

11 June 2020 at 3.00 pm

This meeting will be held virtually via Zoom  
and livestreamed here

[https://www.youtube.com/channel/UCIT1f\\_F5OfvTzxjZk6Zqn6g](https://www.youtube.com/channel/UCIT1f_F5OfvTzxjZk6Zqn6g)

Despatched: 03.06.20



# Development Control Committee

## Membership:

Chairman, Cllr. Williamson; Vice-Chairman, Cllr. Reay  
Cllrs. Ball, Barnett, Brown, Cheeseman, Perry Cole, Coleman, P. Darrington, Firth,  
Hogarth, Hudson, Hunter, Layland, McGarvey, Pett, Purves, Raikes and Roy

## 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. <b>Minutes</b> To approve the minutes of the meeting of the Committee held on 21 May 2020, as a correct record.	(Pages 1 - 10)	
2. <b>Declarations of Interest or Predetermination</b> Including any interests not already registered.		
3. <b>Declarations of Lobbying</b>		
4. <b>Planning Applications - Chief Officer Planning &amp; Regulatory Services Report</b>		
4.1 <b>19/01338/FUL - 20 Kettlewell Court, Swanley, Kent BR8 7BP</b> Demolition of garages to provide 4 no. 2 bedroom houses.	(Pages 11 - 26)	Mike Holmes 01732 227000
4.2 <b>4.2 19/01339/FUL - Garages North Of, 40 - 48 Northview, Swanley, Kent, BR8 7BQ</b> Demolition of garages to provide 6 no. 1 bedroom flats	(Pages 27 - 42)	Mike Holmes 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.

At this time of national emergency it is necessary to observe social distancing to limit the spread of Covid-19. For this reason the Council is unable to arrange site visits in the established manner and therefore requests for site visits will not be taken.

Please note that due to the earlier time of the meeting, speakers should register by 1pm on the day of the meeting.

Any slides speakers may wish to have displayed at the meeting should be emailed to [dc.committee@sevenoaks.gov.uk](mailto:dc.committee@sevenoaks.gov.uk) , by 1pm the day before the meeting.

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](mailto:democratic.services@sevenoaks.gov.uk).

**DEVELOPMENT CONTROL COMMITTEE**

Minutes of the meeting held on 21 May 2020 commencing at 3.00 pm

Present: Cllr. Reay (Vice Chairman) (In the Chair)

Cllrs. Ball, Brown, Cheeseman, Perry Cole, Coleman, P. Darrington, Firth, Hogarth, Hudson, Hunter, McGarvey, Pett, Purves, Raikes and Roy

Apologies for absence were received from Cllrs. Barnett and Williamson

Cllr. Thornton was also present.

70. Minutes

Resolved: That the Minutes of the Development Control Committee held on 12 March 2020, be signed by the Chairman as a correct record.

71. Declarations of Interest or Predetermination

Councillor Ball declared that for Minute 73 - 19/03543/FUL - Former Council Offices, 27 - 37 High Street, Swanley Kent BR8 8AE, he had previously considered the matter when it was discussed by Swanley Town Council, but remained open minded.

Councillor Perry Cole declared that for Minute 74 - 20/00520/FUL - Portland Place, Park Drive, Longfield Kent DA3 7RW, the applications was within his ward, but he remained open minded.

Councillor Hogarth declared that for Minute 73 - 19/03543/FUL - Former Council Offices, 27 - 37 High Street, Swanley Kent BR8 8AE, his views had previously been expressed and well documented and therefore he would leave the meeting for consideration of that item and not take part in the debate or voting thereon.

72. Declarations of Lobbying

There were none.

RESERVED PLANNING APPLICATIONS

The Committee considered the following planning applications:

73. 19/03543/FUL - Former Council Offices, 27 - 37 High Street, Swanley Kent BR8 8AE

The proposal sought planning permission for demolition and redevelopment of 27-37 High Street, Swanley to provide 17 new homes for private sale and a business

## Agenda Item 1

### Development Control Committee - 21 May 2020

hub (B1) in a new building of three storeys. Provision of car parking bays to the rear of the site, cycle parking, communal garden, landscaping and associated works, as amplified by amended drawings received 18.2.20 and amended ground floor plan received 1.4.20. The application had been referred to Development Control Committee as the applicant was Sevenoaks District Council.

Members' attention was brought to the main agenda papers and late observation sheet which did not change the recommendation but brought attention to an amendment made to paragraph 60 of the Appraisal (Design and Impact on Character of Area) to omit reference to photovoltaic panels.

The Committee was addressed by the following speakers:

Against the Application: -  
For the Application: Richard Brindle  
Parish Representative: -  
Local Member:

Members asked questions of clarification from the speakers and officers.

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

Members discussed the application.

Resolved: That planning permission be granted subject the following conditions

- 3) 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) For the avoidance of doubt the information to which this decision relates is as follows: Existing drawings: (00)001, 002, 003, 004, 005, 006, 007, 008. Proposed Drawings: (00)100 B, 101, 102, 103, 200 A, 201, 300; (03)100, 101, 102, 103, 104, 105, 106; (06)900, (21) 700, 701, 702. - Bell Phillips Architects - Planning Statement (Dec. 2019) & Design and Access Statement (Dec 2019) - GIA Chartered Surveyors - Internal Daylight, Sunlight and Overshadowing Reports (Dec 2019) - RGP - Transport Statement 19/BBPA/4709/TS02 (Dec 2019) - Energy and Sustainability Statement by XCO2 - Hann Tucker Associates - Environmental Noise Survey and Acoustic Design Statement Report 26597/ADS1 (Aug 2019) & Residential External - Building Fabric Report 26597/EBF1 (Sept 2019) - Air Quality Assessment by XCO2 (Dec. 2019) - Morph Structures - Flood Risk Statement and Surface Water Management (Suds) Report- Savills - Viability Report (Jan 2020).

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

- 4) No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by the LPA. The Statement shall include details of:-  
The routes for construction and delivery vehicles to / from the site. -  
Parking and turning areas for construction and delivery vehicles and site personnel, -  
Timing of deliveries, -  
Provision of wheel washing facilities, -  
Temporary traffic management/signage. The approved Construction Management Plan shall be adhered to throughout the construction period for the development.

To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users adjacent to the site in accordance with Policy T1 of the Sevenoaks Allocations and Development Management Plan.

- 5) No development shall take place until the "Highly Recommended Mitigation Measures" set out in Table 7 of the Mitigation section of the Air Quality Assessment, which are designed to minimise pollution from the site during construction works, have been implemented in accordance with the details set out. The mitigation measures shall be adhered to for the duration of works.

In the interests of reducing pollution levels likely to adversely impact the amenities of the occupants of neighbouring buildings as supported by Government advice in the form of the National Planning Policy Framework.

- 6) No development other than works of demolition and clearance of the site shall begin in any phase 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 be based upon the Flood Risk Statement and Surface Water Management (Suds) Report dated November 2019 and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. The drainage scheme shall also demonstrate (with reference to published guidance) that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters. Appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker. The drainage scheme shall be implemented in accordance with the approved details.

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of

the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development. As supported by Government advice in the form of the National Planning Policy Framework.

- 7) No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

- 8) No development other than demolition shall take place until samples of the main facing materials, together with details of the brick type to the new boundary walls, have been submitted to the District Planning Authority for approval in writing. The building shall be constructed using the approved materials.

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

- 9) Prior to construction of any of the approved buildings on site full details of the hard and soft landscaping, means of enclosure and refuse enclosures shall be submitted to and approved in writing by the Council. Those details shall include:-Details of all hard surface materials including paving for the communal garden;-Planting plans, (identifying new planting);-Written specifications, (including cultivation and other operations associated with plant and grass establishment);-Schedules of new plants, (noting species, size of stock at time of planting and proposed number/densities where appropriate), Plans/section of proposed tree pit system;- all means of boundary treatment and other means of enclosure within the site, and;-A programme of implementation, unless otherwise agreed in writing by the Local Planning Authority prior to commencement of construction as part of the programme of implementation, all planting, seeding and turfing

comprising the approved details of landscaping shall be carried out in the first planting and seeding season following first occupation of any of the approved buildings. 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.

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

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

In the interests of amenities of neighbouring occupiers in particular and the locality in general as supported by Policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

- 10) The forecourt parking spaces and cycle parking facilities shown on the approved Ground Floor Plan no.: 0617-BPA-DR-A-00100 shall be provided concurrently with the development and shall be kept available for such use at all times and no permanent development shall be carried out on the land so shown or in such a position as to preclude vehicular access to the vehicle parking and cycle spaces.

