

29 September 2022 at 8.00 pm*

*or on the rising of DCC (adjourned from 8 September,) whichever is the later



Council Chamber, Argyle Road, Sevenoaks

Published: 21.09.22

This meeting will be livestreamed here:

https://www.youtube.com/channel/UCIT1f_F50fvTzxjZk6Zqn6g

Development Control Committee

Membership:

Chairman, Cllr. Williamson; Vice-Chairman, Cllr. Pett
Cllrs. Ball, Barnett, Brown, Cheeseman, Perry Cole, P. Darrington, Edwards-Winsor, Hogarth, Hudson, Layland, McGarvey, Osborne-Jackson, Purves, Raikes, Reay, Williams and Streatfeild

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 8 September 2022, as a correct record.	(Pages 1 - 2)	
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 22/01526/FUL - Land South East of Bevan Place, Swanley, Kent BR8 8BH Demolition of existing buildings to provide two residential blocks ranging from four to six storeys of 93 residential units, including Class E floor space, and associated highways, landscape and public realm works	(Pages 3 - 82)	Nicola Furlonger 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 Monday, 26 September 2022.

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 8 September 2022 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Pett (Vice-Chair)

Cllrs. Ball, Barnett, Brown, Cheeseman, Perry Cole, P.Darrington, Edwards-Winsor, Hudson, McGarvey, Raikes, Reay, Williams and Streatfeild

Apologies for absence were received from Cllrs. Hogarth, Layland, Osborne-Jackson and Purves

Cllrs. Dr. Canet, Hunter and Eyre were also present.

CHAIRMANS ANNOUNCEMENT

The Chairman opened the meeting and welcomed those present.

Following the announcement from Buckingham Palace that Her Majesty The Queen had died the Chairman moved from the chair that the meeting be adjourned until a later date which would be set by the Chairman, in consultation with the Planning Officers and that no further business be conducted.

Resolved: that the meeting be adjourned and no further business be conducted.

As a mark of respect and in honour of the memory of Her Majesty The Queen, the Committee rose for a two minute's silence.

THE MEETING WAS CONCLUDED AT 7.09 PM

CHAIRMAN

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4.1 22/01526/FUL

Revised expiry date 3 October 2022

Proposal: Demolition of existing buildings to provide two residential blocks ranging from four to six storeys of 93 residential units, including Class E floor space, and associated highways, landscape and public realm works.

Location: Land South East Of Bevan Place, Swanley, Kent BR8 8BH

Ward(s): Swanley Christchurch & Swanley Village

Item for decision

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

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 shall be carried out in accordance with the following plans and details: Planning Application Forms; Site Location Plan - BEVNX-BPA-ZZ-ZZ-DR-A-P0001; Existing Plans & Elevations - BEVNX-BPA-ZZ-ZZ-DR-A-P0002, P0003, P0100, P0200, P0300; Demolition Site Plan - BEVNX-BPA-ZZ-ZZ-DR-A-P0500; Proposed Floor Plans - BEVNX-BPA-ZZ-00-DR-A-P1110, P1111, P1112, P1113, P1114, P1115, P1117; Proposed Elevations - BEVNX-BPA-ZZ-ZZ-DR-A-P1200, P1201, P1202; Proposed Sections - BEVNX-BPA-ZZ-ZZ-DR-A-P1300, P1301; Proposed Bay Studies - BEVNX-BPA-ZZ-ZZ-DR-A-P4000, P4001, P4002, P4003, P4004, P4005; Proposed Flat Layouts - BEVNX-BPA-ZZ-ZZ-DR-A-P3100, P3104, P3105, P3109, P3111, P3113, P3116; Landscape Drawings - P20656-00-001-GIL-0100 Rev.05, P20656-00-001-GIL-0101 Rev.02, P20656-00-001-GIL-0102 Rev.01, P20656-00-001-GIL-0200 Rev.03, P20656-00-001-GIL-0201 Rev.03; Artwork Location Plans - BEVNX-BPA-ZZ-00-DR-A-P1160 and P1164; Design and Access Statement (Bell Phillips Architects, May 2022); Landscape Design and Access Statement (Gillespies, Revision 1, 27/05/2022); Landscape Materials and Planting Schedule (Gillespies, Revision 2, 27/05/2022); Landscape Maintenance Plan; Transport Assessment, including Appendix 1 drawings (RGP, 21/6018/TA01).

