, Sevenoaks Conservation Council, Sevenoaks Rail Travellers Association, Sevenoaks Primary School Parent Council, Granville School, St Johns Residents Association, on the following grounds:
- Pre-fabricated form of construction
 - Peculiar form of development dictated by irregular shape and levels of the site
 - Vertical cladding is inappropriate, remainder of building is brutal in design
 - Proposal is not high quality and contrary to policy SP1 and NPPF. Would be detrimental to the streetscene, townscape and local sense of place
 - Additional traffic and congestion at local junctions
 - Conflict with school traffic / safety of school children
 - Contrary to aims to reduce traffic and congestion and to improve other forms of transport for commuters, as set out in the SDC Transport Strategy
 - Pollution
 - Lack of consideration of alternative options to provide car parking e.g the network rail car park at Morewood Close
 - The application goes against attempts to reduce traffic around schools
 - Safeguarding issues re views into Granville School
 - Mass and scale of building
 - Poor D&A statement
 - Alternative and better site and Morewood Close
 - The application is premature as no development has been approved on the Sennocke site
 - Local opposition should be taken into account

Chief Planning Officer's Appraisal

- 46 This application is being reported to committee as the Council is both the applicant and landowner.

Reasons for the development

- 47 Members will be aware that the adopted ADMP has allocated the Sennocke (Hitchen Hatch Lane) car park site for housing development, and it forms an allocated housing site under policy H1(a) of the development plan. The effect of this will be the loss of 84 car parking spaces. The development guidance for the Sennocke site, which accompanies policy H1 of the ADMP, states that equivalent commuter car parking should be provided to compensate for the loss of the site, and that this has been identified to be provided at the Bradbourne car park site. As an allocated development site within the adopted development plan, I would place weight on the likelihood that this car park will be lost to development in the short to medium term future, subject of course to the grant of planning permission.
- 48 The Council's Parking Services team has also identified that there is a waiting list for commuter car parking in close proximity to the train station. The current waiting list stands at 135 people.
- 49 The scheme would also accommodate spaces for around 70 cars that currently pay for season tickets and park on Hitchen Hatch Lane and Mount Harry Road within otherwise restricted spaces. The applicant sets out that the reduction in use of these spaces would improve resident and short stay parking provision - and that this could ease school parking problems.
- 50 Members will be aware that, notwithstanding the allocation for housing development on the Sennocke Car Park, there is an aspiration to develop a hotel on this site. This car park application refers to the potential for future hotel staff and visitors to park at the Bradbourne Car Park. I would stress to Members at this point that such development does not benefit from planning permission or allocation in the development plan for a hotel scheme. Therefore I would apply little weight at this stage to any case advanced in the application on the grounds of such need.

Overarching Policies

- 51 The proposed car park would primarily function as a long stay commuter car park. It would largely cater for people who travel to and from work by train. In this respect, the development would provide supporting infrastructure to enable the local working population to access employment opportunities, particularly in London, which in turn supports economic development and growth. The NPPF places significant weight on the need to support economic growth.
- 52 The site is located within the main town in the District. Policy LO1 of the Core Strategy sets out that Sevenoaks will be the principal focus for development in the district. Policy LO2 sets out the strategy for development within the Sevenoaks urban area.

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- 53 The erection of a multi-storey car park would obviously facilitate journeys by car and the proposal could not be described as a measure to reduce reliance on the car when viewed in isolation. However, as part of a wider travel package, the development would provide a local parking facility for persons who then travel further afield by train. In this respect, the car park would help facilitate the wider use of a sustainable transport system. The pre-ambles to Policy LO2 of the Core Strategy recognises the importance of Sevenoaks for commuting to London. It states that the Council will support improvements to car parking provision for the station, subject to evidence of demand and environmental acceptability.
- 54 Policy SP2 of the Core Strategy states that the Council will support measures and promote measures to reduce reliance on the car and to support measures promoted through the Sevenoaks Transport Strategy (STS). The STS sets out that Sevenoaks has a high proportion of access by car of the larger train stations in built up areas, and that the STS aims to balance the provision of adequate parking at stations with the objective of reducing peoples dependence on the private car. It recommends that proposals to increase station car parking should be combined with measures to improve accessibility by walking, cycling and public transport.
- 55 Although specific measures have not been put forward by the applicant, the Council has a clear commitment to supporting alternative means of transport such as walking, cycling and public transport. The net increase in commuter spaces resulting from the proposed development would be limited to 65 additional spaces and it is therefore reasonable to balance the ethos of Core Strategy Policy SP2 against this actual increase in parking provision. It is considered that a planning condition can be attached to the permission to require a scheme of measures to support / promote alternative means of transport. (*see proposed condition 15*)
- 56 Whilst the above provides a background to the reasons for the development and overarching policy principles, the detailed design and impact of the proposal must be acceptable under planning policies. The development of a decked car park would result in a series of impacts upon the local surroundings, and the implications of this are considered in the sections below.

Highways Impacts

- 57 Traffic congestion and road safety is the most commonly raised topic of concern from objectors to the proposal.
- 58 Policy T1 of the ADMP states that new developments will be required to mitigate any adverse travel impacts, including congestion and safety. Policy EN1 of the ADMP states (inter-alia) that new development should provide satisfactory means of access for vehicles and pedestrians, should be inclusive and make provision for safe and easy access of those with disabilities. The NPPF states that all developments that generate significant traffic should be supported by a Transport Assessment, and that development should only be prevented / refused where residual cumulative impacts are severe.

- 59 The application would increase the capacity of the Bradbourne Road car park from 216 spaces to 435 spaces. The additional spaces proposed would cater for the relocation of 84 spaces from the Sennocke car park and the relocation of 70 existing on-street permit holders on Mount Harry Road and Hitchen Hatch Lane into the proposed car park. On top of these existing displaced spaces, a further 65 spaces would also be created. This would help cater for additional demand on the Council's waiting list for long stay commuter car parking.
- 60 The application has been submitted with a Transport Assessment (TA), and further information to support the TA has been subsequently supplied by the applicant.
- 61 The application and Transport Assessment has been examined by Kent Highways. Their comments are set out in full earlier in the report. However their main findings are as follows -
- That the existing highway network peak hour operates between 07:45 and 08:45 (am peak) and 16:00 - 17:00 (pm peak)
 - That the majority of arrivals to the car park would occur before 07:45, and would leave after 18:00, and would therefore take place outside the highway network peak.
 - That the uplift in peak hour traffic arising from the 65 additional spaces proposed would result in 23 additional trips on the local network in the AM peak, and 12 trips in the PM peak.
 - That whilst some data has been provided in relation to the hotel proposal at Sennocke, as there is no application for this development, this has not been assessed. Such information will be assessed separately if and when an application is received.
 - That a network diagram has been prepared to show the impact of forecast trips on the highway and at the car park access. This includes the new trips associated with the proposed car park, and those trips re-directed from the Sennocke car park and on street spaces. In addition, junction capacity assessments have been undertaken and information provided on queue lengths. These indicate that in the morning peak, 20 additional vehicle movements are expected at the Hitchen Hatch Lane/London Road junction, as a result of this development; 4 from Bradbourne Park Road, 4 from Mount Harry Road and 12 from London Road. These figures over a period of an hour are minimal and within the daily variation of traffic flows expected at such junctions during peak periods.
 - That during the evening peak, an additional 15 vehicle movements are expected at this junction of which 7 would be from Bradbourne Park Road and 8 from London Road.
 - The existing queuing along Bradbourne Park Road and along Hitchen Hatch Lane on the approach to the London Road signals is an existing problem caused by school traffic. It would not be considered reasonable for this application to address an existing highway issues when the level of traffic increase is particularly low.
 - That pedestrian visibility at the car park entrance is acceptable.

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- 62 Based on the above, Kent Highways do not raise objection to the application in terms of traffic generation, road and pedestrian safety or congestion. Whilst the development would clearly increase local traffic and use of the road junction at Bradbourne Park Road / Hitchen Hatch Lane, such impacts are not considered to be adverse or severe using the test in the NPPF. It is recognised that traffic congestion is an existing problem, but that this is more closely linked with school traffic and peak network traffic, and the majority of arrivals and departures from the proposed car park would be outside these periods.
- 63 Members will need to consider whether the increase in vehicle movements as set out above would be acceptable. Clearly this is a significant issue to local residents and existing road users. Nonetheless, in the absence of any harm identified by Kent Highways, I do not consider that a refusal on this ground could be justified, especially noting that the NPPF only supports refusal in the case of severe harm.
- 64 The assessment and advice from Kent Highways is based on the scenario that the existing Sennocke car park would cease to operate following opening of the Bradbourne car park, and that 70 permit holders would be relocated to the new car park. It is important that planning conditions are attached to secure this, to avoid an accumulation of traffic on the local network that the Transport Assessment has not accounted for (*see proposed condition 6*). In the longer term, the Council has undertaken not to re-issue on street season tickets in the roads where such permits will be removed.
- 65 Policy EN1 of the ADMP seeks to provide safe and easy access for those with disabilities. Kent Highways advise that 12 disabled parking spaces should be provided, unless the local Disabled Action Group inform that this quantity is not necessary. This can be secured via a planning condition (*See proposed condition 7*).
- 66 Taking the above into account and in particular the expert advice from Kent Highways, I do not consider that the development would be in conflict with Policies EN1 or T1 of the ADMP.

Air Quality and Pollution

- 67 Policy SP2 of the Core Strategy states that the design and location of new development will take account of the need to improve air quality in accordance with the District's Air Quality Action Plan. Development in areas of poor air quality or development that may have an adverse impact on air quality will be required to incorporate mitigation measures to reduce impacts to an acceptable level. New development in areas of poor air quality will be required to incorporate measures in the design and orientation that demonstrate an acceptable environment will be created for future occupiers. Permission will be refused where unacceptable impacts cannot be overcome by mitigation.
- 68 In this instance, the site itself is not within an Air Quality Management Area. However it is recognised that many vehicles using the proposed car deck would be likely to travel through surrounding Air Quality Management Areas, including Riverhead, the town centre, and the Bat and Ball junction.

- 69 The applicant has not submitted an Air Quality Assessment with the application. Members will note that impacts on air quality and pollution have been raised by a significant number of objectors to the scheme.
- 70 The Transport Assessment and later addendum report set out the increase in parking spaces that would arise from this development. The Bradbourne car park would increase from 216 spaces as existing to 435 spaces as proposed.
- 71 To break this down, the proposed decked car park would accommodate for 84 spaces to be lost through closure of the Sennocke car park, as well as 70 permits removed from on-street spaces in Mount Harry Road and Hitchen Hatch Lane. As these existing locations are in close proximity to the application site, it is unlikely that existing travel patterns by persons displaced from these spaces into Bradbourne car park would materially change.
- 72 The Environmental Health Officer has not objected to the displacement of the above spaces into the proposed car park, on the basis that this would not have an unacceptable impact on air quality given the limited changes to traffic patterns that would arise.
- 73 The spaces in the existing Bradbourne and Sennocke car parks, together with the 70 permits to be removed in surrounding roads, would amount to 370 spaces in total. As these will be re-provided in the Bradbourne car park, the number of additional spaces proposed over and above these would be 65 spaces. The Environmental Health Officer has advised that the additional traffic movements attracted into the area from this increase would not result in an adverse impact on air quality within the area.
- 74 Whilst the development will increase the amount of traffic using Bradbourne Park Road to access the car park, the Environment Health Officer has not raised any objection on pollution grounds in terms of the effect of this on surrounding residential properties.
- 75 Taking the above into account, I do not consider that the development would be in conflict with Policy SP2 of the Core Strategy.