To ensure permanent retention of vehicle parking for the properties as supported by policy T2 of the Allocations and Development Management Plan.

- 11) Prior to first occupation of the development a Parking Management Plan shall be submitted to the Local Planning Authority for approval in writing. The approved plan shall be implemented as approved and maintained thereafter.

To ensure permanent and efficient retention and operation of vehicle parking for the properties as supported by policy T2 of the Allocations and Development Management Plan.

- 12) The development shall not be brought into use until a Travel Plan, to reduce dependency on the private car, has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include objectives and modal-split targets, a programme of implementation and provision for monitoring, review and improvement. Thereafter, the Travel Plan shall be put into action and adhered to throughout the life of the development, or that of the Travel Plan itself, whichever is the shorter.

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### Development Control Committee - 21 May 2020

To ensure a sustainable form of development which reduces dependency on use of motor vehicles as supported by policies SC1 and T3 of the Council's Allocations and Development Management Plan.

- 13) No development other than demolition shall take place until full details of the proposed mechanical ventilation system have been submitted to the Local Planning Authority for approval in writing. Such details to include a noise assessment of any associated plant. The approved details shall be implemented prior to first occupation of the building.

In the interests of reducing air pollution levels to occupants of the building as supported by Government advice in the form of the National Planning Policy Framework.

- 14) No development other than demolition shall take place until a scheme for protecting the residential units from noise from the adjacent highway has been submitted to the Local Planning Authority for approval in writing. The approved scheme shall be implemented prior to first occupation of the residential units.

In the interests of reducing noise pollution levels to residential occupants of the building as supported by Government advice in the form of the National Planning Policy Framework.

- 15) The development hereby permitted shall incorporate measures to minimise the risk of crime. Prior to construction further details of such measures, according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) shall be submitted to the Council for approval in writing. The approved measures shall be implemented prior to first occupation of the development and thereafter retained.

In the interest of Security, Crime Prevention and Community Safety as supported by the National Planning Policy Framework and Policy EN1 of the Allocations and Development Management Plan.

- 16) No development other than demolition shall take place until details for the provision of facilities for the safe charging of electric vehicles and an implementation timetable for the installation of the unit shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to first occupation of the building, maintained thereafter and be available for use at all times.

To secure a sustainable form of development as supported by policy T3 of the Council's Allocations and Development Management Plan.

- 17) The business hub shall not operate other than between 07:00 to 21:00 hours Mondays to Saturdays (inclusive) and between the hours of 10:00 to 17:00 hours on Sundays and shall not operate at all on Bank or National Holidays.



To safeguard the amenities of neighbouring residential occupiers as supported by policy EN2 of the Council's Allocations and Development Management Plan.

### Informatives

- 1) 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.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries> .

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.

- 2) Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website <https://developers.thameswater.co.uk/Developing-a-largesite/Apply-and-pay-for-services/Wastewater-services>  
Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities.  
Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

The proposed development is located within 15 metres of our underground waste water assets and as such we would like the following informative attached to any approval granted.

"The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes>.

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Should you require further information please contact Thames Water.  
Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921  
(Monday to Friday, 8am to 5pm) Write to: Thames Water Developer  
Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planningyour-development/Working-near-or-diverting-our-pipes>.

- 3) Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/building water](http://thameswater.co.uk/building-water).

- 4) It is recommended that the applicant consider moving the pathway for the private terrace/defensible space area for the ground floor flat, so it is not directly aligned in front of the bedroom window. This is to provide privacy from the communal seating area and the bedroom window.
- 5) The applicant is advised that given the noise climate of the site, it is suggested that the applicant consider extending the mechanical ventilation system to the residential properties fronting the building to provide enhanced means of ventilation.
- 6) The applicant is advised that with regard to the condition regarding secured by design, you should have regard to the Consultation response from Kent Police Designing Out Crime Officer which makes a number of recommendations.

(Having declared an interest, Cllr Hogarth left the room during consideration of this item and did not take part in the debate or voting thereon.)

#### 74. 20/00520/FUL - Portland Place, Park Drive, Longfield Kent DA3 7RW

The proposal sought planning permission for a proposed infill extension to provide 2 no. additional sheltered flats at Portland Place with associated parking. The

application had been referred to Development Control Committee by Councillor Cole and Councillor Abraham due to concerns that the proposals may adversely affect the amenities of neighbouring occupiers contrary to Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

Members' attention was brought to the main agenda papers.

The Committee was addressed by the following speakers:

- |                          |                 |
|--------------------------|-----------------|
| Against the Application: | -               |
| For the Application:     | Matthew Garvey  |
| Parish Representative:   | -               |
| Local Member:            | Cllr Penny Cole |

Members asked questions of clarification from the speakers and officers.

It was moved by the Chairman and duly seconded that the recommendations within the, be agreed.

Members discussed the application.

Resolved: That planning permission be granted subject 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 external surfaces of the development hereby permitted shall match those used on the existing building.

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 and details: DHA/14060-01, DHA/14060/10A, DHA/14060/11A, DHA/14060/12A, DHA/14060/13A, DHA/14060/014A, DHA/14060/15A, DHA/14060/17A.

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

THE MEETING WAS CONCLUDED AT 3.58 PM

CHAIRMAN

4.1 19/01338/FUL Revised expiry date 22 November 2019

Proposal: Demolition of garages to provide 4 no. 2 bedroom houses.

Location: 20 Kettlewell Court, Swanley, KENT BR8 7BP

Ward(s): Swanley White Oak

**Item for decision**

This application has been called to the Development Control Committee by Councillor Mrs Darrington on the grounds that the proposal would impact the character and appearance of the area, parking provision, highways safety, residential amenity and access for those with disabilities.

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: 18863-PL-00, 18863-PL-01 Rev.A, 18863-PL-02, 18863-PL-03 and 18863-PL-S-01 Rev.D.

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

3) Prior to the commencement of the works to erect the new dwellings hereby approved, full details of the materials to be used in the construction of the external surfaces of the dwellings shall be 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 of the Sevenoaks Allocations and Development Management Plan.

4) Prior to the completion of the development, full details of hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. Those details shall include:- hard landscaping plans (identifying the finishing materials of areas of hard landscaping and details of all fencing);- 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);- full details of all proposed boundary treatment; and- measures incorporated into the development to enhance the biodiversity of the site. The approved details shall be carried out prior to the first

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occupation of the development hereby granted. If within a period of 5 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.

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

5) The window(s) in the first floor side facing elevation(s) of the development hereby permitted shall be glazed with obscure glass of no less than obscurity level 3 and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

To safeguard the privacy of residents as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

6) The proposed communal parking area shall be provided in accordance with the approved plan 18863-PL-S-01 Rev.D and retained thereafter without obstruction to vehicular access to the parking area. The parking spaces shall be unallocated for use by both new residents of the development and existing residents.

To ensure a permanent retention of vehicle parking for the development and in the interest of highway safety as supported by policies EN1 and T2 of the Sevenoaks Allocations and Development Management Plan.

7) Prior to first occupation of the new dwellings hereby approved, at least one electrical charging point for the safe charging of electric vehicles shall be provided and maintained within the communal parking area for the development.

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

8) Prior to the commencement of development on the site, a detailed construction management plan shall be submitted to and approved in writing by the local planning authority. The construction management plan shall include such matters as storage of materials, turning of delivery vehicles, parking for operatives, wheel washing, times of operation/construction works and details of delivery arrangements. The development shall be carried out in accordance with the approved construction management plan.

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

9) Prior to the completion of the development, full details of refuse storage for the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained thereafter.

To safeguard the character and appearance of the area and to preserve highway safety in accordance with policy EN1 of the Sevenoaks District Allocations and

Development Management Plan.

10) Prior to the completion of the development full details of the shed/cycle stores indicated on the approved plan shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained thereafter.

To safeguard the residential amenity of nearby residents in accordance with policy EN2 of the Sevenoaks District Allocations and Development Management Plan.

11) Notwithstanding the details on the approved plans, prior to the completion of the development full details of a ramp to provide access for all to the south-east corner of the site shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to the first occupation of the development and retained thereafter.

To ensure that the development provides access for all in accordance with policy EN1 of the Sevenoaks District allocations and Development Management Plan.

12) Prior to the installation of external lighting within the application site, full details of the external lighting shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

**Informatives**

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

2) New build developments or converted properties may require street naming and property numbering. You are advised, prior to commencement, to contact the Council's Street Naming and Numbering team on 01732 227328 or visit [www.sevenoaks.gov.uk](http://www.sevenoaks.gov.uk) for further details.

