

25 April 2019 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

Despatched: 17.04.19



Development Control Committee

Membership:

Chairman, Cllr. Williamson; Vice-Chairman, Cllr. Thornton
Cllrs. Ball, Barnes, Bosley, Brown, Clark, Coleman, Edwards-Winsor, Gaywood,
Halford, Horwood, Mrs. Hunter, Layland, McArthur, Parkin, Purves, Raikes and
Reay

Agenda

There are no fire drills planned. If the fire alarm is activated, which is a continuous siren with a flashing red light, please leave the building immediately, following the fire exit signs.

	Pages	Contact
Apologies for Absence		
1. Minutes To approve the minutes of the meeting of the Committee held on 3 April 2019 as a correct record.	(Pages 1 - 8)	
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 19/00009/FUL - Post Office, Post Office Counters Ltd, London Road Swanley BR8 7AA	(Pages 9 - 20)	Claire Shearing Tel: 01732 227000
4.2 19/00317/ADV - Buckhurst 2 Car Park, Buckhurst Lane, Sevenoaks TN13 1JJ	(Pages 21 - 28)	Mark Mirams Tel: 01732 227000

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 227000 by 5pm on Thursday, 18 April 2019.

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.

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or democratic.services@sevenoaks.gov.uk.

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 3 April 2019 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Ball, Barnes, Clark, Coleman, Edwards-Winsor, Mrs. Hunter, Layland, McArthur, Purves and Raikes

Apologies for absence were received from Cllrs. Bosley, Brown, Gaywood, Halford, Horwood, Parkin and Reay

Cllrs. Dickins, Grint and Fleming were also present.

70. Minutes

Resolved: That the Minutes of the Development Control Committee held on 14 March 2019 be approved and signed as a correct record.

71. Declarations of Interest or Predetermination

Councillor Raikes declared that for Minute 73 - 18/03443/FUL - Site of 166 High Street, Sevenoaks, Kent, TN13 1XE he had previously considered matters when discussed by Sevenoaks Town Council, but that he remained open minded.

72. Declarations of Lobbying

Councillor Raikes declared that he had been lobbied for Minute 73 - 18/03443/FUL - Site of 166 High Street, Sevenoaks, Kent, TN13 1XE.

Reserved Planning Applications

The Committee considered the following applications:

73. 18-03443-FUL - Site Of 166 High Street, Sevenoaks, Kent TN13 1XE

The proposal sought permission for a temporary three-year use as a day time car park.

The application had been referred to the Development Control Committee by Councillor Fleming due to concerns upon the impact of the development in terms of highway safety, neighbouring amenity and inappropriate land use of the site.

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Members' attention was brought to the main agenda papers and late observation sheet.

The Committee was addressed by the following speakers:

Against the Application: Mark Edwards
For the Application: Steve Hiscox
Parish Representatives: -
Local Member: Councillor Fleming

Members asked questions of clarification from speakers and Officers. Members asked whether the land owners envisaged the car park to be a long or short stay. The Senior Planner advised that this would be confirmed in the Parking Management Strategy. The agent for this applicant advised that it made provision for long stay usage with some short term parking as well.

In response to questions, the Kent County Council Principal Transportation and Development Planner advised Members that the car park would attract cars already in town trying to reach other car parks such as Bligh's Meadow or Marks & Spencer's, and Kent County Council considered the impact on the road network to not be classed as severe.

It was moved by the Chairman and duly seconded that the recommendation within the report and late observations be agreed.

Members debated the application. It was considered that, unlike the Council's application had failed to sufficiently to justify the need for additional car parking spaces or for the impact the site would have on the road network. It was noted that the applicant's assessment showed that there was already spare capacity at the station's car parks of around 10%. The assessments which were carried out were also premature as the Sevenoaks Town Car Park was due to open shortly, which would change the position again.

Concern was raised that the 'keep clear' signage was not enforceable, the road could become a spot for potential accidents.

The motion to grant planning permission was put to the vote and it was lost.

It was moved by the Councillor Williamson that planning permission be refused on the grounds that the applicant promoted unsustainable means of transport, no overriding need for the development had been given, no evidence of shortfall of provision and would result in increased traffic and unsafe traffic movements.

Members indicated that although Kent County Council had not objected to the application, the significant evidence from local knowledge indicated that the application would cause significant and severe impact to highways safety. Members indicated that previous concerns about the site promoting unsustainable transport persisted. Any temporary benefits of the site would be outweighed.

The motion was put to the vote and it was

Resolved: That planning permission be refused on the grounds that the use of the land for a temporary long stay car park would be contrary to the provisions of the National Planning Policy Framework, policy SP2 of the Sevenoaks Core Strategy and Policies SC1 and T1 of the Sevenoaks Allocations and Development Management Plan as the proposal would encourage the use of the private motor car to the detriment of more sustainable means of transport. Furthermore no overriding need for the development has been given and nor has sufficient evidence been submitted to demonstrate that there is demand or a shortfall of existing car parking provision within Sevenoaks town centre area. The resultant impact of the development would create hazardous highway conditions and traffic congestion, which would result harm to highway safety contrary to policies EN1 and T1 of the Sevenoaks Allocations and Development Management Plan.

74. 18/03520/FUL - Land To The East Of The Cottage, Badgers Road, Badgers Mount, Kent TN14 7AY

The proposal sought permission for erection of a single storey three bedroom dwelling with sedum green roof incorporating excavation of land along with secure bin, cycle storage, landscaping and vehicle parking.