Scale / design and impact on character and appearance of area

- 76 A core planning principle of the NPPF is for developments to achieve high quality design. Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Paragraph 64 of the NPPF states that permission should be refused for poor design.
- 77 Policy SP1 of the Core Strategy states (inter-alia) 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.
- 78 Policy EN1 of the ADMP states (inter-alia) that development should respond to the scale, height, materials and form of an area, respect topography and incorporate natural features.

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- 79 The site forms a point where the larger scale commercial and residential developments grouped around the railway station and including the BT building and current car park at the southern tip of Bradbourne Park Road, give way to largely domestic scale residential development to the north. The application site itself is not part of the residential character that prevails to the north, however it does provide a relatively open aspect in the street between the BT building and the residential properties to the north, although this is tempered by the change in levels relative to the road. The difference in character between the site and surrounding residential development to the north is evident by its exclusion from the Sevenoaks Residential Character Area Appraisal.
- 80 The proposal would fill this open setting with a decked car park of generally between 7.5m and 9.1 metres in height, (but rising to 10.5 metres in height where a staircase is proposed) and covering the length of the site along Bradbourne Park Road. The building would taper from the boundary with the Acorns development, and a visual gap of around 16 metres would be maintained between the decked car park and the Acorns building fronting the road.
- 81 The building would be undoubtedly different in scale, character and design to the more established pattern of residential development to the north of the site. On the other hand, the existing car park marks a point in Bradbourne Road where commercial / functional uses give way to a residential scale and character. In fact the site is surrounded by the BT Building and car park to the south and west and the Granville School to the east - none of which display residential character or scale. On this basis, the existing site and surroundings at the southern entrance to Bradbourne Park Road already displays a distinctly different character to much of the remainder of the road. In my opinion, a building that was of a much larger scale and character to typical residential properties further along the road need not be out of character with or harmful to its surroundings.
- 82 The proposed building would be sited, at least in part, close to the pavement edge, and at the height and scale proposed it would have a greater visual presence in the road than other large scale buildings such as the BT building and Granville school. This presence would be mitigated to varying degrees by established landscaping, including the mature trees to the front of the site, which would be retained as part of the development, and established landscaping within the BT development. Nonetheless the building would clearly not enjoy the same setting and softening effect that the BT building benefits from, which derives from its siting well away from road frontages.
- 83 The design of the car park structure includes the provision of metal coloured fins on the front elevation and part of the north elevation of the building. The fins would follow an irregular line along the elevation, and are described by the architect as mimicking a tree line from afar. In my opinion, such comparison is optimistic. Nonetheless the fins would add a contemporary and interesting façade to the car park deck and would offer visual interest to what would otherwise be a utilitarian building by its very nature. The modern façade would complement other modern buildings in the vicinity, including the BT building, railway station building, and the

approved development on the Farmers site. Such modern design is part of the character of the wider surrounding area centred around the train station.

- 84 The height of the car deck would be largely between 7.5 and 9.1 metres. This height would be exacerbated by the way in which the road drops to the north but the site remains at the same level. There would be a clear and substantial step in height between the car deck and the Acorns next door. However the car deck in turn would be significantly lower than the BT building to the south.
- 85 Objections have been raised with regard to potential alternative proposals. However, the planning application as submitted is that which must be appraised and whilst alternatives are clearly available, these do not form part of the decision making process.
- 86 The building would replace a functional open car park area with a functional building, designed with cladding on the road frontage to add visual interest. The character on this part of Bradbourne Road is distinctly different to the residential character further north, and the wider visual impact of the building would be limited by existing vegetation on the site and surroundings, by the bend in the road, and by screening afforded by the BT building and associated decked car park. Whilst the building would be close to the road frontage, and would be visually different to the open car park, it would add to the stock of larger buildings erected or approved in the area around the station, some of which have frontages close to the road.
- 87 Taking the above into account I would conclude that the design and scale of the building would not harm the character or appearance of the area, and would comply with Policy SP1 of the Core Strategy, EN1 of the ADMP and with advice contained in the NPPF.

Impact upon the Amenity of Surrounding Buildings

- 88 Policy EN2 of the ADMP states that proposals will be permitted where they would safeguard the amenities of nearby properties by ensuring development does not result in excessive noise, vibration, odour, air pollution, activity of vehicular movements, overlooking or visual intrusion, loss of privacy or loss of light. In this instance, the car park is bounded by the BT building and its car park to the south and west, the Acorns to the north, and Granville School to the east. The residential dwellings further to the north on Bradbourne Park Road and the flatted building at The Edge, Mount Harry Road, are a short distance from the site.

BT building

- 89 The BT building is sited to the south of the proposed car park and occupied as office space. The existing car park is sited at a lower level than the BT site, with a difference in the region of 3 metres between the level of the BT building and Bradbourne car park. The proposed car deck would measure in the region of 7 metres in height at the point where it would be closest to the BT building. Due to the changes in land level, this would mean that the car deck would be around 4 metres higher than the ground floor level of the BT building.

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- 90 At its closest point, the proposed car deck would be sited around 16 metres from the BT building. Given that the car deck would be perceived at around 4 metres in height at this point, I am satisfied that the car park would not be so significant in height or scale to have an unacceptable impact upon the reasonable operating conditions of this office building.
- 91 Representations have been received from BT raising concern over potential security risks arising from overlooking into the office building. At a minimum 16 metres distance, I do not consider this would result in an unacceptable loss of privacy or overlooking. Other measures such as the use of blinds, or siting equipment to avoid lines of sight from the car park would be available to BT if they consider this distance to be unacceptable.
- 92 Issues have also been raised relating to potential damage to BT property and equipment during the construction process, through dust, noise, fumes etc. Whilst the use of a construction management plan can be secured as a planning condition to set out measures such as dust suppression to be operated during construction works, fundamentally any actual damage caused through the construction process is a private matter between the applicant and BT.

The Acorns

- 93 This consists of a flatted development immediately to the north of the car park site, and provides sheltered / elderly persons housing accommodation. The development is split into two blocks, one fronting Bradbourne Park Road and one to the rear.
- 94 Due to changes in land levels, The Acorns is sited at a lower level than the existing car park. The boundary between the two sites is defined by a retaining wall with landscaping. The difference in land level between the ground floor flats at The Acorns, and the existing car park is in excess of 6 metres.
- 95 The proposed car park deck has been designed to taper away from the boundary with The Acorns. At its closest point, the deck would be around 18 metres from the frontage building at The Acorns. However the rear building at The Acorns would be sited some 34 metres from the car park deck.
- 96 The flank walls of the two buildings at The Acorns contain windows facing the application site. Some of these relate to secondary living room windows and non-habitable windows. However there are also a number of windows in the flank elevation that serve as main living room windows and bedroom windows. These main windows would be sited between 22 and 25 metres from the proposed car deck.
- 97 Due to the changes in level, the car deck would be higher than The Acorns - generally at a height some 6 metres greater than the ridge line of this building, but 7.5 metres higher in some areas where staircases are proposed.
- 98 In terms of privacy I am satisfied that at the distances specified above, combined with the difference in level between the two sites, the

development would be unlikely to unacceptably affect privacy levels of residents in The Acorns.

- 99 With regard to light provision, the Building Research Establishment (BRE) good practice guide for daylight and sunlight is normally used as a tool to establish whether a development would be likely (or not) to cause loss of light or sunlight. In terms of light loss, the BRE guidance uses a “25° test” to establish whether windows in an existing development would be affected by a proposed development. This requires a 25° line to be drawn from the centre point of an existing window to the point of a proposed development in elevation form. If the 25° degree line is not breached by the development, then it is unlikely to have a substantial effect on light to the existing property. If it is, then a more detailed assessment is required to calculate the “Vertical Sky Component” (VSC)
- 100 In this instance, the development would breach a 25° light angle for the ground and first floor windows in the flank wall of the Acorns. However, the development would pass the more detailed VSC assessment in the BRE guidance - and as a result the development would still allow an appropriate level of daylight to these flats.
- 101 The applicant has submitted a shadow survey which uses data to model the likely shadowing impacts on The Acorns that would occur through construction of the decked car park. The survey models impacts at four equal points in the year (March, June, September and December) to take into account differences in the length of day and height of the sun over a year. The survey sets out that any additional overshadowing on the modelled dates in March, June and September would be restricted to external car park areas. In December, the modelling shows that lower floors of The Acorns are already in shadow, and will remain so. However the modelling shows that between 11am and 3pm, some upper floor windows in the flank wall of the frontage block would be affected by shadow created from the proposed development.
- 102 As a result, there would be some loss of sunlight to upper floors of the Acorns that would arise from the development. This would be limited to a period in winter months when the sun is at its lowest in the sky. Using BRE guidelines, these state that sunlight impacts will normally be acceptable if the development has passed the VSC daylight test - and the proposed development does pass this test.
- 103 In terms of outlook, the flank wall of the Acorns currently faces towards the retaining wall and fence on the boundary with the application site. This is landscaped, with the majority of vegetation on the side of The Acorns. Due to the significant change in level, the eaves height of the frontage building at the Acorns, which is three storeys in height, is roughly level with the fence line to the existing car park. The proposed car deck would be set behind the fence line and landscaping. It would clearly be taller in height and visible from these windows. However the visual effect of this would be reduced by the difference in levels between the two sites and the distance between buildings, existing landscaping and the way in which the proposed car deck would taper away from the boundary. Taking these factors into account, whilst the development would clearly be visible I do not consider it

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would be so prominent or oppressive to reduce outlook to an unacceptable level.

- 104 The proposal would increase the amount of vehicle traffic using the application site, which in turn has raised issues of concern relating to noise and pollution from such vehicle movements. Such movements would clearly generate a degree of noise. However given the distance between the Acorns and the car park, and particularly the car deck which would be set further into the site, I do not consider that such noise would be unacceptable. The Environmental Health officer has not raised objection to the development on grounds of noise or pollution, and it can be seen from her comments that this includes impacts on residential amenity.

Granville School

- 105 The school is sited to the east of the car park and on the opposite side of Bradbourne Park Road. The boundary of the school site with the road is well vegetated with mature landscaping. Existing landscaping also lines part of the front boundary of the application site.
- 106 The decked car park would be sited around 16 metres from the boundary of the school site opposite the road. The main school building itself is sited some 40 metres back from the road edge. The grassed area to the front of the school is used as a games area, with a tennis court sited in the corner of the school site.
- 107 As a result of the development proposed, it may be possible for some views into the school site. However such views would be mitigated by the separation gap between the decked car park and the school combined with the intervening landscaping. The use of metal fins on the car park structure would further lessen this impact.
- 108 Concerns have been raised regarding child safeguarding, and the ability for persons to gain views into the school from the decked car park. This is clearly a sensitive issue. However I consider the above mitigation would be sufficient to avoid general matters of overlooking. If persons were intent on viewing schoolchildren from the decked car park, as raised by a number of objectors, then this would be a matter for the police. The Council has advised that CCTV will be used in the car park and this would assist as a deterrent. (*Such measures would be covered under proposed condition 12*).