3) It appears that the proposal involves works that affect the highway and / or its verge. Before commencing such works, you must obtain the separate consent of the Highway Authority. Please contact Kent Highway Services, Network Operations on 01474 544068.

**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 site

- 1 The application site is a roughly rectangular shaped plot located to the eastern end of Kettlewell Court. Within the site, three blocks of lock up garages, totalling 25 garages, line the northern and southern boundaries of the plot. The garages are served by an area of hardstanding that divides the two rows of garages.
- 2 The site is surrounded by existing residential development to the north and south. To the east lies a footpath and a row of mature trees and hedging, and to the west the access to the site opens out onto the highway.
- 3 The levels of the site rise gently from west to east and the properties to the south are sited upon a raised ground level.

### Description of proposal

- 4 The application seeks approval for the demolition of the existing lock up garages and the erection of a terrace of four houses. The dwellings would be two storeys in height and would provide two bedrooms within each unit.
- 5 The terrace building would be traditional in design, having a dual-pitched roof, gable ends and being finished in a slate tiled roof, brickwork and tile hanging to the front elevation at first floor level.
- 6 Each dwelling would be provided with a rear amenity area and to the front of the site twelve parking spaces would be provided, including two disabled bays. Access to the footpath to the rear of the site would be maintained adjacent to the southern boundary of the site.
- 7 The applicants indicate that the new dwellings are intended to be available to the local affordable housing market.

### Relevant planning history

- 8 17/03275/FUL Demolition of lock up garages to provide 3 no. 2 bedroom houses - Withdrawn.

### Policies

- 9 National Planning Policy Framework (NPPF)
- 10 Core Strategy (CS)
  - L01 Distribution of Development
  - L04 Development in Swanley
  - SP1 Design of New Development
  - SP5 Housing Size and Type
  - SP7 Density of Housing Development
  - SP11 Biodiversity



- 11 Allocations and Development Management Plan (ADMP)
- SC1 Presumption in Favour of Sustainable Development
  - EN1 Design Principles
  - EN2 Amenity Protection
  - T1 Mitigating Travel Impact
  - T2 Vehicle Parking
  - T3 Provision of Electrical Vehicle Charging Points

### Constraints

- 12 The site lies within the following constraints -
- Urban confines of Swanley
  - Source Protection Zone 3

### Consultations

- 13 Swanley Town Council -

Objection and reasons:

- Severe parking issues
- Excessively cramped housing development
- No consideration of the existing residents
- Not wheelchair friendly
- Severely restricted emergency vehicles access
- Residents will have to carry refuse 65 metres to a collection point
- Encroachment on Public right of way

- 14 KCC Highways -

- 15 “The updated Transport Statement dated September 2019 provides the results of the parking survey carried out for this proposed site together with the similar nearby sites. It demonstrates that there is an apparent demand for 5 cars which park in front of the existing garages. Whilst it states that 5 of the existing garages are currently let, there is no indication that these garages are being used for the parking of cars. It therefore must be assumed that either at the times of the surveys that any cars parked in the garages were not used, or that they are used for other purposes e.g. storage. It is also noted that the existing garage tenants are being offered garages elsewhere so it can be assumed that any cars parked in garages do not need to be taken into account in the assessment. In the absence of any other clear and quantifiable evidence I can only accept the findings of the parking survey.

- 16 In accordance with KCC Residential Parking Standards (IGN3) a maximum of 1 space should be provided for a 2-bed property in an "edge of centre"

## Agenda Item 4.1

location. A total of 12 spaces is proposed within the car parking area, which when the 4 for the new dwellings is subtracted, leaves 8 spaces available to accommodate the 5 existing displaced cars parked in the garage court. I can therefore only conclude that there can be no reason to object to the parking provision provided given the evidence provided. This is also on the assumption that all of the new residents are car owners which, given the relatively sustainable location of the site within walking / cycling distance of the town centre and with bus services available nearby, may not necessarily be the case. It will however compensate for any dwelling occupants that own more than one car.

- 17 I would, however, recommend that the proposed parking area is unallocated to either new residents or existing residents in order to maintain a degree of flexibility. This can be achieved by an appropriate condition.
- 18 In terms of additional traffic generation from the 4 new houses, this is not likely to be significant compared with existing traffic flows and is therefore not a reason for objection on highway grounds.
- 19 I would also recommend that a condition be applied to any consent granted that a Construction Management Plan should be submitted and approved prior to any works commencing covering such issues as storage of materials, turning of delivery vehicles, parking for operatives and wheel washing.
- 20 In conclusion, therefore, I raise no objection to this application on highway grounds, subject to the car park and Construction Management Plan Conditions recommended above.”
- 21 Sevenoaks District Council Direct Services Recycling Co-ordinator  
“It is not clear where the waste will be collected from. Will this be from the front of each property or will there be a communal ‘Waste Presentation Point’? Will anything be done on the access road so the waste collection vehicle can safely access the site?”

### Representations

- 22 We received 40 letters of objection relating to the following issues:
  - Lack of parking, including for those with disabilities and for existing residents
  - Overlooking and loss of privacy
  - Cramped development
  - Noise levels
  - Access for emergency vehicles
  - Out of date and quality of the submitted parking survey
  - Creation of alleyways and crime
  - Limited local bus service
  - This is another application from West Kent Housing Association
  - Previous application refused with no changes being made here to improve the submission
  - Density

- Access for disabled residents
- Impact of parked vehicles on highways safety
- Alternative sites for housing
- Lighting within the area
- Increase in traffic movements
- Impact of the construction phase on parking and highways safety
- Impact on drainage
- Usability and affordability of the existing garages
- The methodology of the parking survey carried out
- Loss of trees

### **Chief Officer Planning & Regulatory Services appraisal**

#### **23 The main planning consideration are:**

- Principle of the development
- Parking provision and impact on highways safety
- Design and impact on the character and appearance of the area
- Impact on residential amenity
- Trees, landscaping and biodiversity
- Community Infrastructure Levy (CIL)

#### **24 Principle of the development**

25 The site falls within the built confines of Swanley and so policies LO1 and LO4 of the Core Strategy apply. These policies advise that development will be focused within the built confines of existing settlements, with provision in Swanley for approximately 660 residential dwellings throughout the town on a range of sites in the urban area.

26 The site is suited to accommodate additional residential development given the fact that site is previously developed land, sited adjacent to existing residential development and it is located close to the services offered within Swanley Town Centre.

27 The proposal therefore complies with policies LO1 and LO4 and the principle of the development is one that can be accepted provided the development complies with all other relevant policies.

#### **28 Parking provision and impact on highways safety**

29 Paragraph 109 of the NPPF states that development should only be prevented or refused if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

30 Policy EN1 of the ADMP states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking.

## Agenda Item 4.1

- 31 Policy T1 of the ADMP requires new developments to mitigate any adverse travel impacts, including their impact on congestion and safety, environmental impact, such as noise and tranquillity, pollution and impact on amenity and health.
- 32 Policy T2 relates to vehicle parking, including cycle parking and requires provision in accordance with advice from the Highway Authority.
- 33 Policy T3 requires the provision of electrical vehicle charging infrastructure.
- 34 It is proposed to retain a vehicular access to the site, central to the front boundary of the plot. Pedestrian access is proposed to be provided to either side of the parking area to the front of the site, linking to the new dwellings and the existing surrounding residential development.
- 35 The development would provide twelve parking spaces, including two disabled parking spaces.
- 36 For a development of four, two bedroomed houses in this location, four vehicle parking spaces are required. This leaves eight parking spaces as surplus, which can be used by local residents.
- 37 The applicant has demonstrated that five of the existing garages are currently let (20% occupation rate). The additional eight spaces would therefore provide for those who currently use the garages and three additional vehicles. This would serve to ease the pressure on the parking that currently occurs on the street.
- 38 KCC Highways has considered the submission and concluded that the scheme would be acceptable provided the vehicle parking spaces are unallocated to either new residents or existing residents in order to maintain a degree of flexibility. To control this, an appropriate planning condition can be imposed. A construction management plan is also requested, to ensure that the construction phase does not impact highways safety. This can be secured by condition on any grant of planning permission.
- 39 It is also accepted that the additional traffic generation from the four new houses is unlikely to be significant compared with existing traffic flows and is therefore not a reason for objection on highway grounds. Any increase in traffic movements would be not severe or result in significantly harmful highway conditions.
- 40 Our Direct Services Recycling Co-ordinator, has raised the matter of refuse storage and collection. However, further details of this can be required by way of condition.
- 41 Local residents have expressed concern that the submitted parking survey is out of date and incorrectly carried out. The applicant has since updated the parking survey and provided the methodology for carrying out the updated survey. The County Highways Development Planner has taken account of the findings of the parking survey and the methodology and found both to be wholly acceptable.