The application had been referred to the Development Control Committee by Councillor Grint because of the impact on the character of the area (policies EN1 and EN5), the impact on the Green Belt and the impact on Badgers Road, which is a Public Right of Way Byway.

Members' attention was brought to the main agenda papers and late observation sheet.

The Committee was addressed by the following speakers:

Against the Application:	Alison Chase
For the Application:	Peter Hadley
Parish Representatives:	Gordon Plum
Local Member:	Councillor Grint

Members asked questions of clarification from Officers.

It was moved by the Chairman and duly seconded that the recommendation within the report be agreed.

Members debated the application and discussed the impact of the design and demolition of the large summerhouse on the Green Belt, the amenity space and the impact on the public right of way during development.

The motion was put to the vote and it was

Resolved: That planning permission be granted subject to the following conditions:

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- 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 details of the materials to be used in the construction of the external surfaces of the new dwelling hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the approved materials.

To ensure that the appearance of the development is in harmony with the existing character of the area as supported by Policy EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan and the NPPF.

- 3) Prior to the commencement of the development hereby permitted, details of the plant species, size and their frequency within the proposed green roof and a maintenance plan for the green roof shall be submitted to an approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

To ensure the proposal responds to the character of the area, consistent with Policy EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan and the NPPF.

- 4) No development shall take place until full details of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 5 years, have been submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and thereafter retained.

To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality in accordance with Policy EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan and the NPPF.

- 5) No development, including any works of demolition or preparation works prior to building operations shall take place on site until a Construction Transport Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period and shall include details of:

(a) a photographic survey of Badgers Road from the junction with Highland Road and the entrance to the site;

- (b) the types of vehicles, their size, load size and purpose within the construction process;
- (c) parking for vehicles of site personnel, operatives and visitors;
- (d) loading and unloading of plant and materials;
- (e) storage of plant and materials used in constructing the development;
- (f) programme of works, including details of gabion cage construction and measures for traffic management;
- (g) provision of boundary security hoarding behind any visibility zones;
- (h) wheel washing facilities;
- (i) measures to control the emissions of dust and dirt during construction;
- (j) a scheme for the recycling/disposing of waste resulting from demolition and construction works; and
- (k) hours of operation.

To mitigate the impact during construction relating to the safety and free flow of the Public Right of Way byway and neighbouring amenities, in accordance with policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan and the NPPF.

- 6) If damage occurs to the Public Right of Way byway it will be made good and reinstated back to that shown within the photographic survey approved under Condition 5 above prior to the first occupation of the new dwelling hereby permitted.

To mitigate the impact during construction relating to the safety and free flow of the Public Right of Way byway and neighbouring amenities, in accordance with policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan and the NPPF.

- 7) No development shall take place until full details of the proposed foul and surface water drainage systems have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed in accordance with the approved details and be operative prior to the occupation of the development.

To ensure that suitable foul and surface water drainage is incorporated into the development and to reduce the impact of flooding in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 8) No development shall be carried out on the land until full details of ecological enhancements, including their location within the site, have been submitted to and approved in writing by the Local Planning Authority. The enhancements shall be carried out prior to the first occupation of the development hereby approved and retained thereafter.

To ensure the biodiversity of the area is maintained, in accordance with Policy SP1 of the Core Strategy and the NPPF.

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- 9) No development shall be carried out on the land until details of the provision of an electrical vehicle charging point, including its specification and location within the site, is submitted to and approved in writing by the Local Planning Authority. The charging point shall be made available prior to the first occupation of the new dwelling and retained as such thereafter.

In the interests of sustainable transport and climate change in accordance with Policy SP2 of the Sevenoaks Core Strategy, Policy T3 of the Sevenoaks Allocations and Development Management Plan and the NPPF.

- 10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting that Order) no enlargement, improvement or other alteration permitted by Class A, B, C, D or E of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be carried out to the site or made to the dwelling without the grant of a further planning permission by the local planning authority.

To safeguard the character and appearance of the Kent Downs AONB landscape and to prevent inappropriate development in the Green Belt in accordance with Policy EN5 and GB1 of the Sevenoaks Allocations and Development Management Plan, the Sevenoaks Development in the Green Belt Supplementary Planning Document and the NPPF.

- 11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting that Order) no enlargement, improvement or other alteration permitted by Class A of Part 2 of Schedule 2 of the 2015 Order (as amended), shall be carried out to the site or made to the dwelling without the grant of a further planning permission by the local planning authority.

To safeguard the visual amenities of the area and to ensure safe access off the Public Right of Way byway in accordance with Policy EN1 and EN5 of the Sevenoaks Allocations and Development Management Plan, the Sevenoaks Development in the Green Belt Supplementary Planning Document and the NPPF.

- 12) The development hereby permitted shall be carried out in accordance with the following approved plans: 3087-18-PL101 Rev P3 and 3087-18-PL103 Rev P3.

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

- 13) The development hereby permitted shall not be used or occupied until the pedestrian visibility splays of 2m by 2m have been provided and anything which obstructs visibility at any height greater than 0.9 metres above the

surface of the adjoining carriageway has been removed. Thereafter the visibility splays shall be maintained free from obstruction at all times.

In the interest of highway safety.

75. WITHDRAWN - 18-01347-DETAIL - Fairlight, Badgers Road, Badgers Mount, Kent TN14 7AZ

The application had been withdrawn by the applicant.

THE MEETING WAS CONCLUDED AT 8.40 PM

CHAIRMAN

4.1 19/00009/FUL

Date expired 27 March 2019

Proposal: Change of use application of ground floor unit from A1 (retail) to D1 (Christian place of worship) and various associated community facilities.