Other residential properties

- 109 No 4 Bradbourne Park Road is sited on the east side of the road and immediately adjacent to Granville School. The car park would be visible from the side elevation of this property. However a separation distance of some 80 metres would exist, and this would be across intervening vegetation. Whilst parts of the car park would be visible to occupants of No 4, the impact in planning amenity terms would not be unacceptable due to the distance involved.
- 110 No.s 27 and 29 Bradbourne Park Road are sited to the north of The Acorns, but are orientated in an east-west direction, so main windows would not face towards the car park. The proposed car park would be visible in more

angled views from the windows of these properties, and from their gardens. However this would be across the Acorns and at a distance of 50 metres from the application site. I consider such distance in planning amenity terms to be acceptable.

- 111 No.s 5 and 6 Bosville Avenue are also sited to the north of The Acorns. Whilst they would face towards the application site, there would be an intervening distance of some 60 metres, and the Acorns development would be sited in between. Again I consider this distance to be acceptable. The car park would be visible to these properties, but not to a point where it would unacceptably impact upon living conditions.
- 112 1-11 The Edge is a modern flatted development on the junction of Mount Harry Road and Bradbourne Park Road. The building is located around 40 metres to the east of the car park site. Views of the proposed development would be obscured by tree screening and the orientation of the buildings in relation to each other. Taking this into account, together with the separation distance involved, I do not consider that the development would create unacceptable living conditions in terms of light, privacy or outlook.
- 113 The road junction by the flats would be the main point of access into Bradbourne Park Road for vehicles using the proposed car park. The roads leading to this junction carry a substantial amount of traffic, and from an amenity perspective, I do not consider that the increase in vehicles using this junction would increase noise and disturbance to the occupants of these flats to an unacceptable degree.
- 114 Many objectors have referred to the increase in traffic and impact upon pollution on the local surroundings. These matters also overlap with other sections of this report. Members will note that the Environmental Health Officer has not identified any unacceptable harm in relation to pollution or air quality.
- 115 In terms of traffic increase, the proposed car park would be unlikely to change the travel patterns of current commuters using the Bradbourne and Sennocke car parks, or those using on-street commuter parking permits in Mount Harry Road and Hitchen Hatch Lane. Those persons (other than existing Bradbourne car park users) would of course have to turn into Bradbourne Park Road, but drivers would then turn directly into the car park. The vast majority of drivers (some 75%) have been calculated to approach the car park from the southern end of Bradbourne Park Road, and as such would not drive past existing dwellings on Bradbourne Park Road to the north of the application site.
- 116 The additional 65 spaces that would be provided would create additional traffic on the local highway network. When compared to existing highway movements on the local road network, this increase is not considered to be substantial. Using the same split as above (that 75% will access the car park via the junction to the south of Bradbourne Park Road), this would suggest that the development would generate around 16 more trips that would pass those residential properties to the north of the site. In my opinion, such an increase could not be held to materially increase movements to an extent

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where the living conditions of residents north of the Acorns would materially worsen.

- 117 To summarise this section, the proposed development would have an impact on surrounding properties to varying degrees. The greatest impact would be likely to occur to The Acorns, to the north of the application. There is a likelihood that the development would affect sunlight provision to some flats at this property to a limited degree, but overall the level of daylight and sunlight would comply with BRE guidelines. The key planning test is not whether a development would have an impact on surrounding properties, but whether such impacts would unacceptably affect the living conditions or otherwise to these properties. In my opinion, the development would not cause unacceptable impacts, and in this respect it would not be in conflict with Policy EN2 of the ADMP.

Other Issues

- 118 Environmental Impact assessment (EIA) - Members will be aware that some applications, due to their magnitude or impacts, require an EIA. The framework for this is set out in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended). The Regulations set thresholds for types of development, above which an EIA may be required. In this instance, the development would fall as an Urban Development Project where the threshold for considering whether the development requires an EIA is on sites over 1 hectare. This site measures 0.5 hectares and falls well below this threshold. On this basis, the scheme is not EIA development.
- 119 Anti-social behaviour - A number of objections have been raised with regard to the potential for anti-social behaviour to take place within the car park. This extends from car / vehicle thefts, and safety issues such as use of stairwells, to spying on children in the school opposite the site. Policy EN1(h) of the ADMP seeks for developments to be safe and secure and to incorporate adequate security measures to deter crime or anti-social behaviour. The scheme includes internal and external staircases for access purposes. The applicant has advised that the car park would be fitted with CCTV cameras and this would act as a deterrent. Such measures and other anti-crime measures can be secured via planning conditions, as per advice from Kent Police (*see proposed condition 12*).
- 120 Light pollution - The first two levels of the car park would be lit by LED lighting 24 hours per day. The lighting would be designed to be dimly lit (1 in 3 lights on) and if activated by a pedestrian or vehicle, all lights would then be activated for a period of 20 minutes. The top floor would operate differently insofar that lights will be off until activated by a pedestrian or car. The applicant has assessed the lighting scheme against guidance notes issued by the Institute of Lighting Professionals. The scheme has been determined to fall well within acceptable levels of light spill in relation to the Acorns development nearby. Such compliance can be secured via a planning condition (*see proposed condition 11*)
- 121 Car headlamps would be screened by elevation treatment which has been specifically designed to avoid conflict with neighbours.

- 122 The use of time limited and user activated lighting and light shields would comply with criteria under EN6 of the ADMP. In my opinion and subject to the above condition, the above measures would protect neighbouring amenities and wider light pollution concerns, and would be acceptable under policies EN1 and EN2 of the ADMP.
- 123 Use of taxpayers money - a number of objectors have raised concern that this development would not be a good use of Council resources. This is not a matter for consideration under the planning application.
- 124 Overcrowding on train - some objectors have pointed to the fact that trains are already overcrowded and this would worsen by providing more spaces. The proposed car park would largely cater for existing commuter parking, the additional increase being 65 spaces. I do not consider that such an increase could be refused on these grounds.
- 125 Better alternatives elsewhere to increase parking - A number of objectors have commented that better alternatives existing to Bradbourne Park Road. The most common alternative raised is to work in partnership with the railway companies to deck their own car park at Morewood Close. However, there is no agreement in place for such a scenario, and this application must be determined on its own merits.
- 126 Electric charging points - Policy T3 of the ADMP seeks for electric charging points to be included within major non-residential developments. The car park proposal includes the provision of 2 charging points, with infrastructure to be put in place for a further 8 points in the future, if required. The difficulty with charging points at this site is that the majority of users will be long stay commuters, whereas SDC favours such installation in short stay spaces or on the highway. I consider the charging points as proposed to be acceptable under T3 of the ADMP (*secured under proposed condition 8*).
- 127 Contamination - the site was formerly used for landfill and a Ground Investigation report has been submitted with the application. The Environmental Health Officer is satisfied that, subject to agreed remediation works, the development would be acceptable (*see proposed conditions 9 and 10*).
- 128 Trees - The belt of trees along the boundary with Bradbourne Park Road provide an important landscaped screen to help mitigate and soften the impact of the development. The majority of this landscaping is shown for retention and the tree officer is satisfied that these trees can be suitably protected during the construction process. However he has queried discrepancies in the plans which show different trees for removal. For the avoidance of doubt, a condition can be used to ensure the only trees for removal will be those on the tree protection plan contained within the arboricultural report. (*see proposed condition 4*) It should be noted that the trees themselves are not afforded separate protection and any such condition does not have effect until any permission is implemented.

The tree officer is satisfied with the number of new trees proposed along the belt as new landscaping, but not the species shown. This can be resolved by way of a planning condition (*see proposed condition 5*).

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Overall, the trees would perform an important softening function, and will be largely retained. This would conform with Policy EN1(b) of the ADMP.

- 129 Drainage - The application includes a sustainable drainage strategy for the car park, which is to the satisfaction of the KCC engineer as Lead Drainage Authority. The strategy includes attenuation of flows and treatment through an oil water separator. I am satisfied this would be a sustainable form of drainage, in accordance with EN1(e) of the ADMP. (*see proposed condition 13*)

Conclusion

- 130 The development of this site has generated a significant number of objections and my recommendation to approve the scheme is balanced and based on the following:
- That no unacceptable harm to highways safety or congestion has been raised by Kent Highways, and as a result there is no conflict with policies EN1 or T1 of the ADMP.
 - That no unacceptable harm in respect of noise, pollution or air quality has been raised by the Environmental Health Officer, and as a result there is no conflict with policy SP2 of the Core Strategy.
 - That the design and scale of the building would clearly be different to the residential character of Bradbourne Park Road to the north of the site. However the site marks a clear point where the character of the road changes. Whilst the development could be designed to be less prominent, the current scheme would be reflective of other larger modern buildings grouped around the train station. On balance, this is considered acceptable and compliant with EN1 of the ADMP and SP1 of the Core Strategy.
 - That whilst the development would have an impact on surrounding buildings, notably The Acorns, such impact is not considered to result in unacceptable living conditions. In this respect the scheme would not conflict with EN2 of the ADMP.
 - In all other respects, the development is considered to be acceptable.