- 42 The site is also approximately half a mile from Swanley Town Centre, and the services and facilities it provides. The use the local bus service is therefore the choice of the individual rather than it being a necessity. Moreover, the site is less than 1km of the Town Centre, within walking distance, so the development would not be wholly reliant on private car use/ownership.
- 43 In terms of any potential impact on access for emergency vehicles, the proposal does not result in any changes to the public highway. In addition, and as noted above, the development would provide parking for an additional three vehicles, which would have the effect of potentially relieving the pressures of the on-street parking situation. The development would therefore have no greater effect on the ability for emergency vehicles to enter the street compared with the existing situation.
- 44 Finally, further details of appropriate vehicle charging points can be requested by way of condition.
- 45 Overall, the development would preserve highway safety and would provide sufficient parking in accordance with the NPPF and policies EN1, T2 and T3 of the ADMP.
- 46 **Design and impact on the character and appearance of the area**
- 47 Policy SP1 of the Core Strategy and policy EN1 of the ADMP state that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated.
- 48 The application site comprises blocks of lock up garages and an area of hardstanding that divides the two rows of garages. Surrounding the site to the north, south and west are terraced residential properties, all two storeys in height.
- 49 The existing site possesses no architectural merit, and it could even be argued that the existing garages detract from the character and appearance of the area. The redevelopment of the site to provide new dwellings, therefore, represents a significant improvement on the visual appearance of the locality.
- 50 The proposal includes the erection of a terrace of four houses, each two storeys in height, with the proposed parking area to their frontage. The dwellings would have pitched roofs with gabled ends to both flanks of the building. The properties would be set adjacent to and parallel with 20 Kettlewell Court to the north of the site.
- 51 The principle of the mix of buildings proposed is considered acceptable. The buildings would be designed and finished to respect and complement the prevailing residential character of the area, which is mainly comprised of terraced properties.
- 52 The layout of the development would respect the site, providing appropriate spacing within the development and between the development and the surrounding properties. In terms of the density of the development,

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the density of development locally is approximately 38 dwellings per hectare. The density of the proposed development would be 48 dwellings per hectare. This meets the requirements of policy SP7 of the Core Strategy in that the development achieves a density of 40 dwellings per hectare. As such, it is not considered that the development would appear cramped within the context of the street scene or an over intensification of built form within the site.

- 53 Overall, the proposal would be of an acceptable design that would respect the character and appearance of the area. As such, the proposals are considered to be in accordance with the NPPF, policy SP1 of the Core Strategy and policy EN1 of the ADMP.
- 54 **Impact on residential amenity**
- 55 Policy EN2 of the ADMP requires that any development should safeguard the amenities of existing and future occupiers of nearby properties and would provide adequate residential amenities for future occupiers of the development.
- 56 Due to the prevailing residential character of the area, the development would not result in excessive noise, vibration, odour, air pollution, activity or vehicle movements.
- 57 The introduction of built form of greater bulk, mass and form than the existing garages has the potential to impact on daylight and sunlight, outlook and privacy of the surrounding properties to the site.
- 58 These neighbouring properties include 20 Kettlewell Court to the north and 14-22 Northview to the south. All other nearby properties would be at a sufficient distance away from the proposed development to ensure that the amenities of the occupiers of these properties would be safeguarded. This includes 8-10 Kettlewell Court to the west and 24 Northview to the south-west.
- 59 20 Kettlewell Court is an end of terrace property, two storey in design and situated on a slightly lower level to the application site. The development would be sited to the south of 20 Kettlewell Court.
- 60 20 Kettlewell Court does not possess any side facing windows that would face onto the site. This neighbouring house does possess rear facing windows adjacent to the shared boundary with the site. In applying the 45 degree angle test, the development would pass in elevation. Therefore, whilst there would be some loss sunlight, this would not be a detrimental loss and the level of daylight received by this neighbouring property would remain at an acceptable level.
- 61 Due to the proposed relationship, the outlook from the front and rear facing windows would not be impeded by the development. A reasonable outlook from the rear amenity area of 20 Kettlewell Court would also be retained.
- 62 The northern end of the proposed terrace property would possess front and rear facing bedroom windows at first floor level. However, no outlook from

these windows towards 20 Kettlewell Court would be available to future occupiers. A first floor side facing window is proposed to face towards 20 Kettlewell. However, this window would serve a bathroom and so could be controlled by an obscure glazing condition. No overlooking or loss of privacy would therefore occur to the occupiers of 20 Kettlewell Court.

- 63 14-22 Northview is a terrace of two storey properties on a raised level to the application site.
- 64 The development would be sited a minimum of approximately 12m to the north of the Nos.14 & 16 Northview, increasing to those properties further to the west, and due to the separation distance and orientation of the proposed development would not cause a detrimental loss of daylight or sunlight to the occupiers of 14-22 Northview.
- 65 The neighbouring terrace of properties possess rear and side facing windows that would face onto the site. However, outlook from these windows would not be impeded by the development due to the proposed relationship and the distances of separation retained. A reasonable outlook from the rear amenity areas of 14-22 Northview would also be retained.
- 66 The southern end of terrace property would possess front and rear facing bedroom windows at first floor level. Where outlook from these windows towards 14-22 Northview would not be oblique, the distance of separation to the neighbouring properties is comfortable given this urban location. A first floor side facing window is proposed to face towards the adjacent terrace. However, this window would serve a bathroom and so could be controlled by way of condition. As such, no overlooking or loss of privacy would therefore occur to the occupiers of 14-22 Northview.
- 67 The future occupiers of the development would generally be provided with adequate residential amenities for future occupiers. One potential issue is the relationship between 14 Northview and the southern end of terrace property. This is a close relationship but it is not unusual for an urban area such as this.
- 68 Overall, it is considered that the development would safeguard residential amenity in compliance with the NPPF and policy EN2 of the ADMP.
- 69 **Trees, landscaping and biodiversity**
- 70 Policy SP11 of the Core Strategy states that the biodiversity of the District will be conserved and opportunities sought for enhancements to ensure no net loss of biodiversity. Policy EN1 of the ADMP states that trees should be incorporated into the layout of development.
- 71 The site currently possesses no trees of importance and so none would be lost. The development provides an opportunity to improve the current situation with regards the landscaping of the site. Details of this can be secured by way of condition.
- 72 Ecological enhancements can also be sought by way of condition to ensure that there is an ecological gain.

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- 73 Therefore, the development would be in accordance with the NPPF and policy SP11 of the Core Strategy and policy EN1 of the ADMP.

### Other issues

- 74 The comments received from the Town Council and local residents include a number of matters not yet addressed above but will be considered below.
- 75 No public right of way crosses the site or lies adjacent to the site, meaning no encroachment would occur.
- 76 Those footpaths and alleyways created, both within the site and outside of it, would benefit from natural surveillance from the existing properties and the proposed units. This would serve to deter crime in the local area.
- 77 How the development is proposed to be lit can be controlled by way of condition.
- 78 We have no control over the number of applications made by the applicant, or indeed any applicant.
- 79 As noted above, the previous application was withdrawn and so no formal decision was issued on the proposal. This application has been considered on its own merits and is deemed acceptable.
- 80 With a ramp provided to the south-east corner of the site, access for disabled residents would not be impeded. This means that those with disabilities and the elderly should not feel isolated.
- 81 It may well be the case that there are other sites that could be developed for housing. However, we have been asked by the applicant to consider the merits of the proposed development on this site.
- 82 In this instance, drainage would be a matter for building regulations and not for the planning system. Moreover, the site is not within an area prone to surface water flooding, as identified by the Environment Agency.
- 83 Finally, the usability and affordability of the existing garages is not material to the consideration of this planning application.

### Community Infrastructure Levy (CIL)

- 84 This proposal is CIL liable and there is no application for an exemption.

### Conclusion

- 85 As highlighted in the report above the proposed development accords with the NPPF and our adopted development plan.
- 86 As the Council cannot demonstrate a 5 year housing supply at this time, paragraph 11d) of the NPPF is engaged (the tilted balance). The recommendation is for approval and the need to deliver housing adds further weight in favour of granting planning permission.