Location: Post Office, Post Office Counters Ltd, London Road
Swanley BR8 7AA

Ward: Swanley St Mary's

Item for decision

The application has been referred to the Development Control Committee by Councillor Dyball on the grounds of inadequate parking, loss of a prime site for retail and noise.

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) The development hereby permitted shall be carried out in accordance with the following approved plans and details: Site Location Plan, 1903-02, 1903-03

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

3) The use hereby permitted shall not commence until details of a noise attenuation scheme, assessing potential noise breakout from the proposed use and measures to control it, has been submitted to and approved in writing by the Local Planning Authority. The use shall be carried out only in accordance with the approved details.

To protect the amenities of nearby residential properties and to comply with policy EN2 of the ADMP.

4) The premises shall be used only as a place of worship and shall not be used for any other purposes falling within the D1 use class without the benefit of further planning permission.

To protect the amenities of nearby residential properties and to ensure the use does not result in adverse highway or parking conditions, to comply with policies EN2, T1 and T2 of the Sevenoaks ADMP.

5) The premises shall be occupied by no more than 120 people at any one time.

To protect the amenities of nearby residential properties and to ensure the use does not result in adverse highway or parking conditions, to comply with policies

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EN2, T1 and T2 of the Sevenoaks ADMP.

6) The use hereby permitted shall take place only between the hours of 08:00 and 20:00 on any day.

To protect the amenities of nearby residential properties and to comply with policy EN2 of the ADMP.

7) Prior to the first use of the premises, a Travel Plan, including details of the promotion of sustainable means of transport for future users, shall be submitted to and approved in writing by the local planning authority. The Travel Plan shall be implemented in accordance with the approved details.

To ensure the development has an acceptable impact on local traffic and parking, and to mitigate the potential impact of the development on the Air Quality Management Plan, to comply with policies T1 and EN2 of the Sevenoaks ADMP.

Informatives

1) The applicant is reminded that this planning permission does not include any external alterations to the building, including any new plant or mechanical equipment. Further planning permission may be required for these elements.

2) The applicant is advised to contact Environmental Health, Food Safety Team at the initial design stage, with respect to advice on compliance with food safety legislation in relation to the kitchen use.

3) Owing to the likelihood of the existing buildings containing or being constructed of asbestos products, the applicant is advised contact the Health and Safety Executive (HSE) for advice on the submission of a suitable method statement for removal. Any asbestos found on site must be removed in a controlled manner by an appropriately qualified operator.

National Planning Policy Framework

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

Description of Proposal

1 Change of use of ground floor unit from A1 (retail) to D1 (Christian place of worship) and associated community facilities.

Description of Site

- 2 The site lies on the western side of the pedestrianised section of London Road, in Swanley town centre. It contains a part 1 part 2 storey detached building with flat roof.
- 3 The application relates to only part of the existing building which currently contains the vacant Post Office counters and comprises approximately 139sqm of floorspace. To the rear the site adjoins the service yard of the sorting office, which falls outside the scope of this application.

Constraints

- 4 Swanley Town Centre
- 5 Primary Frontage
- 6 Air Quality Management Area

Policies

- 7 Allocations and Development Management Plan:
 - EN7 Noise Pollution
 - TLC2 Swanley Town Centre
 - CF2 Loss of Neighbourhood Services and Facilities
 - T1 Mitigating Travel Impact
 - T2 Vehicle Parking
- 8 Sevenoaks Core Strategy:
 - L01 Distribution of Development
 - L04 Development in Swanley
 - L05 Swanley Town Centre
 - SP9 Infrastructure
- 9 Other:
 - NPPF

Planning History

- 10 There is no relevant planning history.

Consultations

Swanley Town Council:

- 11 Objection: “Inadequate parking facilities. Noise”.

KCC Highways:

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- 12 “The proposal site is within Swanley town centre where there is easy access to bus services and the train station. It is close to a number of public car parks which, particularly on a Sunday when the majority of attendance at the church is likely to occur, has plenty of spare parking spaces. When the previous use is taken into account i.e. that of a Post office, I do not consider that any additional traffic generated by the proposal is likely to create additional congestion or parking issues in the town. I also consider that a percentage of trips being made to the facility will be combined with other destinations in the town centre i.e. combined trips, and therefore not adding to the traffic in the area. A certain level of car sharing for those coming from further afield is likely to occur.
- 13 In conclusion therefore, I would raise no objection to this application on highway grounds but would possibly suggest that the number of attendees for services could be limited by Condition to their stated level of 120 attendees but this is likely to be restricted through the size of the building anyway.”

Environmental Health:

- 14 “The proposed site is located within an Air Quality Management Area (AQMA) and is likely to have an impact on the Birchwood Road Junction AQMA. We would therefore suggest that prior to determination, the applicant submits an air quality assessment to include mitigation methods to offset any impacts of the proposal.
- 15 Owing to the proximity of residential premises, no development shall commence prior to a noise attenuation scheme, assessing potential noise breakout from the proposed use (including and plant or equipment) being submitted to and approved by the Local Planning Authority.
- 16 Due to the proximity of residential properties surrounding the proposed site the site working hours should be controlled to protect residential amenity. During the enabling, demolition and construction phase, the hours of working, including deliveries and collections to and from site, shall be restricted to:
- Monday to Friday 08:00 - 18:00
Saturday 08:00 - 13:00
No work on Sundays or Public Holidays.
- 17 The applicant should be advised to contact Environmental Health, Food Safety Team at the initial design stage, with respect to advice on compliance with food safety legislation in relation to the kitchen use.
- 18 Owing to the likelihood of the existing buildings containing or being constructed of asbestos products, the applicant should be informed to contact the Health and Safety Executive (HSE) for advice on the submission of a suitable method statement for removal. Any asbestos found on site must be removed in a controlled manner by an appropriately qualified operator.”