- 131 On this basis, my recommendation is to grant permission

Background Papers

Site and Block Plan

Contact Officer(s): Mr A Byrne Extension: 7225

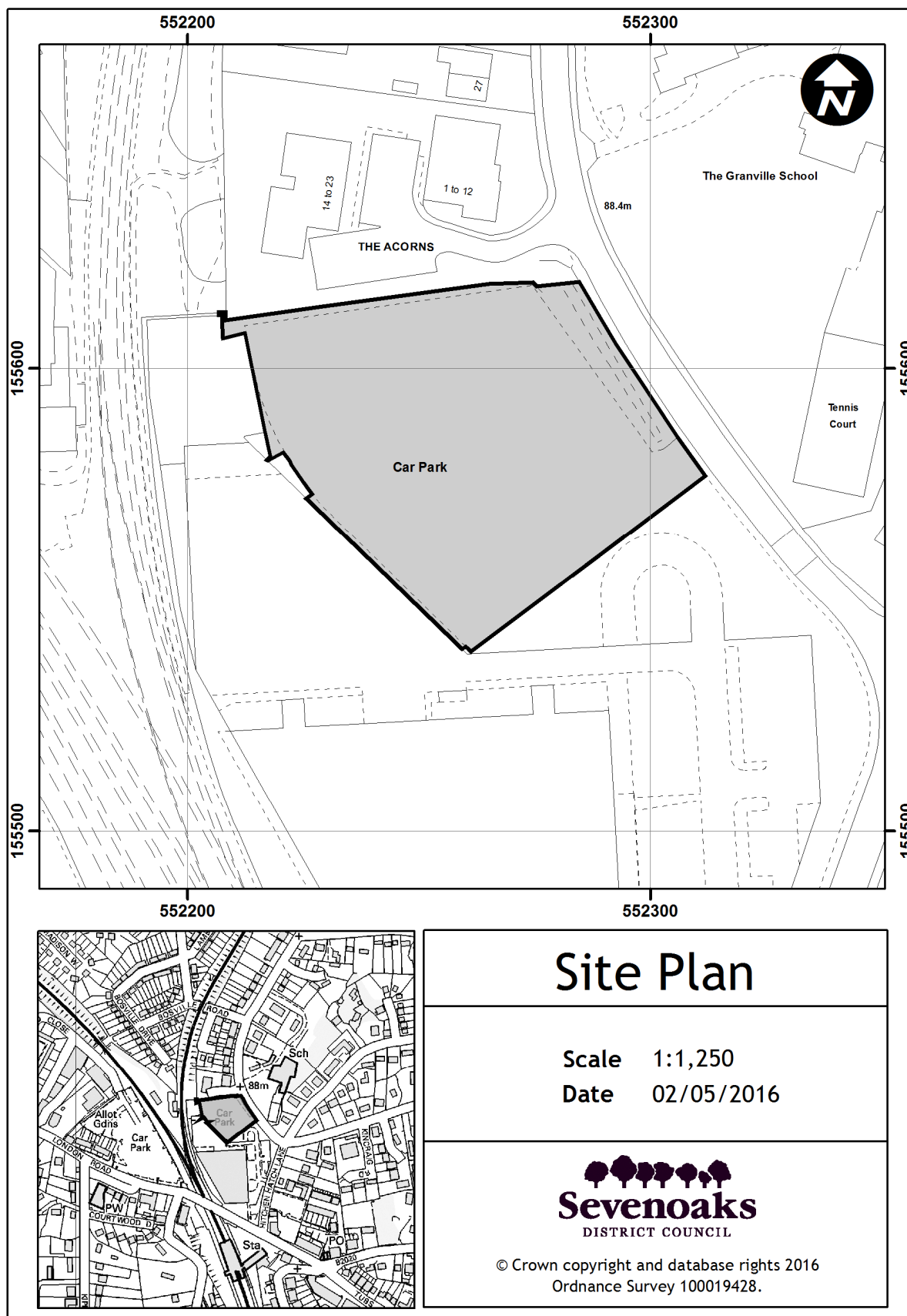
Richard Morris
Chief Planning Officer

Link to application details:

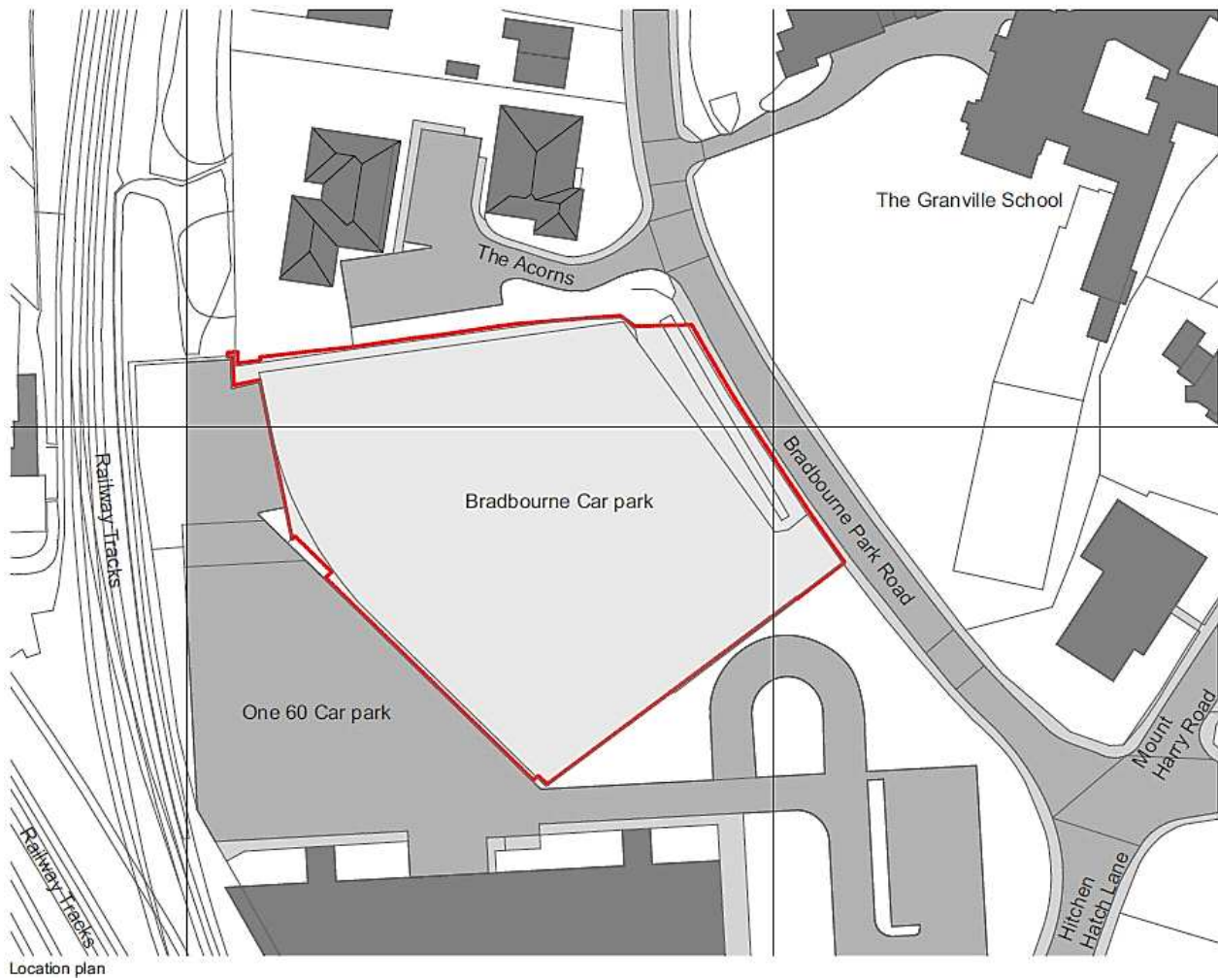
<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=O4JZD7BKFIC00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=O4JZD7BKFIC00>



Block Plan



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4.2 SE/16/01023/FUL

Revised expiry date 24 June 2016

PROPOSAL: The temporary change of use and formation of a car park (up to 12 months) with access and associated arboricultural works.

LOCATION: Land North East Of Magistrate Court, Morewood Close, Sevenoaks, Kent

WARD(S): Sevenoaks Kippington

ITEM FOR DECISION

This application is referred to the Development Control Committee as the District Council is the applicant for the submitted scheme.

RECOMMENDATION: That planning permission be GRANTED subject to the following conditions:-

1) This planning permission is granted for a temporary period of twelve months only, from the date of this permission. By the date this permission expires, the rubber mesh matting, tarmaced vehicular access and associated works shall be removed, the car park use shall cease and the site shall be restored in accordance with a landscaping scheme that has been submitted to and approved in writing by the Local Planning Authority. To ensure that the existing grassland re-establishes the landscaping scheme shall include a simple long term management plan for the site.

To reflect the temporary nature of the development and in order to safeguard the longer term function of the land as an allocated employment site, in accordance with policy EMP1 of the Sevenoaks Allocations and Development Management Plan and policy SP8 of the Sevenoaks Core Strategy.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: DHA/11402/01, DHA/11402/02 and 11403-T-01 Rev.P3.

For the avoidance of doubt and in the interests of proper planning.

3) The development shall be carried out wholly in accordance with the Arboricultural Impact Assessment & Arboricultural Method Statement dated 8th April 2016.

To secure the retention of the mature trees on the site and adjacent to it and to safeguard their long-term health as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

4) The surfacing of the first 5m of the access from the edge of the highway shall be made up of a bound material.

In the interest of highway safety as supported by policy EN1 of the Sevenoaks

Allocations and Development Management Plan.

5) The new access to the temporary car park and the pedestrian crossing area shown on the approved plans shall be completed prior to the temporary car park use of the site hereby approved commences and shall be maintained thereafter until the temporary use ceases.

In the interest of highway safety as supported by policy EN1 of the Sevenoaks Allocations and Development Management Plan.

6) No development shall be carried out on the land until a comprehensive Construction Management Plan, which should include (i) details of car parking for construction personnel, (ii) undertaking that no vehicles will be permitted to reverse into or out of the site except under the supervision of a banksman, (iii) details of wheel washing facilities and procedures, and (iv) proposed times for construction work to be carried out, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out fully in accordance with the approved Construction Management Plan.

In the interests of highway safety and amenity as supported by policy EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan. 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.

7) The rubber mesh system approved to be laid for the temporary car park shall be installed, regularly inspected and maintained in accordance with the manufacturer's instructions to ensure that the rubber mesh system meets the expected performance of the product.

To avoid impacts on the surface water drainage capacity of the site as supported by the National Planning Policy Framework.

8) The recommendations, mitigation and enhancements contained within sections 4 and 5 of the Extended Phase I Habitat Survey, dated March 2016, shall be fully adhered to.

To ensure the long term retention of biodiversity in the area as supported by the National Planning Policy Framework and policy SP11 of the Core Strategy.

9) No development shall take place on the land until details of measures to minimise the risk of crime that are to be incorporated into the development, according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED), have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the first use of the temporary car park and thereafter retained.

In the interest of security, crime prevention and community safety and in accordance with the National Planning Policy Framework and policy EN1 of the Sevenoaks Allocations and Development Management Plan.

Informatives

1) Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation (web: www.kent.gov.uk/roads_and_transport.aspx or telephone: 03000 418181) in order to obtain the necessary Application Pack. It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

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 of small scale issues which arose during the process of the application and was given time to address it.
- 2) The application was dealt with/approved without delay.

Description of Proposal

- 1 The application seeks the approval of the temporary use of the land (12 months) for the purposes of a car park. The temporary car park is intended to provide parking for 107 vehicles during the course of the development of the Bradbourne Car Park on Bradbourne Park Road.
- 2 Access to the proposed temporary car park would be provided to the south-east corner of the site, close to where a set of double gates currently stand fronting on to Morewood Close. The car park would be made up by laying a rubber mesh matting over the existing area of grassland, which would allow the continued drainage of the site and for grass to grow through it.
- 3 Fencing is also proposed to line the northern and western edges of the rubber mesh to prevent vehicles being able to pass over areas that form the root protection zone of the adjacent mature trees. No ticket machines will be required since the car park would only serve season ticket holders.

Description of Site

- 4 The application site comprises an open piece of grassland located between the Magistrates' Court and a block of flats that forms part of the redeveloped Police Station site, and the railway line at the northern end of Morewood Close. Along the northern and western boundaries of the site is a line of mature trees.

Constraints

- 5 The site lies within the built urban confines of Sevenoaks, a Source Protection Zone, an Area of Archaeological Potential, a number of trees on the northern and western edges of the site are protected and the site forms part of an employment allocation within the Allocation and Development Management Plan.