87 It is therefore recommended that this application is GRANTED.

**Background papers**

Site and block plan

Contact Officer(s): Mike Holmes : 01732 227000

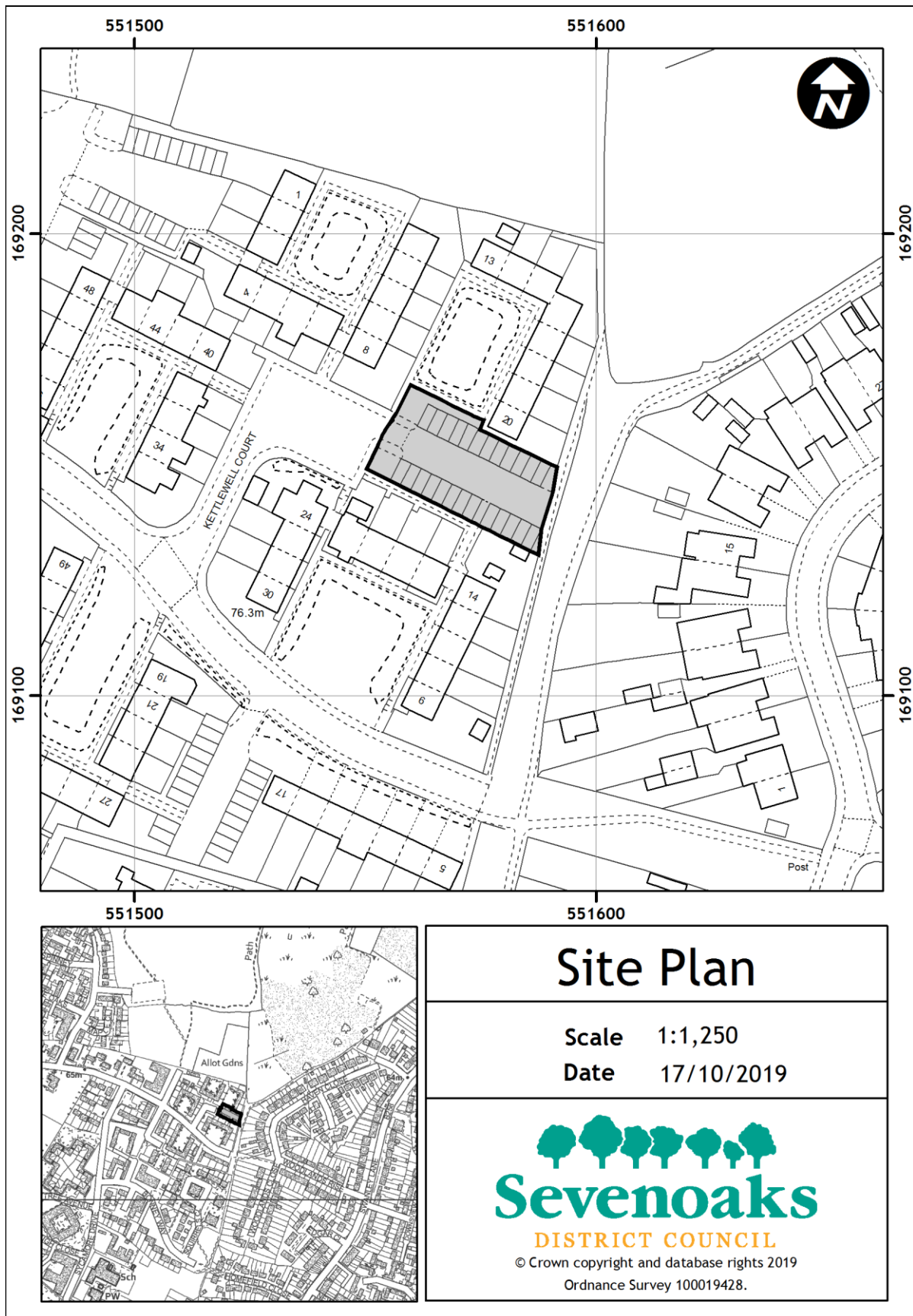
**Richard Morris**  
**Chief Officer Planning & Regulatory Services**

Link to application details:

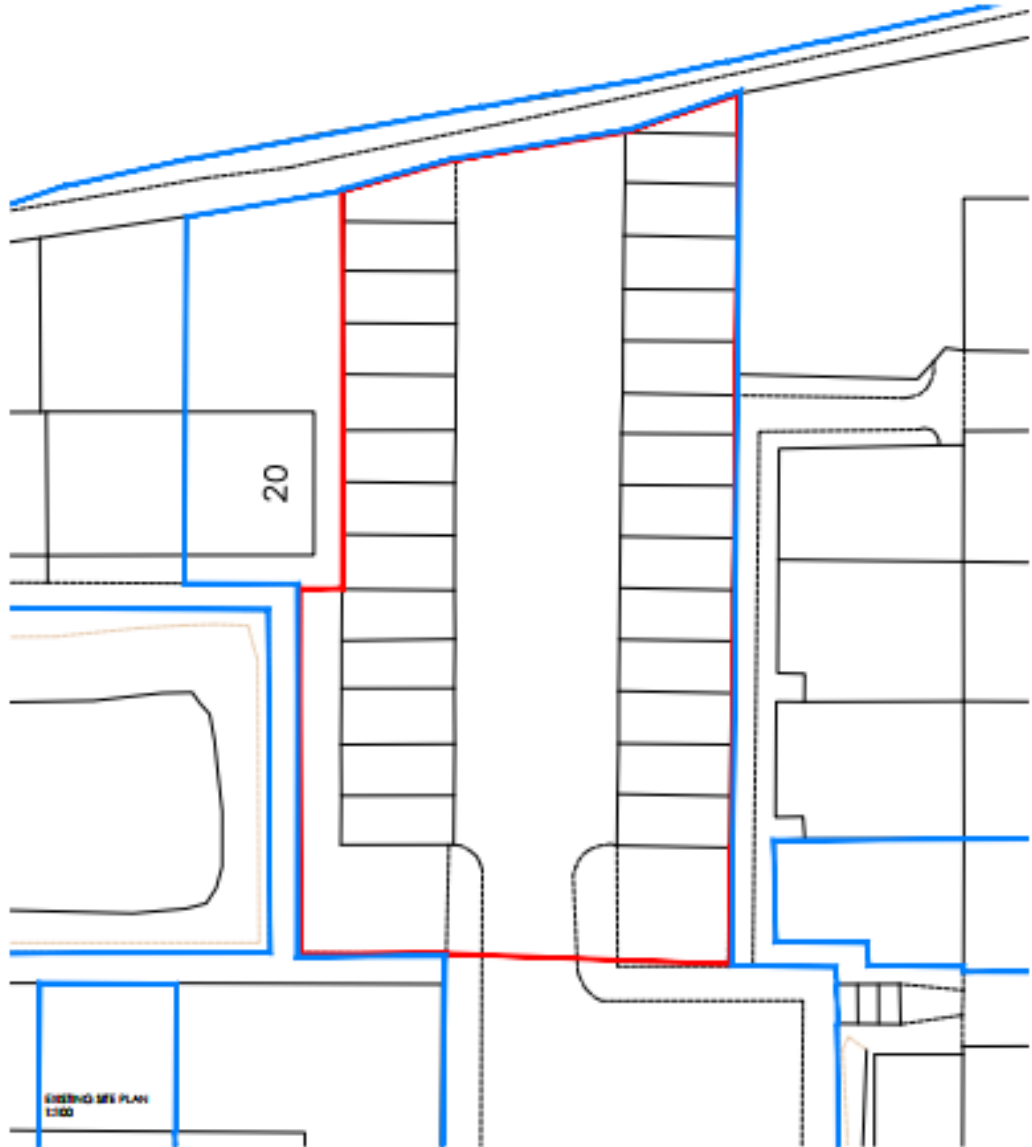
<https://pa.sevenoaks.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PR8BXM BKINR00>



BLOCK PLAN



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4.2 19/01339/FUL Revised expiry date 22 November 2019

Proposal: Demolition of garages to provide 6 no. 1 bedroom flats.

Location: Garages North Of, 40 - 48 Northview, Swanley KENT BR8 7BQ

Ward(s): Swanley White Oak

**Item for decision**

This application has been called to the Development Control Committee by Councillor G. Darrington and Councillor Andrews on the grounds that the proposal would impact the character and appearance of the area, parking provision, highways safety, residential amenity and access for those with disabilities.

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: 18862-PL-00, 18862-PL-01, 18862-PL-02, 18862-P-03 Rev.A, 18862-P-04 and 18862-PL-S-01 Rev.D.

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

3) The materials to be used in the construction of the external surfaces of the development hereby approved shall be those indicated on the approved plans 18862-P-03 Rev.A and 18862-P-04 or alternative materials, details of which shall be submitted to and approved in writing by the local planning authority prior to the construction of the building above the damp proof course.

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.