Representations

- 19 72 objections have been received to the application. The issues raised can be summarised as follows:
- Increased parking demand;
 - Swanley town centre redevelopment will result in the loss of further parking spaces;
 - Increased traffic congestion;
 - Pollution;
 - Noise pollution;
 - Will not create employment;
 - Out of keeping with the retail area;
 - There are plenty of churches in Swanley;
 - Use would not serve the local community; and would serve a small section of people;
 - Out of keeping with future aspirations for Swanley;
 - The site is unlikely to be big enough for their needs;
 - Should be used for an alternative use to serve the local community (suggestions including facilities for elderly or the NHS, a health hub, mental health facility, pub/ restaurant, creative facility, educational facility, better shops, bowling, cinema, children's facilities, affordable housing).

Chief Planning Officer's Appraisal

Principal Issues

- The principle of the change of use and the impact on the primary frontage of Swanley town centre;
- Impact on residential amenity;
- Impact on local traffic and parking.

The principle of the change of use and the impact on the primary frontage of Swanley town centre

- 20 Policy TLC2 of the Sevenoaks ADMP refers specifically to Swanley town centre and gives criteria against which planning applications should be assessed. It states that within the primary retail frontage at least 70% of the ground floor frontage should be maintained in A1 use. It states that where a proposal retains this percentage, A class uses will be permitted where they would complement the predominant retail function and not lead to a dead town centre frontage during regular shopping hours. Proposals resulting in the change of use of existing non-A1 uses within the primary frontage to retail and other A class uses will be permitted where this would be complementary to the predominant retail function.
- 21 In summary the policy seeks to maintain a predominance of retail uses in the pedestrianised area, of which this site forms a part.

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- 22 The NPPF, paragraph 85 states that planning policies and decisions should support the role that town centres play at the heart of communities by taking a positive approach to their growth, management and adaptation.
- 23 At the time when the application was submitted, the proposals would retain a 70% retail frontage, based on square metres. However, this application conflicts with policy TLC2 as it entails the loss of an existing A1 use class, and replacement with another use which is not in the A use class.
- 24 Despite this, the particular circumstances of this application should be considered. The existing use of this part of the building is not a typical A1 retail unit and comprises the former Post Office counters which were used in connection with the adjacent sorting office. It is understood that the unit has been vacant since November 2017 when the Post Office relocated to Swanley Library. As a result this part of the building provides a dead frontage which does not contribute positively to the viability or retail function of this part of Swanley town centre.
- 25 A Planning Statement has been submitted with the application which states that the proposed use would include the following elements: a place of worship; community hub including events and workshops; and office space. While there is some dispute about the extent of the community which the use would serve, it would provide a community facility.
- 26 Overall, the proposal would see the unit brought back into use and, when in use, would provide an active frontage and attract pedestrians and increase vitality in this part of the centre. The use would compliment and support the wider town centre function.
- 27 If granted, the proposals would not prohibit the use of the unit for retail purposes again in the future, subject to obtaining further planning permission.
- 28 Overall, on balance of the particular circumstances in this instance, the proposals are considered acceptable in this regard.

Impact on residential amenity

- 29 The building which contains the application site is detached. The proposed place of worship will directly adjoin the areas of the building retained for the sorting office, however, it is unlikely to have any adverse impact on the function of the sorting office.
- 30 The nearest residential properties include those on the upper floors of Nightingale House to the south of the site and those above shops to the north. None share a party wall with the application site. The proposed use may cause some disturbance through having, for example, a choir or amplified music. Environmental Health have recommended that a noise attenuation scheme is secured by condition, to assess and address the potential noise outbreak from the use and help control the potential for disturbance to those nearby properties. As the site is located centrally within the town centre, it is not considered that the likely noise disturbance

would be so severe above the prevailing noise levels as to warrant refusal of the application, and it is adequate that it be addressed by condition.

- 31 In order to ensure an acceptable impact on residential amenity is maintained, conditions are also recommended to restrict operating hours and also the number of people within the premises at anyone time, although this is likely to be restricted in any event by the size of the unit.
- 32 A condition is recommended to restrict the use of the premises to a place of worship and is not used for any other purposes within the D1 use class without the benefit of further planning permission. Other uses falling within the D1 use class, which can include crèches, schools and clinics, may have a different impact on residential amenity and should be subject to further consideration.
- 33 This application does not propose any external plant or equipment, nor any external changes to the facades of the building. As such it is not considered appropriate to condition any restrictions on construction works. An informative is recommended to remind the applicant that any external works may require further planning permission. Other informatives are also recommended as suggested by Environmental Health.

Impact on local traffic and parking

- 34 The NPPF in paragraph 109 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 35 The site is positioned in a highly sustainable location with access to both Swanley train station and bus services. It is therefore considered to be a suitable location for the proposed use and users would be very likely to utilise these facilities. Given the nature of the use it is considered likely that, if users drive, there would be an element of car sharing and it is likely that trips to the site would be combined with other destinations in the town centre.
- 36 The site is close to a number of public car parks which KCC Highways consider to have spare parking spaces, particularly on a Sunday when the majority of attendance to the church would occur.
- 37 Relevant parking standards are set out in the Kent County Council document “Kent Vehicle Parking Standards” 2006. This states that a place of worship should seek to provide a maximum of 1 space per 5 seats. Therefore, based on a 120 seat capacity, the proposal could generate a need of up to 24 parking spaces. This is a maximum standard and does not take account of the circumstances or accessibility of any particular site.
- 38 Overall, in light of the sustainable location of the site, it is considered that the proposals would not create significant additional harm to local traffic or parking conditions, and any uplift could reasonably be accommodated within the existing nearby car parks.