Policies

Sevenoaks District Core Strategy

- 6 Policies - LO1, LO2, SP1 and SP11

Sevenoaks District Allocations and Development Management Plan (ADMP)

- 7 Policies - SC1, EN1, EN2, EN4, EN6, EN7, EMP1 and T2

Other

- 8 The National Planning Policy Framework (NPPF)
- 9 The National Planning Practice Guidance (NPPG)

Relevant Planning History

- 10 SE/09/00650 - Outline application for demolition of the existing police station and erection of 52 residential units and approx 1,228sqm of office floor - Granted 06.07.09
- SE/11/02471 - Proposed demolition of the former police station and erection of up to approximately 52 residential units - Granted 16.03.12
- SE/13/00081 - Reserved matters (Access, Appearance, Landscaping, Layout and Scale) pursuant to condition 2 of SE/11/02471/OUT - Proposed demolition of the former police station and erection of up to approximately 52 residential units - Granted 12.07.13
- SE/16/00918 - Construction of a multi storey car park on surface of existing car park to provide three levels (ground, first & second) of decked parking at Bradbourne Car Park, Bradbourne Park Road, Sevenoaks - Pending consideration at the time of writing this report

Consultations

Sevenoaks Town Council - 26.04.16

- 11 'Recommend Approval subject to all viable trees being adequately protected and the land being suitably restored after the 12 months temporary use.'

Riverhead Parish Council - 18.04.16

- 12 'Objection. Concerned that it will become a permanent carpark, width of access road serving two carparks and added volume of traffic to a very congested road.'

County Biodiversity Officer - 25.04.16 (Summary)

- 13 Advised that further survey work is required in relation to the presence of reptiles. Conditions relating to breeding birds, bats and restoration of the site are suggested and the proposed enhancements are supported.

County Highways Engineer - 26.04.16 (Summary)

- 14 The Highways Engineer has requested a stage 1 safety audit for the new access on to Morewood Close, adequate footway connections for pedestrians leaving the car park and crossing Morewood Close, details of the Bradbourne car park surveys and also the surveys along the A224 and checking of some of the trip rates indicated.
- 15 Subject to confirmation and clarification of the points raised above the Highways Engineer would not wish to raise objection subject to the inclusion of conditions relating to surface water drainage, a bound material being used for the first 5m of the access from the edge of the highway and completion and maintenance of the access shown on the submitted plans prior to the use of the site commencing.

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Further County Highways Engineer comments - 27.04.16

- 16 'I have spoken with the Agreements Engineer and he is satisfied that the access works would not need to be completed under a S278 Agreement and can be arranged by the Vehicle Crossover Team, therefore a safety audit would not be required at this stage - no need to include the condition.'

Further County Highways Engineer comments - 03.05.16

- 17 'Thank you for providing the additional information in respect of this planning application.'
- 18 I can confirm that this adequately addresses my concerns and I have no objection subject to the following conditions (already referred to above).'

Further County Highways Engineer comments - 17.05.16

- 19 'I have checked this (the need to provide a tarmaced surface for the proposed vehicular access) with our engineer who advises that a bound material - tarmac should be provided and the verge reinstated at the end of the use proposed.'

Tree Officer - 12.04.16

- 20 'The existing trees inclusive of the trees afforded protection under TPO number 1 of 2005 are all shown to be retained with the exception of tree numbers 7 and 11. This is according to the tree survey provided by PJC Consultancy. Tree numbers 7 and 11 are not part of the aforementioned TPO and it is expected that they would have to be removed independently of this application on safety grounds anyway. The temporary parking area as shown upon drawing titled "proposed car park layout" shows the area to be utilised for parking. There appears to be sufficient distance away from the trees to ensure that they are retained in good health. The proposed period for the use of the temporary car park is for this summer. It is expected that the ground during this period will be hard. Cars may stray beyond the rubber mesh matting and possibly park amongst the trees. This has to be avoided and it may be that a temporary fence such as Chestnut Pale fencing needs to be erected at the edges of the shown parking areas to halt stray parking. Little information has been provided for the temporary surface and how it is to be fitted. I am unable therefore to make comment on this aspect.'

Further Tree Officer comments - 13.04.16

- 21 'The latest tree report from PJC Consultancy answers the question of protective fencing. I no longer have any concerns regarding stray parking adjacent to retained trees.'

Environmental Health Officer - 03.05.16

- 22 'Having viewed the submission I can confirm Environmental Health have no adverse comments or observations.'

Kent Police - 19.04.16 (Summary)

- 23 Kent Police have raised several concerns regarding the submission and the need to address crime and disorder, the fear of crime, crime prevention and car park security, which may all have an effect on the development with regards to Secure By Design.
- 24 If these matters are not addressed then a condition is suggested to be attached to any approval of planning permission requiring measures to minimise the risk of crime prior to development commencing.

County Archaeological Officer - 25.04.16

- 25 'Thank you for consulting me but I have no comments.'

County Flood Risk Project Officer - 19.04.16

- 26 'We note that the site proposals for the temporary car park utilise plastic mesh and as such the surface would remain permeable as per the existing site conditions. We therefore have no objections to these proposals.'
- 27 We would recommend the LPA is provided with details of the proposed plastic surfacing system, and it is implemented in accordance with the manufacturer's instructions for the anticipated loading / level of use. We also recommend the LPA is provided with some basic inspection / maintenance details to deal with any clogged or damaged areas, litter etc. during its use. On completion the site should be returned to its previous condition, including the reinstatement of any areas of soil compacted by vehicle loading.'

County Public Right of Way Officer - 12.04.16 (Summary)

- 28 No objection raised since closest right of way lies outside of the site adjacent to the western boundary of the site.

Representations

- 29 Two letters of representation has been received. One is from the Ministry of Justice, who own and occupy the adjacent Magistrates' Court. Whilst the Ministry of Justice does not object to the principle of the development but has concerns regarding the safety and security of occupiers and visiting members of the public, potential highways congestion on Morewood Close restricting access to the Court and noise disturbance during the period of construction.
- 30 The second letter has been received from a local resident objecting to the scheme on the grounds of an increase in traffic, an impact on highways safety and the impacts of the proposed development at the Bradbourne Road Car Park.

Chief Planning Officer's Appraisal

- 31 The main issues in the consideration of this application are the principle of the development, the potential impact on the character and appearance of the area, the potential impact on highways safety, parking provision and the potential impact on residential amenities. Other issues include the potential impact on trees, the potential impact on the Area of Archaeological Potential, crime prevention, potential contamination and the proposed development at the Bradbourne Road Car Park.

Main Issues

Principle of the development -

- 32 Policy SP8 of the Core Strategy states that the sustainable development of the District's economy will be supported by the retention, intensification and regeneration of existing business and through new provision for office development.
- 33 Policy EMP1 of the ADMP states that in accordance with Policy SP8 of the Core Strategy the following existing employment sites, as defined in Appendix 4, will be retained, intensified and regenerated for B1 - B8 uses. The provision of sites for small and medium size businesses and "start-up" facilities will be supported.
- 34 The application seeks the approval of the creation of a temporary car park on a site allocated for an employment use.
- 35 The applicant states that the proposed temporary car park is vital in the wider context of the redevelopment of Bradbourne and Sennocke Car Parks. It is also indicated that this proposal forms a fundamental part of the wider scheme, which will provide parking to meet the demands within Sevenoaks.
- 36 The applicant also states that there is an absence of alternative sites to provide a deliverable solution. There is no opportunity to phase the development of the Bradbourne Car Park and there is insufficient capacity in existing car parks in the town to accommodate the displaced parking during the development period for the Bradbourne Car Park.
- 37 Finally, it is acknowledged by the applicant that while the site is allocated for an employment use, the temporary nature and duration of the development would mean that the long term allocation of the site is not compromised.
- 38 I believe that a more rounded assessment of the acceptability of the principle of the development should have also included an assessment of other available sites and their suitability for the purposes of a temporary car park use. However, there is no requirement for a sequential test to be carried out for this type of development and so whilst I am unable to comment on potential alternative sites the application should be assessed on the merits of the proposal.

- 39 It is the case that the land recently gained consent for development for employment purposes. This, however, has now lapsed but clearly the established acceptability of the site for an employment use is relevant.
- 40 The temporary use of the site for a non-employment use would not prevent the long term prospect of the site from being available for an employment use after the 12 month period it is anticipated that the temporary car park will be in place.
- 41 I would also accept that the site would serve a temporary purpose for a wider context in terms of the redevelopment of other car parks in the town and that the temporary use would be reversible.
- 42 Overall, I believe that while not wholly in accordance with policy the principle of the development is acceptable in this instance due to the temporary nature of it.

Impact on the character and appearance of the area -

- 43 The NPPF states that the Government ‘attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.’ (para. 56)
- 44 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.
- 45 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.
- 46 The character of the area is mixed due to the various land uses that exist within close proximity to the application site. These uses include residential units, the Magistrates’ Court and the fire station. Further along Morewood Close, to the east of the site, lies some commercial buildings and the main railway station car park.
- 47 The site currently comprises an open area of grassland that is bounded by chain-link fencing, close boarded fencing and mature trees.
- 48 The temporary use of the site as a car park would add to the mixed character and appearance of the area and tie in with the appearance of existing station car park further along Morewood Close.
- 49 The physical alterations to the site is proposed to be kept to a minimum with the rubber mesh being laid and some heras fencing erected around the edge of the mesh. This is not ideal in terms of the character and appearance of the area. However, the development would be for a temporary period of 12 months and is reversible.
- 50 I am therefore satisfied that the development would preserve the character and appearance of the area in the long term and would have no

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demonstrable negative impact worthy of refusal in the short term. This is in accordance with the NPPF, policy SP1 of the Core Strategy and policy EN1 of the ADMP.

Impact on highways safety and parking provision -

- 51 Policy T2 of the ADMP states that vehicle parking provision should be made in accordance with advice by Kent County Council as Local Highway Authority.
- 52 Policy EN1 of the ADMP requires that proposed development should ensure the satisfactory means of access for vehicles and pedestrians.
- 53 The application proposes the introduction of a temporary car park to a site that does not currently provide for such a use. It is therefore the case that for a period of twelve months traffic that would normally travel to the Bradbourne Car Park would instead travel to Morewood Close to access the temporary car park.
- 54 The County Highways Engineer initially requested further information and clarification on a number of matters. This has now been received and so the Highways Engineer has confirmed that she would raise no objection to the scheme subject to the recommended conditions above (conditions 4 & 5). It is therefore the case that the increase in traffic accessing the site would not have a detrimental impact on highways safety in the locality. The level of parking proposed is also wholly acceptable.
- 55 The Ministry of Justice have raised concern to the development due to traffic queuing to enter the car park and restricting access to the adjacent Courts. As indicated by the Highways Engineer comments, the trip rate information needs to be reviewed. However, the further information requested by the Highways Engineer will confirm this and be reported to Members.
- 56 A construction management plan is also requested by the Ministry of Justice to ensure that the period of construction does not impact upon the functioning of the adjacent Courts. This is a reasonable requirement given the scale of the development and by requesting a construction management plan by way of condition 6 recommended above and meets the concerns of the Ministry of Justice.
- 57 In conclusion, I am of the view that the development would provide vehicle parking in accordance with advice by the Local Highway Authority and would ensure the satisfactory means of access for vehicles and pedestrians. This would be in accordance with policies T2 and EN1 of the ADMP.

Impact on amenities -

- 58 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.