4) Prior to the completion of the development, full details of hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. Those details shall include:- hard landscaping plans (identifying the finishing materials of areas of hard landscaping and details of all fencing);- 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);- full details of all proposed boundary treatment; and- measures incorporated into the development to enhance the biodiversity of the site. The approved details shall be carried out prior to the first

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occupation of the development hereby granted. If within a period of 5 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.

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

5) The window(s) in the first floor southwest facing elevation(s) of the development hereby permitted shall be glazed with obscure glass of no less than obscurity level 3 and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

To safeguard the privacy of residents as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

6) Prior to the completion of the development, details of a privacy screen to be erected on the southern edge of the rear facing balcony serving Flat 6 as shown on approved plan no. 18862-PL-01 shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and the screen shall be maintained thereafter.

To safeguard the privacy of residents as supported by Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

7) The proposed communal parking area shall be provided in accordance with the approved plan 18863-PL-S-01 Rev.D and retained thereafter without obstruction to vehicular access to the parking area. The parking spaces shall be unallocated for use by both new residents of the development and existing residents.

To ensure a permanent retention of vehicle parking for the development and in the interest of highway safety as supported by policies EN1 and T2 of the Sevenoaks Allocations and Development Management Plan.

8) Prior to first occupation of the new dwellings hereby approved, at least one electrical charging point for the safe charging of electric vehicles shall be provided and maintained within the communal parking area for the development.

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

9) Prior to the commencement of development on the site, a detailed construction management plan shall be submitted to and approved in writing by the local planning authority. The construction management plan shall include such matters as storage of materials, turning of delivery vehicles, parking for operatives, wheel washing, and times of operation/construction works and details of delivery arrangements. The development shall be carried out in accordance with the approved construction management plan.

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

10) Prior to the completion of the development, full details of refuse storage for the development shall be submitted to and approved in writing by the local planning authority. The capacity of the bins to be provided shall be 1100 litre bins and the development shall be carried out in accordance with the approved details and retained thereafter.

To safeguard the character and appearance of the area and to preserve highway safety in accordance with policy EN1 of the Sevenoaks District Allocations and Development Management Plan.

11) Prior to the completion of the development full details of the cycle store indicated on the approved plan shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained thereafter.

To safeguard the character and appearance of the area in accordance with policy EN1 of the Sevenoaks District Allocations and Development Management Plan.

12) Prior to the installation of external lighting within the application site, full details of the lighting shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

### **Informatives**

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

2) New build developments or converted properties may require street naming and property numbering. You are advised, prior to commencement, to contact the Council's Street Naming and Numbering team on 01732 227328 or visit [www.sevenoaks.gov.uk](http://www.sevenoaks.gov.uk) for further details.

3) It appears that the proposal involves works that affect the highway and / or its verge. Before commencing such works, you must obtain the separate consent of the Highway Authority. Please contact Kent Highway Services, Network Operations on 01474 544068.

### **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 site

- 1 The application site is an irregularly shaped site located to the northern end of Northview, adjacent to Swanley Park. Within the site, three blocks of lock up garages, totalling 17 garages, line the northern and southern boundaries. The garages are served by an area of hardstanding that divides the two rows of garages.
- 2 Existing residential development surrounds the site to the south and east. To the north, lies Swanley Park and to the west, an existing access for the site that opens out onto the highway.
- 3 The levels of the site rise and fall slightly from west to east and rise gently from south to north. The properties to the south are sited upon a raised ground level to the site, while the properties to the east are sited upon lower level.

### Description of proposal

- 4 The application seeks approval for the demolition of the existing lock up garages and the erection of a block of six, one bedroom flats. The building would be two storeys in height and the first floor flats will be provided with balconies.
- 5 The building would be traditional in design, having a dual pitched roof, hipped ends and being finished in a slate coloured roof tile, brickwork, horizontal timber cladding and standing seam sheet cladding.
- 6 The area surrounding the building would be provided as a communal amenity area and to the frontage of the site, adjacent to the highway, a total of twelve parking spaces would be provided. Pedestrian access would be maintained around the site.
- 7 The applicant indicates that the new dwellings are intended to be available to the local affordable housing market.

### Relevant planning history

- |   |              |   |
|---|--------------|---|
| 8 | 17/02235/FUL | The development of redundant lock up garages to provide 6 no. 2 bedroom houses - Withdrawn. |
| 9 | 17/03274/FUL | Development of redundant lock up garages to provide 4 no. 2 bedroom houses - Withdrawn.     |



## Policies

- 10 National Planning Policy Framework (NPPF)
- 11 Core Strategy (CS)
- LO1 Distribution of Development
  - LO4 Development in Swanley
  - SP1 Design of New Development
  - SP5 Housing Size and Type
  - SP7 Density of Housing Development
  - SP11 Biodiversity
- 12 Allocations and Development Management Plan (ADMP)
- SC1 Presumption in Favour of Sustainable Development
  - EN1 Design Principles
  - EN2 Amenity Protection
  - EN4 Heritage Assets
  - T1 Mitigating Travel Impact
  - T2 Vehicle Parking
  - T3 Provision of Electrical Vehicle Charging Points

## Constraints

- 13 The site lies within the following constraints -
- Urban confines of Swanley
  - Area of Archaeological Potential
  - Source Protection Zone 3

## Consultations

- 14 Swanley Town Council -

Objection and reasons:

- Loss of light
- Loss of amenities
- No close access for emergency services (60 metres away)
- Loss of privacy
- Reduced parking in an area where there is already insufficient
- Restricted access to Swanley Park
- Restricted disabled access
- Over intensification of site
- Should permission is granted, West Kent Housing to present a traffic management plan to cover both contractors and residents for the duration of the site development.
- The Design and Access Statement incorrectly states 'Former disused lock up garages.' These are in sound condition.

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- Severe parking issues
- Excessively cramped housing development
- No consideration of the existing residents
- Severely restricted emergency vehicles access
- Residents will have to carry refuse 65 metres to a collection point

15 Kent County Council Highways Development Planner -

16 “the latest drawings submitted indicate a total of 12 parking spaces available. This is to accommodate 6 spaces for the proposed flats and 6 spaces for the displaced vehicles as a result of the demolition of the garage court. The latest parking survey undertaken on 10th / 13th September 2019 on the local roads indicated that there are sufficient on-street spaces available to accommodate any overspill. I can therefore conclude that provided the 12 parking spaces can be conditioned such that they are not allocated to specific flat units and not for the exclusive use of the new residents, then I raise no objection to the parking provision.

17 As previously stated I would recommend that a Condition requiring the submission and approval of a Construction Management Plan prior to any works commencing.

18 I am therefore not raising any objection on highway grounds to this application.

19 Please advise the applicant that they will require the separate consent of KCC Highways for any works to the existing public highway.”

20 Sevenoaks District Council Direct Services Recycling Co-ordinator -

“We would prefer if both types of bin show on the plan were of the large 1100 litre type of bin so enough space would need to be made for that. If possible, provisions would need to be made to prevent vehicles from parking in the turning head so our waste collection vehicle can carry out waste collection and exit the road in a forward motion.”

21 Kent County Council Archaeological Officer -

No comment.

### Representations

22 We received 29 letters of objection relating to the following issues:

- The methodology of the parking survey carried out
- Impact of parked vehicles on highways safety
- Lack of parking provision within the development and the surrounding streets
- Access for emergency vehicles
- Loss of light
- Disabled access

- Density
- Loss of privacy
- Overlooking
- Being fenced in
- Disturbance of boundary walls
- Disturbance whilst the building work takes place
- Refuse storage and limitations to collection
- Access for disabled residents
- Development on a higher level than neighbouring properties
- Access to Swanley Park
- Alternative sites for housing
- Overlooking and loss of privacy
- Overcrowding and a sense of enclosure
- The need to fell trees
- Drainage
- Height of the building
- Creation of alleyways and crime
- Lighting within the area
- Disposal of asbestos from the site
- Out of date and quality of the submitted parking survey
- Limited local bus service
- This is another application from West Kent Housing Association
- Disabled and elderly residents could become isolated
- Access for grass cutting machines and delivery vans
- Impact of the construction phase on parking and highways safety
- Usability and affordability of the existing garages

### **Chief Officer Planning & Regulatory Services appraisal**

#### **23 The main planning consideration are:**

- Principle of the development
- Parking provision and impact on highways safety
- Design and impact on the character and appearance of the area
- Impact on residential amenity
- Impact on the Area of Archaeological Potential
- Trees, landscaping and biodiversity

#### **24 Principle of the development**

25 The site falls within the built confines of Swanley and so policies LO1 and LO4 of the Core Strategy apply. These policies advise that development will be focused within the built confines of existing settlements, with provision in Swanley for approximately 660 residential dwellings throughout the town on a range of sites in the urban area.