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- 39 A condition is recommended to secure a travel plan. This is required to ensure that the applicant encourages sustainable means of transport by their users, to mitigate its impact on local traffic and parking. The condition is also considered necessary for air quality purposes as discussed below.
- 40 Cycle parking facilities also exist direct outside the site which would further support sustainable trips.
- 41 The Planning Statement refers to a potential nursery day centre being located within the premises. This would be likely to have a materially different impact on local traffic and parking than a place of worship as it would be likely to involve a significant number of drop offs required close to the site. A condition is therefore recommended to ensure that, if granted, the permission should be for a place of worship only, and for no other purpose within the D1 use class. Any other use of the premises would therefore need to remain ancillary.

Other Issues

Air pollution

- 42 The Environmental Health Officer has recommended that the applicant provide an air quality assessment in light of the location within the Air Quality Management Area (AQMA) and potential to impact on the Birchwood Road Junction AQMA. In further correspondence with the Environmental Health Officer, it was discussed that such an assessment may be required if the proposals would result in an increase in net traffic movements which could negatively impact upon those two Air Quality Management Areas.
- 43 As discussed above, in light of the high accessibility of the site and availability of public transport to the site, the proposal is unlikely to result in a significant uplift in traffic movements to the site and unlikely to impact upon the AQMAs. To ensure that the applicant provides a travel plan which contains commitment to encouraging sustainable means of transport, a condition is recommended.

Conflict with the Swanley town centre redevelopment scheme

- 44 Concern has been raised in the public consultation for the parking implications in light of the wider scheme to redevelop Swanley town centre. At this time there is no planning permission for this redevelopment and the proposals remain to be determined at appeal.

Other suggested uses

- 45 Public consultation has revealed a preference for other uses on this prominent site. Despite this, we are required to consider the acceptability of the application submitted which in this case relates to a place of worship.

Conclusion

- 46 The proposals would support the retail function and vitality of the Swanley town centre and compliance with the recommended conditions would ensure the use operates in such a way that it would preserve residential

amenity and would not adversely affect local traffic and parking conditions, compliant with the aims of the Development Plan.

Background Papers

Proposed Plans

Contact Officer: Claire Shearing 01732 227000

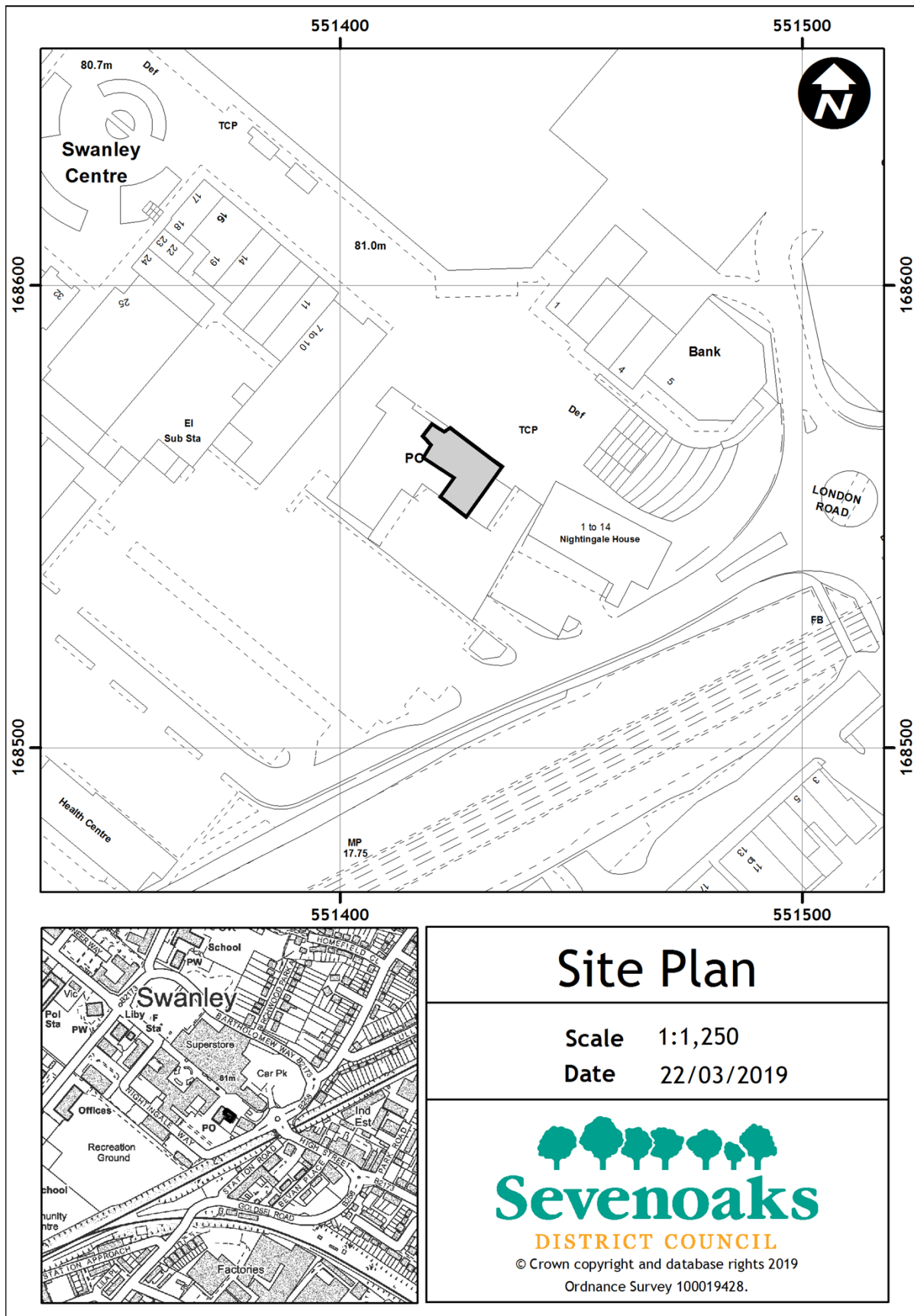
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PKROLOBKFMJ00>