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

3) Prior to the commencement of development (excluding demolition), a detailed remediation scheme, prepared by suitably qualified and accredited persons, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, shall be submitted to and approved in writing by the Local Planning Authority. The scheme must include: (a) The results of the further site investigations identified in the recommendation of the Soils Limited Main

Investigation Report (reference: 19802/MIR_R27, February 2022); (b) Based on the outcomes of further investigation and those of previous investigations, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken, including a programme of work; c) Details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete; and, (d) identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The scheme shall be implemented in accordance with the approved details. Any changes to these components require the express written consent of the Local Planning Authority.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the National Planning Policy Framework.

4) No occupation of any part of the approved development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the National Planning Policy Framework.

5) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the National Planning Policy Framework.

6) Prior to the commencement of development (excluding demolition), a detailed sustainable surface water drainage scheme for the site shall be submitted to and approved in writing by the local planning authority. The detailed drainage scheme shall be based upon the Drainage Strategy and Drainage Design prepared by Infrastruct CS Ltd (references 4520-BEVA-ICS-XX-RP-C-07.002 and drawing 2161-HRW-XX-XX-DR-C-0500 P08) 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 without increase to flood risk on or off-site. The drainage scheme shall also demonstrate (with reference to published guidance):

appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any 2 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, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan. These details and accompanying calculations are required 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.

7) No building on any part of the development hereby approved 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 that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and location 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 the development for 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) Prior to commencement of development (excluding demolition), information detailing how the developer intends to prevent potential damage to subsurface potable water infrastructure, including details of any proposed diversions of infrastructure (as necessary) and detailed construction and alignment of the development, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

To safeguard underground water utility infrastructure.

9) No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

To safeguard local underground water infrastructure. The proposed works will be in close proximity to underground water utility infrastructure. Piling has the

potential to impact on local underground water utility infrastructure.

10) No development, including demolition, shall commence until a Construction & Demolition Environmental Management Plan (CDEMP) has been submitted to and approved in writing by the Local Planning Authority. The CDEMP shall include details of the following measures: i. An introduction consisting of definitions and abbreviations and project description and location; ii. A description of management responsibilities; iii. A description of the demolition and construction programme, including highway works and traffic management proposals; iv. Site working hours and a named person for residents to contact; v. Detailed site logistics arrangements; vi. Provision for loading and unloading and storage of plant and materials, used in constructing the development; vii. Details regarding parking and turning areas for all construction and delivery vehicles, site personnel and visitors; viii. Traffic management arrangements, to include routing and timing of construction and delivery vehicles and temporary traffic management arrangements and signage; ix. Provision of wheel washing facilities; x. A comprehensive Air Quality and Dust Management Plan (AQDMP); xi. Noise and vibration controls, vibration limits and a monitoring programme (in compliance with BS 5228-1:2009+A1:2014); xii. Details of the hours of works and other measures to mitigate the impact of demolition and construction on the amenity of the area and safety of the highway network; xiii. Provision of boundary security hoarding. The demolition shall thereafter be carried out in accordance with the details and measures approved in the CDEMP, unless otherwise agreed in writing by the Local Planning Authority.

To ensure minimal nuisance or disturbance is caused, to the detriment of the amenities of adjoining occupiers and of the area generally, and to avoid unnecessary hazard and obstruction to the public highway. This is required prior to commencement to ensure that all stages of demolition and construction are carried out in an acceptable manner. In accordance with policies EN1, EN2 and EN7 of the Sevenoaks Allocations and Development Management Plan.