26 The site is suited to accommodate additional residential development given the fact that site is previously developed land, sited adjacent to existing

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residential development and it is located close to the services offered within Swanley Town Centre.

- 27 The proposal therefore complies with policies LO1 and LO4 and the principle of the development is one that can be accepted provided the development complies with all other relevant policies.
- 28 **Parking provision and impact on highways safety**
- 29 Paragraph 109 of the NPPF states that development should only be prevented or refused if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 30 Policy EN1 of the ADMP states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking.
- 31 Policy T1 of the ADMP requires new developments to mitigate any adverse travel impacts, including their impact on congestion and safety, environmental impact, such as noise and tranquillity, pollution and impact on amenity and health.
- 32 Policy T2 relates to vehicle parking, including cycle parking and requires provision in accordance with advice from the Highway Authority.
- 33 Policy T3 requires the provision of electrical vehicle charging infrastructure.
- 34 It is proposed to retain a vehicular access to the site, central to the front boundary of the plot. Pedestrian access is proposed to either side of the parking area to the front of the site, linking to the new dwellings and the existing surrounding residential development.
- 35 The development would provide twelve parking spaces. For a development of six, one bedroom flats in this location, six vehicle parking spaces are required. This leaves six parking spaces as surplus, which can be used by local residents.
- 36 The applicant has demonstrated that eight of the existing garages are currently let (40% occupation) but that only six vehicles are parked within the site. The additional six spaces would therefore provide for those who currently use the garage area for parking. This would result in no additional pressures on the parking that currently occurs on the street.
- 37 KCC Highways has considered the submission and concluded that the scheme would be acceptable provided the vehicle parking spaces are unallocated to either new residents or existing residents in order to maintain a degree of flexibility. To control this, an appropriate planning condition can be imposed. A construction management plan is also requested, to ensure that the construction phase does not impact highways safety. This can be secured by condition on any grant of planning permission.

- 38 It is also accepted that the additional traffic generation from the six new flats is unlikely to be significant compared with existing traffic flows and is therefore not a reason for objection on highway grounds.
- 39 Our Direct Services Recycling Co-ordinator, has raised the matter of refuse storage and collection. Further details of bin storage can be required by way of condition and access to the vehicle parking spaces within the application site can also be controlled. However, how the highway outside of the application site is used is outside of the control of any approval of planning permission for the development.
- 40 Local residents have expressed concern that the submitted parking survey is out of date and incorrectly carried out. The applicant has since updated the parking survey and its methodology. KCC Highways accepts the findings of the parking survey and the methodology used.
- 41 The site is approximately half a mile from Swanley Town Centre, and the services and facilities it provides. The use the local bus service is therefore the choice of the individual rather than it being a necessity. Moreover, the site is less than 1km of the Town Centre, within walking distance, so the development would not be wholly reliant on private car use/ownership.
- 42 In terms of any potential impact on access for emergency vehicles, the proposal does not result in any changes to the public highway. In addition, and as noted above, the development would provide parking for an additional six vehicles, which would have the effect of potentially relieving the pressures of the on-street parking situation. The development would therefore have no greater effect on the ability for emergency vehicles to enter the street compared with the existing situation.
- 43 The site would continue to provide access for those with disabilities and it would not preclude access to Swanley Park. If access continues to be required for grass cutting then smaller machinery can be employed to carry out the service. In addition, delivery vans would continue to be able to use the highway as they currently do.
- 44 Finally, further details of appropriate vehicle charging points can be requested by way of condition.
- 45 Overall, the development would preserve highway safety and would provide sufficient parking in accordance with the NPPF and policies EN1, T2 and T3 of the ADMP.
- 46 **Design and impact on the character and appearance of the area**
- 47 Policy SP1 of the Core Strategy and policy EN1 of the ADMP state that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated.
- 48 The application site comprises blocks of lock up garages and an area of hardstanding that divides the two rows of garages. Surrounding the site to the south and east are terraced residential properties, all two storeys in height, and on the opposite side of the street is large building providing

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supported housing for older people, which is two storey in height with accommodation in its roof.

- 49 The existing site possesses no architectural merit, and it could even be argued that the existing garages detract from the character and appearance of the area. The redevelopment of the site to provide new dwellings, therefore, represents a significant improvement on the visual appearance of the locality.
- 50 The proposal includes the erection of a block of six flats with off-street parking to its frontage. The development would be two storeys in height, with pitched roofs with hipped ends to both flanks of the building. The building would front onto Northview and set slightly forward of the rear of 48 Northview.
- 51 The principle of the erection of a block of flats is considered acceptable given the mixed character of the local area. The building is designed and finished to respect and complement the prevailing residential character of the area. The building opposite is larger in scale, has slate effect roof tiles and a mix of brickwork, horizontal timber cladding and metal sheet cladding.
- 52 The layout of the development would respect the prevailing character and appearance of the area, providing appropriate spacing to the surrounding properties. In terms of the density of the development, the density of development locally is approximately 38 dwellings per hectare. The density of the proposed development would be 54 dwellings per hectare. This meets the requirements of policy SP7 of the Core Strategy in that the development achieves a density of 40 dwellings per hectare. As such, it is not considered that the development would appear cramped within the context of the street scene or an over intensification of built form within the site.
- 53 It is noted that the site is not level with neighbouring properties, being higher than those properties to the east but lower than those to the south. The development would be greater in height when compared with the neighbouring terraced properties, but it would be of a similar height to the building opposite that provides accommodation for older people. In the context of the street scene, this approach would not be unacceptable given the existence of the building opposite and that the development is providing flats.
- 54 Overall, the proposal would be of an acceptable design that would respect the character and appearance of the area. As such, the proposals are considered to be in accordance with the NPPF, policy SP1 of the Core Strategy and policy EN1 of the ADMP.
- 55 **Impact on residential amenity**
- 56 Policy EN2 of the ADMP requires that any development should safeguard the amenities of existing and future occupiers of nearby properties and would provide adequate residential amenities for future occupiers of the development.

- 57 Due to the prevailing residential character of the area, the development would not result in excessive noise, vibration, odour, air pollution, activity or vehicle movements.
- 58 The introduction of built form of greater bulk, mass and form than the existing garages has the potential to impact on daylight and sunlight, outlook and privacy of the surrounding properties to the site.
- 59 The neighbouring properties include 1-4 Kettlewell Court to the east and 40-48 Northview to the south of the site. All other nearby properties would be sufficient distance away from the proposed development to ensure that the amenities of the occupiers of these properties would be safeguarded. This includes the housing for older people opposite the site.
- 60 1-4 Kettlewell Court is a terrace of properties, two storey in design and situated on a slightly lower level to the application site. The development would be sited to the west of these neighbouring properties with a separation distance of approximately 21m, increasing to 23m where the rear of the building steps away from the neighbouring terrace. The proposal would, therefore, not cause a detrimental loss of daylight or sunlight to the occupiers of 1-4 Kettlewell Court.
- 61 Nos. 1-4 Kettlewell Court possess rear facing windows that face towards the application site. However, the outlook from these windows would not be impeded by the development due to the proposed distance of separation. A reasonable outlook from the rear amenity areas of these properties would be retained.
- 62 The proposed building would possess a number of rear facing windows that would face onto the rear of 1-4 Kettlewell Court, which possess rear windows of their own. The northern end of terrace property (No.1) possesses front and rear facing bedroom windows at first floor level. However, as previously mentioned the 21m and 23m separation distances between the proposed block of flats and this terrace of properties to the east, it is considered that no detrimental overlooking or loss of privacy would occur to the occupiers of 1-4 Kettlewell Court.
- 63 40-48 Northview is a terrace of two storey properties sited upon a raised level to the application site. The development would be sited approximately 14m to the north of these neighbouring properties. The proposal would pass the 45 degree angle test in both plan and elevation. Given this, and the proposed relationship between the development and the neighbouring properties, the proposal would not cause a detrimental loss of daylight or sunlight to the occupiers of 40-48 Northview.
- 64 The terrace of properties of 40-48 Northview possess rear and side facing windows that would face onto the site. However, outlook from these windows would not be impeded by the development due to the proposed relationship and the distances of separation retained. A reasonable outlook from the rear amenity areas of 40-48 Northview would be retained.
- 65 The southern flank of the proposed building would possess a first floor window, and the rear elevation would possess first floor windows and a

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balcony to the south-eastern corner of the building to serve 'Flat 6'. The side window would be secondary and so could be controlled by an obscure glazing condition. The rear facing windows would generally have an oblique outlook towards the terrace of properties to the south. Where the view is not oblique, the separation distance between properties is acceptable in the context of this urban location. The balcony would provide a view down into the neighbouring terrace to the south. However, details of a privacy screen could be requested by way of condition to mitigate this issue.