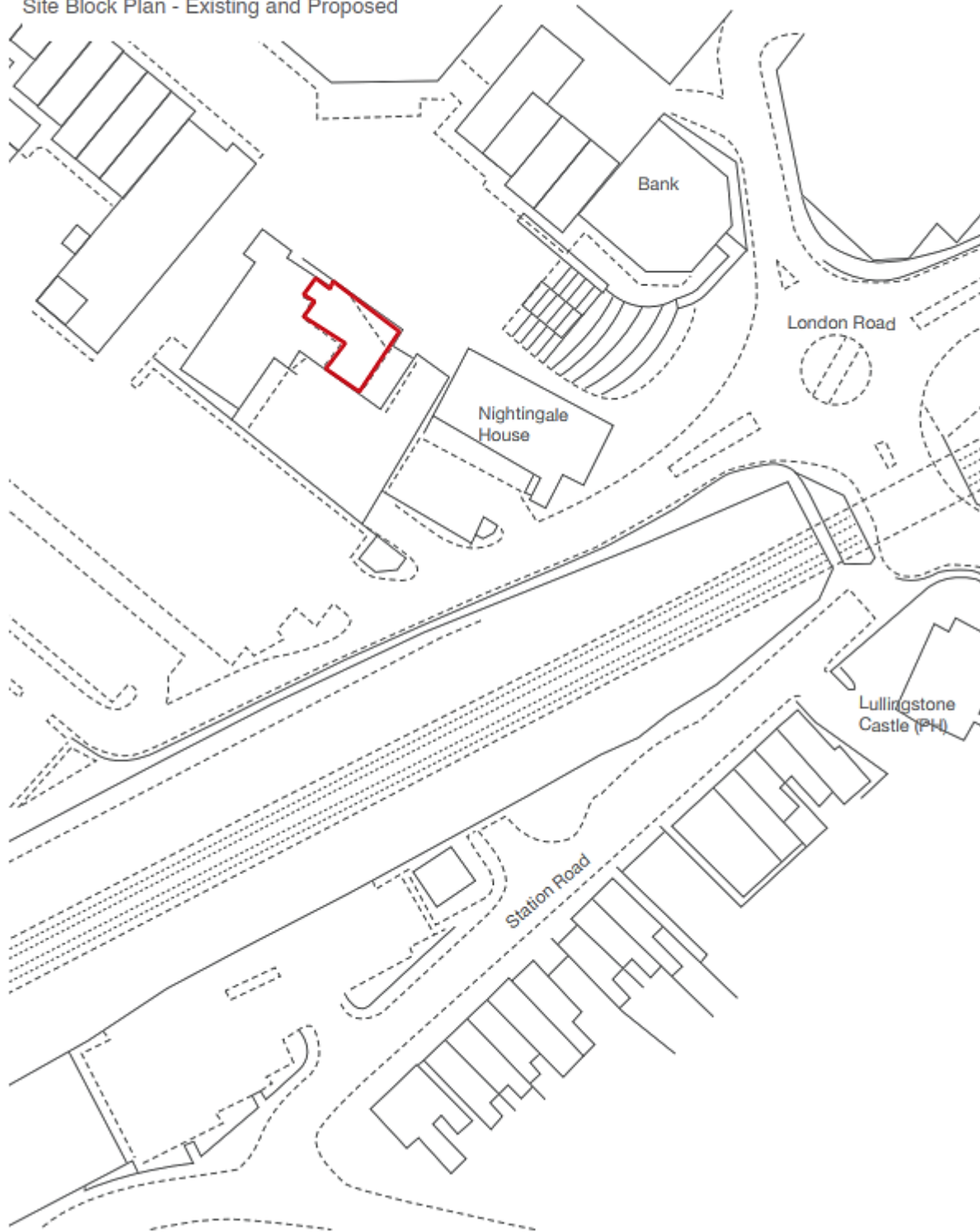
Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PKROLOBKFMJ00>



Block Plan

Site Block Plan - Existing and Proposed



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4.2 19/00317/ADV

Date expired 3 April 2019

Proposal: Installation of an illuminated sign to the north elevation.

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

Ward: Sevenoaks Town & St Johns

Item for decision

This application is being referred to Development Control Committee as Sevenoaks District Council is the applicant.