11) No development (excluding demolition) shall commence until a scheme for the provision of affordable housing as part of the development has been submitted to and approved by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing within the National Planning Policy Framework or any revisions, extension or modification to this. The scheme shall include: i. The numbers, type, tenure and location on the site of the affordable housing provision, which shall consist of no less than eleven (11) of the two-bedroom residential units to be provided as 'affordable housing to rent', as defined by the National Planning Policy Framework; ii. The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing; iii. The arrangements for the transfer of the affordable housing to an affordable housing provider; iv. The arrangements to ensure that such provision is affordable for first and subsequent occupiers of the affordable housing; and v. The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced. The affordable housing shall be delivered and retained in accordance with the approved scheme.

To secure the delivery of affordable housing in line with Core Strategy Policy SP3 and to ensure the replacement of the units lost in the demolition of existing

housing blocks on the site.

12) In accordance with the documents hereby approved, a minimum of six (6) of the dwellings shall be delivered in accordance with the requirement of Building Regulations Category M4 (3) for 'Wheelchair User Dwellings'. The remainder of the dwellings shall be delivered in accordance with the requirements of Part M4(2) of the Building Regulations for 'Accessible and Adaptable Dwellings'.

To contribute to the requirement in the District for accessible dwellings in accordance with the requirements of Policy SP5 of the Sevenoaks Core Strategy

13) All dwellings hereby approved shall be delivered, as a minimum, to meet the Nationally Described Space Standards 2015.

To deliver high quality design that meets the needs of users in accordance with Core Strategy Policy SP1.

14) No development shall take place (excluding demolition) until details of existing and proposed finished site levels, finished floor and ridge levels of the buildings to be erected, and finished external surface levels have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

In order to safeguard the visual amenities of the area in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

15) Prior to construction above damp proof course level, details and samples of the external materials to be used for the development shall be submitted to and approved in writing by the local planning authority. Samples must include: a sample panel of the bricks and mortar, to show colour and pointing style; sample of the concrete coping stone; and the metal balcony/balustrade details. The development shall be carried out in accordance with the approved details.

To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

16) Notwithstanding the details hereby approved, no works above damp proof course level shall be carried out until full details of the design, external appearance and decorative finish of any railings, fences, gates, walls, bollards and any other means of enclosure have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details prior to the development first being occupied and shall thereafter be retained.

To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

17) Prior to the first occupation of the development hereby permitted, details of the public art piece within the central garden space as shown on drawing reference BEVNX-BPA-ZZ-00-DR-A-P1160, shall be submitted to and approved in writing by the Local Planning Authority. The approved artwork shall be in place

within 12 months of first occupation and shall be maintained thereafter.

To contribute towards the delivery of a development of high quality design in accordance with Core Strategy Policy SP1 and Allocations and Development Management Policy EN1.

18) The development hereby permitted shall incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design. The development shall be constructed and operated thereafter to 'Secured by Design Standards'. A certificate of accreditation to Secured by Design Standards shall be submitted to the local planning authority for approval in writing prior to occupation of the development.

To ensure the safety and security of future occupiers and adjoining properties and prevent crime and disorder occurring within and in the immediate vicinity of the site, in the interest of public safety, in accordance with Policy EN1 of the Sevenoaks Allocation a and Development Management Plan.

19) The development shall be implemented in accordance with the energy-efficiency and sustainability strategy and specifications set out in the 'Planning Energy, Sustainability & Thermal Comfort Assessment Report' by Qoda (reference 20587-QODA-0005-R3). The energy saving measures and infrastructure identified in this report shall be installed on site prior to the occupation of the first dwelling. Any changes to these measures require the express written consent of the Local Planning Authority under the terms of this condition.

In accordance with Policy SP2 of the Sevenoaks Core Strategy.

20) The development shall be constructed to provide on-site modern communication and technology infrastructure, which should include the installation of fixed telecommunication infrastructure and gigabit capable (minimal internal speed of 1000mbps) connections to multipoint destinations and all buildings. Details relating to the provision of such infrastructure shall be submitted to and approved by the Local Planning Authority prior to the commencement of development (excluding demolition) and no residential unit shall be occupied until the approved infrastructure has been provided, or in accordance with an alternative timescale agreed by the Local Planning Authority as part of the approved details.