- 59 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.
- 60 Policy EN7 of the ADMP states that proposals which meet the following criteria will be permitted:
- a) development would not have an unacceptable impact when considered against the indoor and outdoor acoustic environment including existing and future occupiers of the development and the amenities of existing and future occupants of nearby properties; and
 - b) development would not result in unacceptable noise levels from existing noise sources that cannot be adequately mitigated.
- 61 The residential properties closest to the application site are 49 to 55 Redwood Place to the south-west, which are sited 7.8m away from the application site. A 1.8m high close boarded fence is found on the boundary between these properties and the application site. The next closest is 12 Morewood Close, which is situated opposite the proposed site entrance and is 20.5m away from the site. The Magistrates' Court is located 12.4m from the boundary of the site.
- 62 The temporary car park would be at ground level only and so no overlooking, visual intrusion or unacceptable loss of privacy would occur. Further to this no loss of daylight or sunlight would result from the temporary development.
- 63 The Council's Environmental Health Officer has provided their comments on the proposed development stating that they have no adverse comments or observations to make with regards noise, vibration, activity and vehicle movements. This is particularly the case when considering the potential impacts that could be experienced by those who occupy the residential units that surround the site and the Ministry of Justice who adjacent occupy the Magistrates' Court.
- 64 I am therefore of the view that the development would safeguard the amenities of existing and future occupants of nearby properties. This is in compliance with policies EN2 and EN7 of the ADMP.

Impact on biodiversity -

- 65 The NPPF states that development proposals where the primary objective is to conserve or enhance biodiversity should be permitted (para. 118).
- 66 Policy SP11 of the Core Strategy states that the biodiversity of the District will be conserved and opportunities sought for enhancement to ensure no net loss of biodiversity.
- 67 The ecological scoping survey submitted has detailed that there is suitable habitat within the site for protected reptiles and recommended that a reptile survey is required. At the time of writing this report this further survey work is being carried out and the report will then be submitted for

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the County Biodiversity Officer to comment further. These further comments will be reported to Members of the Development Control Committee through the late observations presented to them on the day of the meeting and could result in further recommended conditions to the Committee.

- 68 The applicant also highlights the fact that the proposed layout of the development is such that it would ensure that sufficient mitigation is provided to accommodate the worst case scenario in terms of the findings of the further survey work.
- 69 Other matters relating to breeding birds, bats, restoration and enhancements have been dealt with by the recommended condition 8 above.
- 70 Subject to the comments anticipated from the County Biodiversity Officer I would conclude that development would conserve and enhance biodiversity in the area. This is in accordance with the NPPF and policy SP11 of the Core Strategy.

Other Issues

Impact on trees -

- 71 The NPPF states that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland (para. 118).
- 72 Those trees that surround the proposed temporary car park and have been identified as possessing some value will be protected and retained, while two mature trees of minimal life span are proposed to be removed. In addition, reference is made to a fence surrounding the parking area to prevent vehicles straying from the rubber mesh on to the root protection area for the retained trees. This information is all contained within the arboricultural statement submitted and condition 3 has been recommended to ensure that the development adheres to this statement.
- 73 The Council's Tree Officer has confirmed that he is satisfied with the proposal. Overall, I would conclude that the development would not result in the loss of aged or veteran trees in compliance with the NPPF.

Impact on the Area of Archaeological Potential -

- 74 Policy EN4 of the ADMP states that 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.
- 75 The proposed temporary car park would require minimal intervention into the ground meaning any historic artefacts found under the site would not be disturbed. In addition, the County Archaeological Officer has not raised an objection to the scheme. As such the proposal would accord with policy EN4 of the ADMP.

Crime prevention -

- 76 Policy EN1 of the ADMP states that the design of new developments should result in the creation of a safe and secure environment and incorporate adequate security measures and features to deter crime, fear of crime, disorder and anti-social behaviour.
- 77 Kent Police have made comments on the application raising several concerns regarding crime prevention and car park safety.
- 78 At the time of writing this report the applicant is aware of the comments from Kent Police and has indicated that they intend to arrange a meeting with Kent Police to discuss their comments.
- 79 Notwithstanding this, Kent Police has indicated that if no contact is made with them prior to determination then they would suggest that a condition be included as part of any planning approval to ensure that crime prevention is addressed effectively. This condition has been recommended above (condition 9).
- 80 I am therefore satisfied that the proposal is in accordance with policy EN1 of the ADMP.

Contamination -

- 81 The Council's Environmental Health Officer has provided their comments on the proposed development stating that they have no adverse comments or observations to make with regards contamination.
- 82 I am therefore satisfied that the temporary development would not have a detrimental impact on the site in terms of contamination.
- 83 The proposed development at the Bradbourne Road Car Park -
- 84 This development is being considered separately from this proposal under planning application reference number SE/16/00918/FUL. It is therefore the case that the matters of an increase in traffic and potential impacts on highways safety of this development are being considered under this separate planning application.

Sustainable development -

- 85 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 (para. 14). For decision-taking this means approving development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies out of date, granting of permission unless:-
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole;

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- specific policies in this framework indicate development should be restricted; or
- material considerations indicate otherwise.

86 In my opinion, the proposed scheme could mainly accord with the development plan, and I have explained this in detail above. On balance, material considerations exist in this instance to justify the proposed temporary use. It follows that the development is potentially wholly appropriate and there would be no adverse impacts in granting planning permission for the development.

Conclusion

87 The proposed temporary car park would be acceptable in principle, preserve the character and appearance of the area, would provide vehicle parking in accordance with advice by the Local Highway Authority, could ensure the satisfactory means of access for vehicles and pedestrians highways safety, could safeguard the amenities of existing and future occupants of nearby properties, and could conserve and enhance biodiversity in the area. Consequently the proposal is potentially in accordance with the development plan and therefore the Officer's recommendation is to approve, subject to the further consultee comments expected to be received prior to the Development Control Committee meeting taking place.

Background Papers

Site and Block plans

Contact Officer(s): Mr M Holmes Extension: 7406

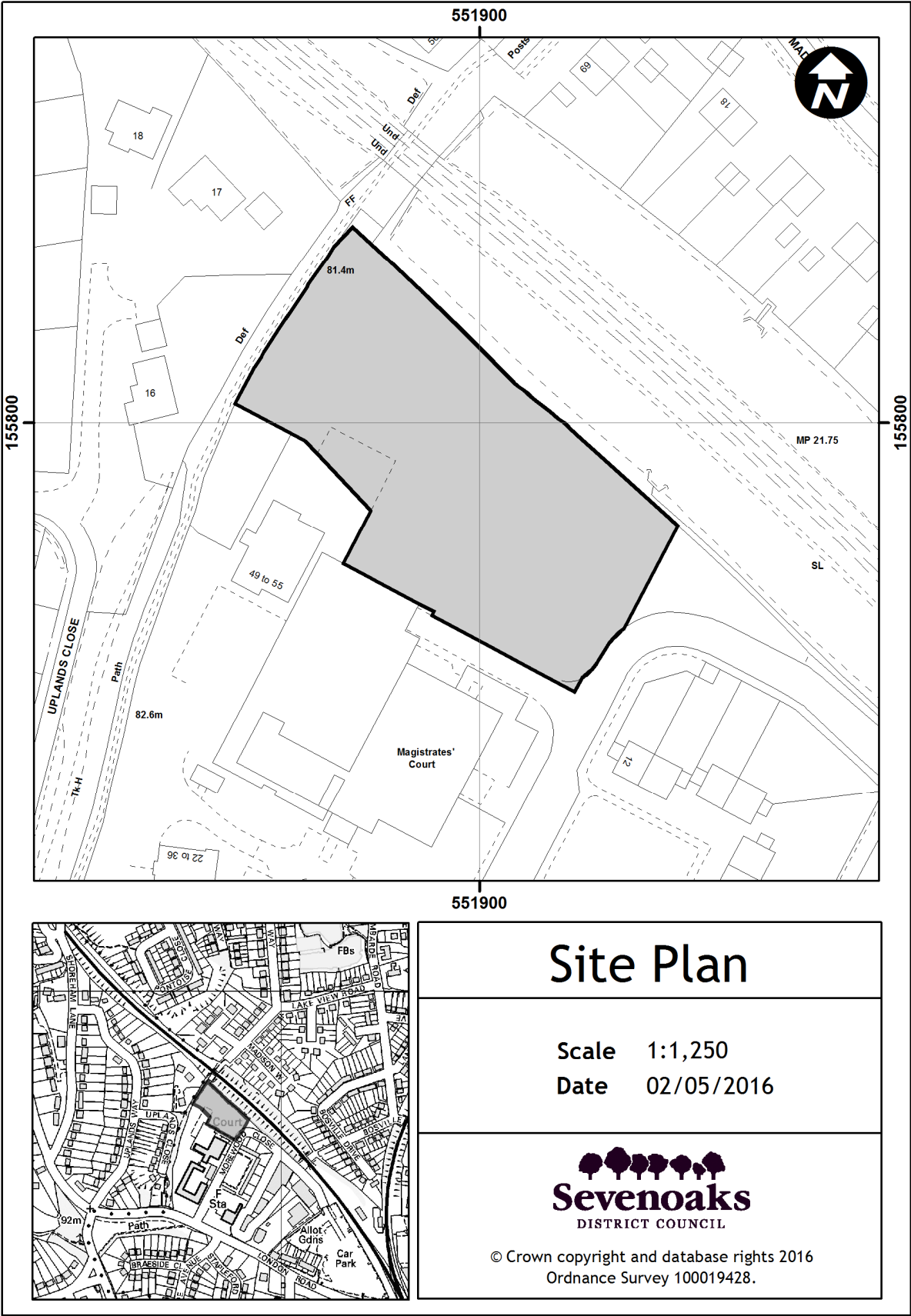
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=O57H1SBK0LO00>

Link to associated documents:




<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=O57H1SBK0LO00>





- 107 space car park with 2.4m x 4.8m spaces

Materials

	Rubber mesh matting
	Proposed footway
	Proposed dropped crossing and surfaced car park entrance

4.3 - SE/16/00306/HOUSE Date expired 13 April 2016

PROPOSAL: Replacement of existing two storey extension with new two storey extension to rear, alterations to fenestration, demolition of existing garage and erection of new garage, new pitched roof to replace flat roof over utility room, installation of 8 sqm. of photovoltaic panels. Raised pathway to front, and extension of patio to the rear.

LOCATION: Long Range , Rock Hill, Orpington BR6 7PP

WARD(S): Crockenhill & Well Hill

ITEM FOR DECISION

This application was referred to Development Control Committee by Councillor Lindsay as it is considered that the proposal constitutes no increase in floorspace and that there are Very Special Circumstances.

RECOMMENDATION: That planning permission be REFUSED for the following reasons:-

The proposal, by virtue of its additional bulk, scale and mass, represents inappropriate development in the Green Belt, is harmful to its openness, and does not comply with policies GB1 and GB3 of the ADMP, and the NPPF.

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

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- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

- 1) The applicant was provided the opportunity to submit amendments to the scheme/address issues.

Description of Proposal

- 1 Replacement of existing two storey extension with new two storey extension to rear, alteration to fenestration, demolition of existing garage and erection of new garage, new pitched roof to replace flat roof over utility room, installation of 8sq.m of photovoltaic panels. Raised pathway to front and extension of patio to rear.