RECOMMENDATION: That advertisement consent be GRANTED subject to the following conditions:

1) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

2) No advertisement shall be sited or displayed so as to:-
a - endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military)
b - obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
c - hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

2) To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

4) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

5) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair

visual amenity.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

6) The intensity of the illumination shall not exceed 400 candelas /m²

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

Description of site

- 1 Planning permission was granted in 2017 for the construction of a new car park and ten town houses. The car park has recently been completed. The town houses are located behind the new car park and soon to start construction.
- 2 The Sevenoaks Town car park sits behind the Town centre, with the library and leisure centre to the northwest and north respectively. The application site lies within the built confines of Sevenoaks, within the Town Centre area and in an identified area of change within the Sevenoaks Core Strategy. The site does not lie within or adjoin the Sevenoaks Conservation Area.
- 3 The Metropolitan Green Belt designation covers the Environmental Park. Whilst the historic Knole Park, a site of special scientific interest (SSSI) which contains ancient woodland and the Kent Downs Area of Outstanding Natural Beauty, lies just to the east and southeast of the application site.
- 4 There is a pedestrian footpath (known locally as Webb's Alley) running to the south of the site which connects to Knole Park via a steep bank. Beyond this bank, at a higher level off Akehurst Lane, are two storey residential dwellings known as Webb's Meadow which houses accommodation for the elderly.
- 5 The western boundary lies adjacent to the rear gardens of the residential dwellings in Buckhurst Avenue, numbers 1-13 and also the flank elevation of 15 Buckhurst Avenue.

Description of proposal

- 6 It is proposed to place a car park entrance sign to the north elevation of the recently constructed public car park. The signage would read Sevenoaks Town Car Park.
- 7 The sign consists of a powder coated fascia panel coloured Pantone 3278 (green) with 300mm high white coloured acrylic letters, which would be internally illuminated from behind. The sign would be 1.3 metres in height and 4.425 metres in width and approximately 2.2 metres above ground level.

Constraints

- 14 Area of Archaeological Potential (AAP)
- 15 Section 106 - S106/SE/17/02149
- 16 Public Right of Way
- 17 Adjacent to Metropolitan Green Belt

Relevant planning history

- 8 17/02149/FUL - Proposed development of a multi-decked car park, ten townhouses and associated landscaping, including ground remodelling and landscaping to Environmental Park. - Granted (02/11/17)

Policies

- 9 Allocations and Development Management Plan (ADMP)
 - EN1 Design Principles
- 10 Sevenoaks Core Strategy
 - SP1 Design of New Development and Conservation
- 11 Other:
 - National Planning Policy Framework
 - National Planning Policy Guidance
 - ILE Technical Report No.5 - Brightness of illuminated Advertisements.

Consultations

Sevenoaks Town Council

- 18 Sevenoaks Town Council- Recommend approval

Representations

- 19 1 representation received, objecting on the following grounds -
 - Size of the sign
 - Adequate illuminance within the area from street lighting etc;
 - No details of the light source levels and operational controls;
 - Consider all of this illumination added to that which existed, an assessment should have been carried out under Section 102 of the Clean Neighbourhood and Environment Act 2005.

Agenda Item 4.2

Chief Planning Officer's appraisal

20 The main planning considerations are:

- Impact upon amenity
- Impact upon public safety

Impact upon amenity:

21 The Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended) requires the Local Planning Authority to consider two main issues with regard to advertisements, namely the interests of amenity and public safety. This is also replicated within paragraph 132 of the National Planning Policy Framework.

'Amenity' is defined by National Planning Practice Guidance, as the effect of the advertisement on the appearance of the building, and on the wider neighbourhood. The relevant considerations for the purpose of this application are the local characteristics of the neighbourhood and the amenity of those occupying residential units nearby.

22 The proposal is for a fascia panel with lettering attached to it. The panel would be non-illuminated but the lettering would consist of white coloured acrylic letters which would be illuminated from behind internally.

23 The proposal is of an appropriate design that would be acceptable for the area. The proposed sign will measure 1.3m in height by 4.425m in width and 2.2 metres above ground level comprising a non-illuminated fascia panel with only the lettering in the sign proposed to be illuminated with illuminance levels of 400 cd/m². The sign will be green in colour with white lettering. The signage would face towards the existing leisure centre car parking area.

24 It is considered that the sign would not cause any detrimental harm to the character and appearance of the area nor does it appear unduly prominent, as it is similar in size, scale and design to the signage on surrounding commercial properties. Its placement and size is considered to be sympathetic to the existing character and appearance of area and appear subservient to the host building.

25 The proposed illumination for the sign is appropriate, as it would be located within an existing illuminated area. The proposed 400cd/m² illuminance would be well within the suggested guidance of 800cd/m² for medium brightness area, as stated by Institution of Lighting Engineers Technical Report 5 - Brightness of Illuminated Advertisements. The level of illumination will be controlled by condition to ensure the night time ambiance of the surrounding area is not unduly impacted by the sign.

26 The signage is in keeping with its location and does not conflict with the aim of achieving good design in the public realm and does not cause harm to the 'amenity' of the surrounding area and complies with the Advertising Regulations and policy EN1 of the ADMP.

Impact on public safety:

- 27 In assessing an advertisement's impact on "public safety", Local Planning Authorities are expected to have regard to its effect upon the safe use and operation of any form of traffic or transport on land (including the safety of pedestrians), on or over water, or in the air. This includes such matters as the likely behaviour of drivers of vehicles who will see the advertisement; possible confusion with any traffic sign or other signal; or possible interference with a navigational light or an aerial beacon.
- 28 The signage is appropriately located on the north elevation of the car park. The signage is located on the wall of the new car park building and is limited in size and scale. The proposed signage would not result in any distraction or obstruction to pedestrians or vehicles using the highway due to its location.
- 29 In terms of public safety, the advertisements do not obstruct CCTV cameras or cause unacceptable levels of glare, and as such would not interfere in the prevention of crime.