- 66 Overall, no overlooking or loss of privacy would therefore occur to the occupiers of 40-48 Northview.
- 67 Representations have raised a concern regarding being fenced in, overcrowding and a sense of enclosure. Whilst additional fencing is proposed to be erected within the site, access through the site would remain. In addition, as noted above, appropriate spacing is proposed between the development and the neighbouring dwellings. No overcrowding or detrimental sense of enclosure would therefore occur.
- 68 A construction management plan is proposed to be requested by condition. This can include details of the timing of construction works to take place on the site due ensure the existing residential amenity of neighbours is not unduly impacted by the development during construction phase.
- 69 The future occupiers of the development would generally be provided with adequate residential amenities for future occupiers given the urban nature of the area.
- 70 Overall, the development would safeguard residential amenity in compliance with the NPPF and policy EN2 of the ADMP.
- 71 **Impact on the Area of Archaeological Potential**
- 72 The NPPF also states that great weight should be given to the conservation of heritage assets (para.193).
- 73 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.
- 74 The proposal comprises the redevelopment of the site to which the ground has already been disturbed. However, the County Archaeological Officer has not raised any concerns regarding the scheme, and has not requested any conditions, given that the land has already been previously disturbed.
- 75 It is therefore the case that the development would conserve the significance of the Area of Archaeological Potential in accordance with the NPPF and policy EN4 of the ADMP.
- 76 **Trees, landscaping and biodiversity**
- 77 Policy SP11 of the Core Strategy states that the biodiversity of the District will be conserved and opportunities sought for enhancements to ensure no



net loss of biodiversity. Policy EN1 of the ADMP states that trees should be incorporated into the layout of development.

- 78 The site currently possesses no trees of importance and so none would be lost. The development provides an opportunity to improve the current situation with regards the landscaping of the site. Details of this can be secured by way of condition.
- 79 There is a line of unprotected trees adjacent to the site within Swanley Park but these trees would not be affected by the development.
- 80 Ecological enhancements can also be sought by way of condition to ensure that there is an ecological gain.
- 81 Therefore, the development would be in accordance with the NPPF and policy SP11 of the Core Strategy and policy EN1 of the ADMP.

#### Other issues

- 82 The comments received from the Town Council and local residents include a number of matters not yet addressed above but will be considered below.
- 83 The footpaths and alleyways created, both within the site and outside of it, would benefit from natural surveillance from the existing properties and the proposed units. This would serve to deter crime in the local area.
- 84 How the development is proposed to be lit can be controlled by way of condition.
- 85 We have no control over the number of applications made by the applicant, or indeed any applicant.
- 86 As noted above, the previous application was withdrawn and so no formal decision was issued on the proposal. This application has been considered on its own merits and is deemed acceptable.
- 87 It may well be the case that there are other sites that could be developed for housing. However, we have been asked by the applicant to consider the merits of the proposed development on this site.
- 88 In this instance, drainage would be a matter for building regulations and not for the planning system. Moreover, the site is not within an area prone to surface water flooding, as identified by the Environment Agency.
- 89 If any damage of property, including that to boundary treatments, would be a civil matter between the parties involved.
- 90 The disposal of asbestos is controlled by other legislation and so there is no requirement to control it in this instance.
- 91 Finally, the usability and affordability of the existing garages is not material to the consideration of this planning application.

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### Community Infrastructure Levy (CIL)

92 This proposal is CIL liable and there is no application for an exemption.

### Conclusion

93 As highlighted in the report above the proposed development accords with the NPPF and our adopted development plan.

94 As the Council cannot demonstrate a 5 year housing supply at this time, paragraph 11d) of the NPPF is engaged (the titled balance). The recommendation is for approval and the need to deliver housing adds further weight in favour of granting planning permission.

95 It is therefore recommended that this application is GRANTED.

### Background papers

Site and block plan

Contact Officer(s): Mike Holmes : 01732 227000

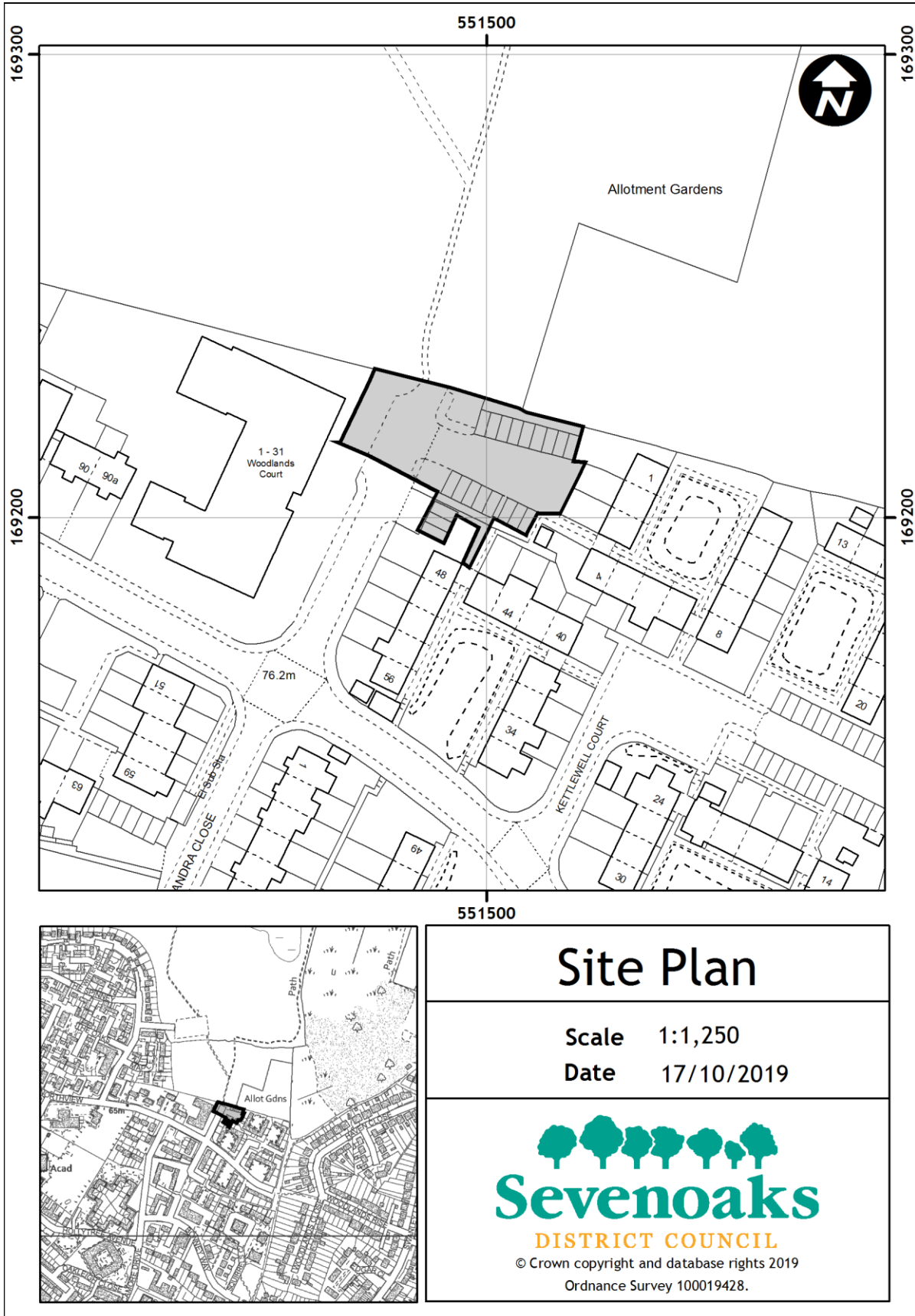
**Richard Morris**  
**Chief Officer Planning & Regulatory Services**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PR8BY4BKINT00>



## Site Plan

Scale 1:1,250

Date 17/10/2019



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Ordnance Survey 100019428.



Planning Application Information on Public Access - for applications coming to

DC Committee on Thursday 11 June 2020

**4.1 19/01338/FUL - 20 Kettlewell Court, Swanley, KENT**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PR8BXMBKINR00>

**4.2 19/01339/FUL - Garages North Of, 40 - 48 Northview, Swanley, KENT**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

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<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PR8BY4BKINT00>

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