Description of Site

- 2 The applicant property is located in the sparsely developed 'Well Hill' hamlet, to the east of Orpington.
- 3 The property sits close to the centre of its large plot, and thus is set back from the road by a good distance. Further, the local topography elevates the buildings above the road, and thus overall it is less dominant visually in the street scene than might be expected.
- 4 The property is a two storey property with an existing large rear extension. The flat roofed double garage to the west of the property is also part of this application.
- 5 Prior to this application, there had been a shed on the site to the rear of the garage, which has now been removed.

Constraints

- 6 Area of Outstanding Natural Beauty - Kent Downs
- 7 Metropolitan Green Belt

Policies

ADMP:

- 8 Policies - EN1, EN2, EN5, GB1, GB3

Core Strategy:

- 9 Policy - SP1

Other

- 10 NPPF
- 11 Residential Extension SPD

Planning History

- 12 15/00877/HOUSE - Replacement of existing two storey rear extension, erection of extension to enlarge hall, alterations to fenestration and reposition and rebuild of garage with connecting roof to existing house and installation of 8m² of photovoltaic panels. Raised pathway to front, and extension of patio to the rear. - Granted - 16.07.2015

08/00644/FUL - Replacement garage. Replacement roofs (pitched roofs to replace flat roofs) - Granted - 06.05.2008

81/00419/HIST - SINGLE AND TWO STOREY EXTENSIONS TO DWELLING - Granted - 10.06.1981

74/00741/HIST - THE ERECTION OF A DOUBLE GARAGE - Granted - 27.01.1975

Consultations

Shoreham Parish Council -

- 13 Support - Shoreham Parish Council supports this development subject to clarification of the size of the original building. This is required in order to confirm that the proposed development does not exceed the 50% permissible increase.

Officer comment - The proposal does not comply with the 50% permissible increase under GB1.

Representations

- 14 Four neighbour letters have been received supporting the application. The reasons for support are the need to make more efficient use of space and that the proposal represents an improvement to the appearance of the building;

Chief Planning Officer's Appraisal

Principal Issues

- 15 The principal issues to consider in the determination of the application concern:
- The principal of the development in the Green Belt, including whether the proposal would be inappropriate development in the Green Belt and the effect of the proposal on the openness of the Green Belt;
 - Impact on the character and appearance of the area;
 - Impact on residential amenity;
 - Impact on the AONB;
 - If it is inappropriate development, whether the harm by reason of inappropriateness, is clearly outweighed by other consideration, so as

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to amount to the Very Special Circumstances necessary to justify the development.

Green Belt

- 16 At a national level, the NPPF sets out the criteria against which applications for development in the Green Belt shall be assessed. The NPPF states that inappropriate development, by definition, is development that is harmful to the Green Belt. Paragraph 79 of the document states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 17 The advice in the NPPF states that there is a general presumption against inappropriate development within the Green Belt and that such development should not be approved except in Very Special Circumstances.
- 18 The NPPF indicates that it is for applicants to demonstrate why permission should be granted and that very special circumstances to justify inappropriate development will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 19 Paragraph 89 of the NPPF, states that a local planning authority should regard the construction of new building as inappropriate in the Green Belt, Exceptions to this include:

‘the extension or alteration of a building provided that it does not result in disproportionate additions over the above the size of the original building’
- 20 The NPPF does not quantify what is considered disproportionate, however, policy GB1 of the ADMP offers a local interpretation; part of this sets an additional 50% on the original dwelling as being the maximum addition suitable; further consideration is given to the increase in bulk, scale and visual impact..
- 21 This proposal includes both alterations and extensions to the main dwelling, and the demolition and replacement of the outbuilding (garage).
- 22 Of further reference in this instance is policy GB3 of the ADMP, which permits residential outbuildings in the Green Belt. The policy reads:

‘Outbuildings located more than 5m from the existing dwelling will be permitted where the building, including the cumulative impact of other outbuilding and extension within the curtilage of the dwelling, would be ancillary to the main dwelling in terms of function and design and would not materially harm the openness of the Green Belt through excessive bulk or visual intrusion.

Proposed extension - Policy GB1

- 23 The following calculations assist in understanding the impact of the proposal on the Green Belt:

Original:	134.8sq.m
50% Allowance:	67.4sq.m
Existing property including existing garage:	273.47sq.m (+102.87%)
Proposed property including proposed garage (Proposed to be 6m from property):	283.27sq.m (+110.14%)

- 24 These figures assume that the ‘existing’ garage is demolished. Were the existing garage to remain and new garage to be constructed, the impact would be greater still.
- 25 Giving consideration to the other criteria of policy GB1, being that extensions must be *‘subservient to the original dwelling and does not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion’*, note is given to the appearance of the proposal.
- 26 The proposal includes the replacement of a flat roof over an existing side extension with a lean-to roof.
- 27 The proposed new roof adds additional bulk to the building, though it does not increase the floorspace. The proposed roof does add to the cumulative impact had by the various alterations and extensions and would add to the impact on the openness of the Green Belt, emphasising the bulk of the proposal and the disproportionate increase in floorspace.
- 28 Of note is that even if the existing garage were removed, no new garage erected and the works to the house completed, both the existing and proposed house are above the permitted 50% threshold within GB1, and there would still be an increase in bulk to the building.
- 29 Given the above assessment, the proposal does not comply with GB1 of the Allocations and Development Management Plan as the proposal results in an increase in floorspace above the 50% threshold permitted under GB1. There would be a further increase in the bulk, scale and mass of the host building and of development on the site.

Proposed garage - Policy GB3

- 30 The proposal includes the demolition of the garage and replacing it 6m from the house, it is thus considered an outbuilding and is subject to Policy GB3 of the ADMP.
- 31 The reason for this is that GB1 considers ‘extensions’ to be buildings with 5m of the main house, however, where buildings are 5m+ from the main dwelling, policy GB3 ‘Residential outbuildings in the Green Belt’ is the policy for consideration.

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- 32 Policy GB3 of the ADMP allows for consideration on the cumulative impacts extensions and outbuildings on the site. Given this, the assessment within the table set out above remains relevant. Given the significant increase in overall development on the site between the 'original' and the proposal, the proposal would fail to comply with the requirement that the cumulative impact of outbuildings and extensions do not materially harm the openness of the Green Belt.
- 33 Further to the above, in this instance the moving of the garage further from the host dwelling spreads development around the site, further increasing its impact through an increased appearance of development.
- 34 Given the above, the proposal does not comply with GB3 of the ADMP as the proposal represents an increase in the cumulative impact on the openness of the Green Belt when consideration is given to the comparison between the original dwelling and cumulative extensions and outbuildings.

Green Belt summary

- 35 In light of the above, the proposed extensions and outbuildings would further increase the harm to the Green Belt by reason of inappropriate development and would result in a continued increase in the gross floor area that would be disproportionate and contrary to local and national policy. The proposal would result in a further increase in the bulk and scale of the original host dwelling, and this is compounded by the impact had through the construction of outbuildings of significant bulk and mass.
- 36 The NPPF confirms that the most important aspect of Green Belt is their openness and absence of built form, and the fundamental aim of the Green Belt policy is to maintain this.
- 37 It should be noted that openness is not reliant of the degree of visibility but in the absence of development.
- 38 Further, the spreading of development around the site adds additional harm to the Green Belt, as the proposed garage is proposed to move away from the existing built form.
- 39 The proposal would therefore be inappropriate development in the Green Belt, harmful to its openness, contrary to Policies GB1 and GB3 of the ADMP and the NPPF.
- 40 The applicant has made a case for very special circumstances and this will be assessed in detail below, to consider whether they would clearly outweigh the harm in principle to the Green Belt, and to its openness, and any other harm.

Impact on character and appearance of the area.

- 41 The NPPF states that the government attaches 'great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people' (para.56).

- 42 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. Policy EN1 of the ADMP states that the form of the proposed development should respond to the scale, height, materials and site coverage of the area. The design should be in harmony with adjoining buildings. Policy L08 of the Councils core strategy also applies and states that the countryside will be conserved and the distinctive features that contribute to the special character of its landscape and its biodiversity will be protected and enhanced where possible. Development should cause no adverse impact on the character of the countryside.
- 43 Giving consideration to the extension to the rear of the property, the extension would be largely within the context of an existing built form and would not be seen from the front elevation (the road) or publically accessible areas such as footpaths etc.
- 44 The extension includes the infilling of a terrace at first floor level, where currently the ground floor extends out further than the first floor.
- 45 The proposed extension is to have a flat roof, which is of a satisfactory design. The Residential Extensions SPD advised against flat roofs. However, in this instance the proposed flat roof assists in reducing the visual bulk of the extension, thus reducing the risk of its dominance on the street. It is also noted that the proposal replaces an existing flat roofed garage.
- 46 Further alterations to the façade of the applicant building, largely consisting of the installation of new windows and a new roof to an existing single storey side extension, would protect the character of the building and thus are acceptable.
- 47 It is proposed that a detached double garage, of 33sq.m with a flat roof, is erected forward of the building line and to the north of the main residential building.
- 48 Although generally the Council does not permit garages forward of the building line, there is no particularly defined building line in this area for the new building to adhere to. The garage would be set back from the road, and thus would not disrupt the street scene in itself.
- 49 Given the above, the proposal would comply with EN1 of the ADMP as it protects the character of the street and the existing building.

Area of Outstanding Natural Beauty

- 50 The site is located within the Kent Downs Area of Outstanding Natural Beauty. The Countryside and Rights of Way Act 2000 states that the Local Planning Authority should conserve and enhance Areas of Outstanding Natural Beauty. Designating an Area of Outstanding Natural Beauty protects its distinctive character and natural beauty and can include human settlement and development. Policy EN5 of the ADMP states that proposals within AONB will be permitted where the form, scale, materials and design

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would conserve and enhance the character of the landscape and have regard to the relevant Management Plan and associated guidance.

- 51 The proposed removal and reconstruction of the two storey extension to the rear of the property will have very little impact on the character of the area as the works would be seen within the context of the existing built form.
- 52 With regards to the garage, the relocation of the garage will have a changing impact on the AONB. Although the garage will move away from the property and thus spread the area of development, it would still be seen within the context of the house and Hillbrow/Hill View and their outbuildings. I also consider that there will be some benefit to the Area of Outstanding Natural Beauty through the reduction in the buildings bulk as a result of reduced height and through the more sensitive screening proposed. The reduction in the buildings height results in a reduction in visual intrusion through the site, which benefits the visual character of the AONB.
- 53 The removal of one of the chimneys reduces the height of the building from some perspectives, and thus represents a small improvement in the impact the development has on the AONB.
- 54 Overall, the proposal complies with EN5 of the ADMP as it does enhance and conserve the character of the landscape.