Other issues

- 30 With regard to the third party representation, details and levels of illuminance for the sign have been provided and this can be controlled by condition to prevent any excessive illumination. The levels of luminance, size, scale and design of the signage are considered appropriate for this urban location.
- 31 Reference has been made to Section 102 of the Clean Neighbourhood and Environment Act 2005. Section 102 refers to matters relating artificial light emitted from premises that may become a statutory nuisance. Consideration has been given to this and as the illumination of the sign is well within parameters set in technical guidance, this together with its siting, the proposed sign would not be harmful to the existing residential amenity nor qualify as an statutory nuisance within the definition of the 'Act'. In any event such matters are controlled, light emission causing a nuisance are dealt with by Environmental Health Legislation.

Conclusion

- 32 The advertisement proposed would comply with Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and the NPPF, as they would not have an unacceptable impact on visual amenity or public safety. It is therefore recommended that advertisement consent is granted.

Background papers

Site and block plans.

Contact Officer: Mr Mark Mirams 01732 227000

Richard Morris
Chief Planning Officer

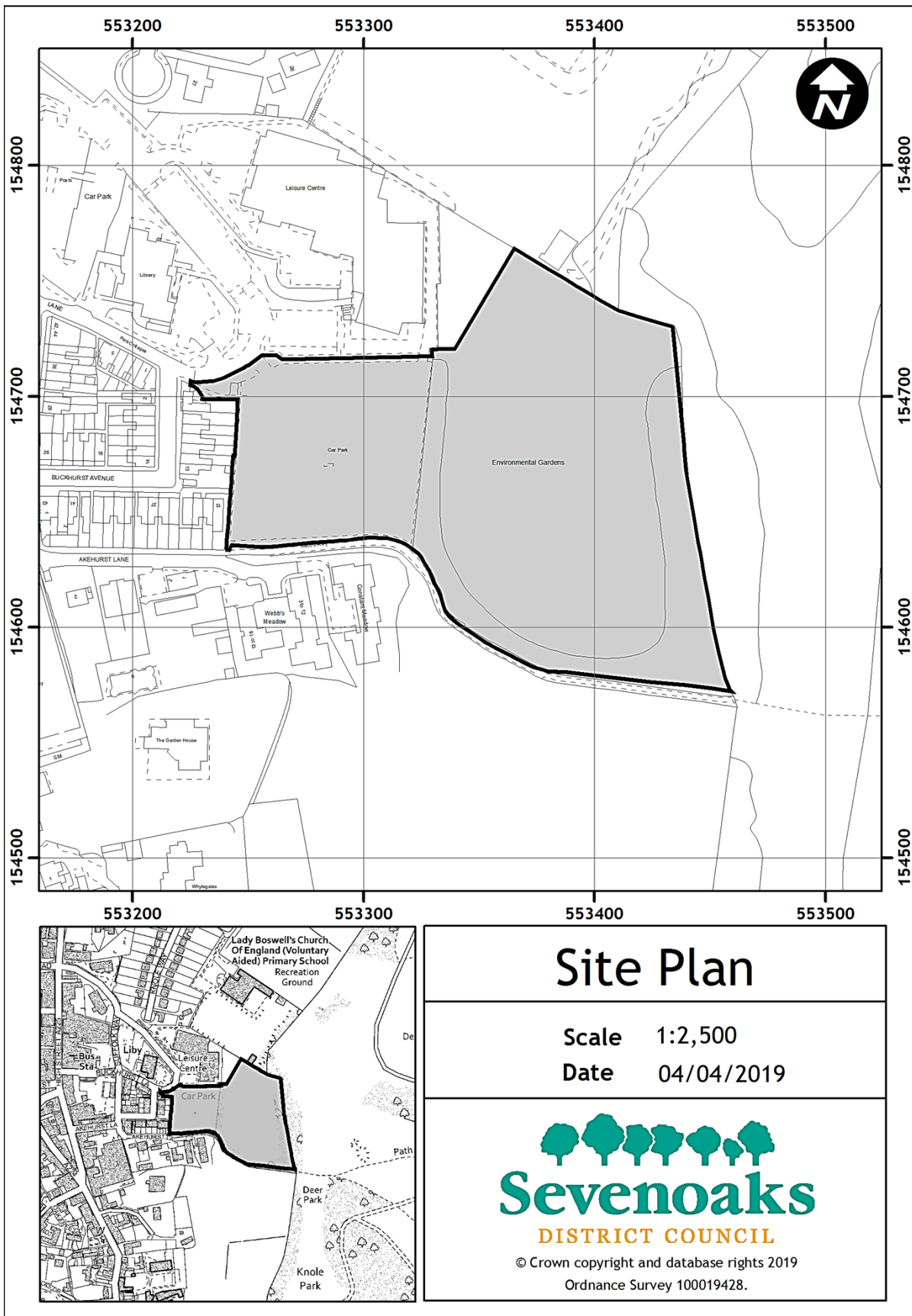
Agenda Item 4.2

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PMIKO3BKGGK00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PMIKO3BKGGK00>



Block Plan



Planning Application Information on Public Access - for applications coming to

DC Committee on Thursday 25 April 2019

**4.1 19/00009/FUL Post Office, Post Office Counters Ltd, London Road, Swanley
BR8 7AA**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PKROLOBKFMJ00>

Link to associated documents:

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4.2 19/00317/ADV Buckhurst 2 Car Park Buckhurst Lane Sevenoaks KENT TN13 1JJ

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