Impact on residential amenity

- 55 Para 17 of the NPPF identifies a set of core land-use planning principles that should underpin decision-making. 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.
- 56 Policy EN2 of the ADMP seeks to safeguard the amenities of existing and future occupants of nearby properties, including from excessive noise, activity or vehicle movements.
- 57 The low density nature of the development in the area means that the amenity impact of extensions on neighbours is low.
- 58 The proposed extension to the main dwelling will continue to leave a gap of approximately 25m between the dwelling and its neighbour, and there will be approximately 15m between the proposed garage and the nearest neighbour at Hill View.
- 59 In this case, the impact of the proposed extension on the neighbours, with regards to additional overlooking and loss of light is nil.
- 60 The proposed garage is closer to the north site boundary, however, it will have no impact on neighbouring amenity with regards to loss of light due to the distance from this boundary.
- 61 The proposed development would not therefore have an unacceptable impact on neighbouring properties and would comply with the aforementioned policy criteria.

- 62 The assessment identifies that the proposal would comply with EN2 of the ADMP as the proposal has no impact on neighbouring amenity.

Whether there are any very special circumstances

- 63 The NPPF section paras 87-89 read that development in the Green Belt is inappropriate unless the harm in principle and any other harm is clearly outweighed by other considerations.
- 64 The following case is advanced by the applicant as Very Special Circumstances:
- ‘The Case Officer has not taken into account the shed to the rear of the garage. The shed was demolished prior to the submission of planning permission in preparation for the works, and should be taken into account’.
- 65 It is the applicant’s case for Very Special Circumstances that the proposal should be permitted as allowance has not been made for an ‘existing’ shed to the rear of the garage. The shed had a floorspace of 10.88sq.m
- 66 Were the shed included in the calculations for the existing property, the existing property would have a floorspace of 284.35sq.m, and the proposal would result in a net loss of 1.08sq.m of floorspace (see floorspace table above).
- 67 Although the applicant includes the shed in their submitted drawings, the shed is not currently on-site, and was not on-site during the Case Officers original site visit and therefore no weight can be attached to it as part of a case for very special circumstances.
- 68 The cumulative extent of the extensions to the dwelling and outbuildings on site are already well above the 50% permitted for extensions under GB1, and this proposal represents a further increase in floorspace and bulk on the applicant property.
- 69 Some weight must be given to the benefit the application has with regards to the AONB and policy EN5 of the ADMP. However, whilst the assessment shows some benefit is to be had, the benefit is a minor one that does not outweigh the significant harm to the Green Belt. It is worth noting that whilst a minor benefit to the AONB has been established by virtue of the reduced final height of the building, visual bulk is only part of the consideration with regards to the harm to the Green Belt, where policy states any development is inherently harmful.
- 70 No further case for Very Special Circumstances has been submitted to add weight to the proposal.
- 71 Further note is given to the lack of a Permitted Development fall-back position. In this instance, there are no permitted development rights of relevance through which the proposal could be brought forward.

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Community Infrastructure Levy

- 72 The proposal has been assessed against CIL legislation. The proposal is for additional floorspace of less than 100sq.m and thus is not CIL liable.

Access Issues

- 73 Access to the site is not affected by this proposal.

Conclusion

- 74 The proposal would be inappropriate development in the Green Belt and harmful to its openness. The figures included in this report demonstrate that the host dwelling has been extended historically by over the 50% permitted under GB1, and is proposed to increase. The figures submitted demonstrate that the proposal does not comply with GB3 as the cumulative impact of extensions and outbuildings would materially harm the openness of the Green Belt.
- 75 The proposals impact on the local street character would be minimal, and the character of the dwelling is retained. The assessment shows that the proposal complies with EN1 of the ADMP.
- 76 The proposals have very limited or no impact on the amenity of the neighbours, by virtue of overlooking and loss of light and therefore complies with EN2 of the ADMP.
- 77 Some benefit has been established in relation to the enhancement of the AONB through the loss of the chimney, and it has also been discussed that the AONB is conserved and enhanced through no further harm in principle to the visual appearance of the AONB. Little weight is given to the case for Very Special Circumstances made for the reasons identified and it is considered that the proposals harm in principle and to the openness of the Green Belt has not been outweighed.
- 78 The proposal is therefore recommended for refusal.

Contact Officer(s): Matthew Besant Extension: 7136

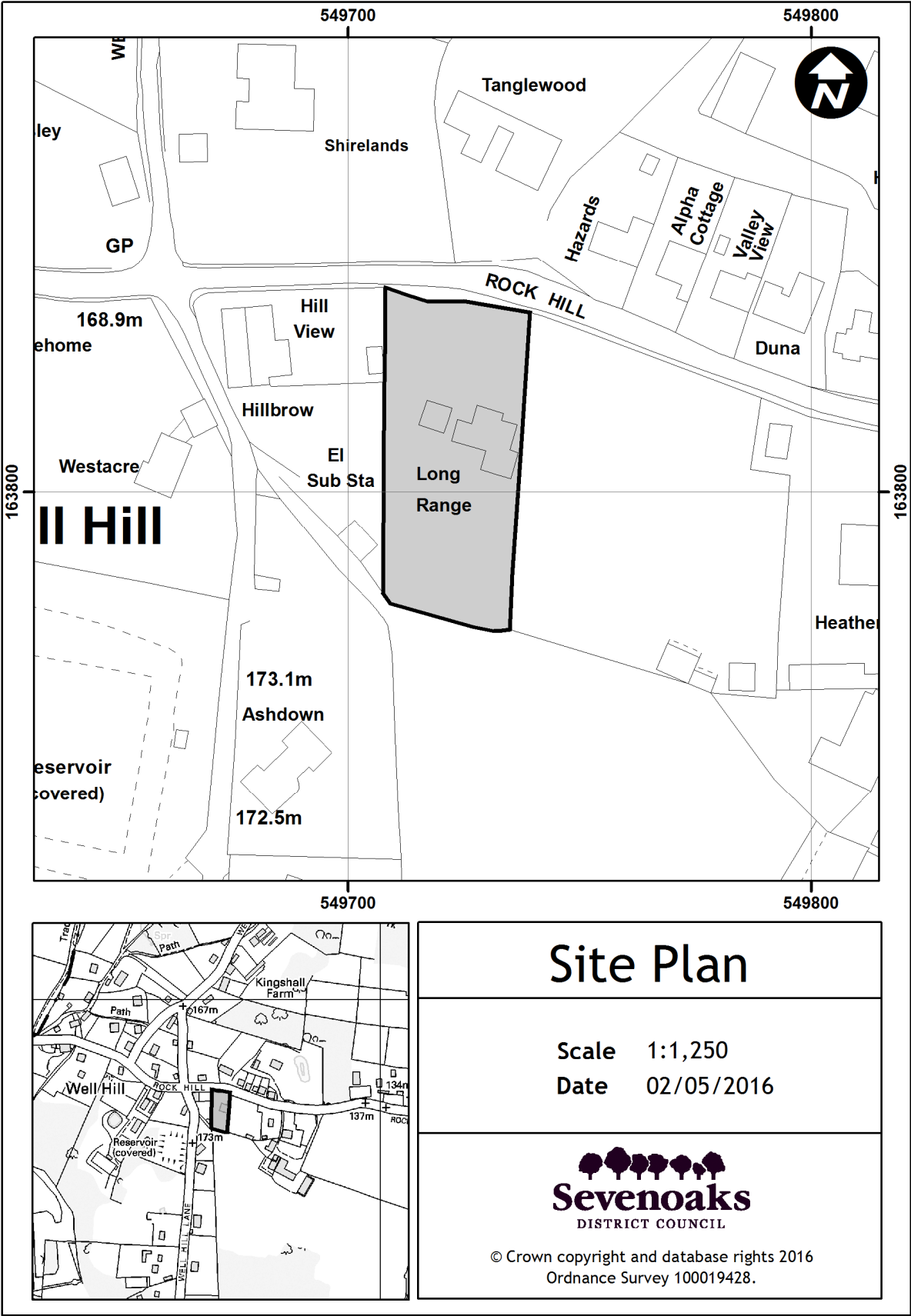
Richard Morris
Chief Planning Officer

Link to application details:

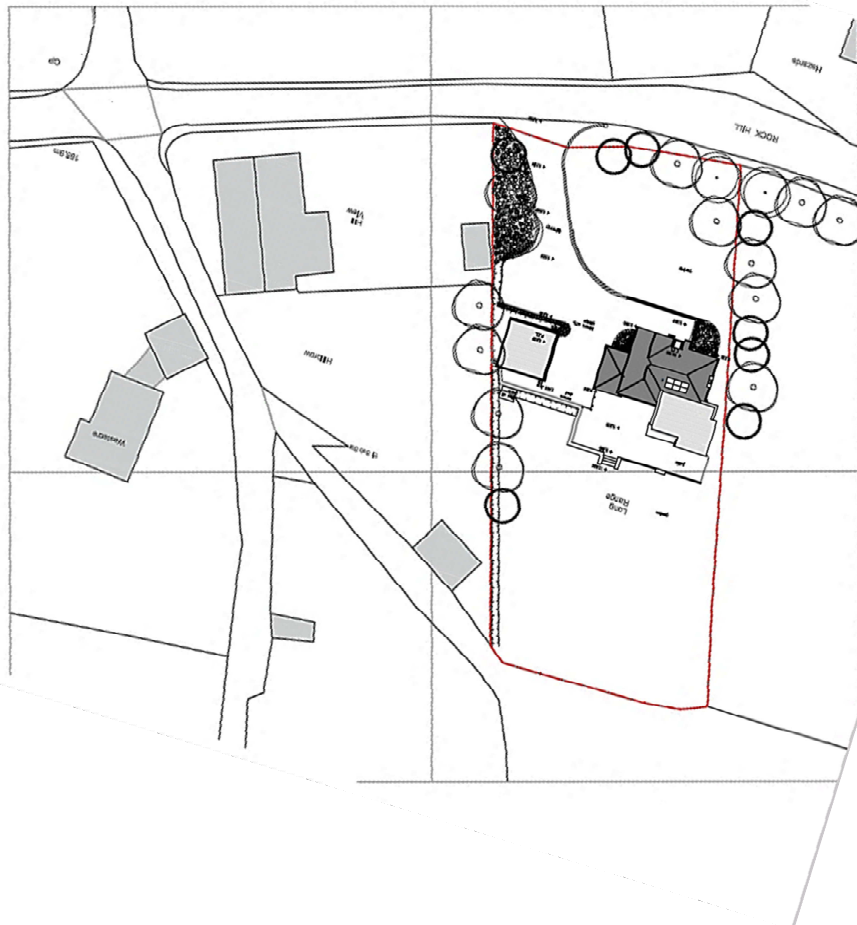
<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=01ZE02BKG8500>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=01ZE02BKG8500>



Proposed Block Plan



Planning Application Information on Public Access - for applications coming to DC Committee on Thursday 16th June 2016

Item 4.1 SE/16/00918/FUL Bradbourne Car Park, Bradbourne Park Road, Sevenoaks TN13 3YD

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=O4JZD7BKFIC00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=O4JZD7BKFIC00>

Item 4.2 SE/16/01023/FUL Land North East of Magistrates Court, Morewood Close, Sevenoaks

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=O57H1SBK0LO00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=O57H1SBK0LO00>

Item 4.3 SE/16/00306/HOUSE Long Range, Rock Hill, Orpington BR6 7PP

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=O1ZE02BKG8500>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=O1ZE02BKG8500>

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