To provide high quality technological infrastructure in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

21) Notwithstanding the approved drawings, prior to the installation of solar panels, Air Source Heat Pump (ASHP) and any other external plant on the roof of the building, details of their design and appearance, including their projection from the roof, shall be submitted to and approved in writing by the Local Planning Authority. The solar panels and ASHP shall be installed only in accordance with the approved details and shall be brought into use prior to the occupation of the development.

To ensure the development preserves the character and appearance of the area

and contributes to the goal of achieving zero carbon in accordance with policies EN1 of the Sevenoaks Allocation and Development Management Plan and SP2 of the Sevenoaks Core Strategy.

22) The development hereby approved shall incorporate fire safety measures in accordance with submitted Fire Strategy by BWC Fire Limited (May 2022), unless an alternative strategy is agreed with the local planning authority in pursuance of this condition.

In the interests of fire safety.

23) Prior to the commencement of any works, including demolition, the highway works detailed within Appendix 1 of the Transport Statement (RGP, 21/6018/TA01) covering the improvements to Bevan Place highway and a new egress onto Goldsel Road; the revised junction of the High Street / Bevan Place; the cycleway / footway alongside Goldsel Road; the improvements to pedestrian crossing facilities at the High Street / Goldsel Road Roundabout; and the delivery vehicle parking area along the High Street shall be covered by a completed (included a security bond) Section 278 Agreement with the Highway Authority. The works included in the Section 278 Agreement shall be completed prior to first occupation of any part of the development.

In the interests of highway safety and to mitigate any adverse travel impacts, in accordance with Policy EN1 and T1 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework.

24) The change to Bevan Place from a two-way to a one-way street through a Traffic Regulation Order at the applicant's expense shall be confirmed and implemented prior to first occupation of any part of the development.

In the interests of highway safety and to mitigate any adverse travel impacts, in accordance with Policy EN1 and T1 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework.

25) The revised parking arrangements along Bevan Place, and measures to prevent parking within the new turning/servicing areas within the development, shall be agreed by the Parking Authority (Sevenoaks District Council) and implemented prior to first occupation of any part of the development.

In the interests of highway safety and to mitigate any adverse travel impacts, in accordance with Policy EN1 and T1 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework.

26) Prior to first occupation of the development, a detailed Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall follow the principles set out in the Framework Travel Plan by RGP (dated May 2022), as submitted with the application, and shall include the delivery of two car club spaces within the vicinity of the site. The approved details shall be implemented at the first occupation of the development hereby permitted. The results of the implementation and monitoring shall be made available to the Highway Authority and/or local planning authority on request together with any changes to the plan arising from those results. This Travel Plan shall be monitored

by the Highway Authority at the expense of the applicant.

To encourage travel by means other than private motor vehicles in accordance with Policy SP2 of the Sevenoaks Core Strategy.

27) The development hereby permitted shall not be occupied until the secure bicycle parking and storage facilities shown on the approved plans, and as detailed in the Transport Assessment, have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of the development at all times.

To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles in accordance with Policy SP2 of the Sevenoaks Core Strategy and the National Planning Policy Framework.

28) The development hereby approved shall not be occupied until the car parking spaces and vehicle turning/circulation space within the site has been laid out within the site in accordance with the approved plans. The parking and turning areas shall be permanently retained exclusively for its designated purpose.

To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy EN1 and T2 of the Sevenoaks Allocations and Development Management Plan.

29) A scheme for the provision of the Electric Vehicle Charging Points (both active and passive), including the location and specification of the charging units, shall be submitted to and approved by the local planning authority and brought into use prior to the occupation of the development. In accordance with the Transport Assessment, the development hereby approved shall provide for a minimum of 10% of the parking spaces within the development to have active charging points and a further 10% to have passive infrastructure to enable the future installation of a charging point. These charging points and passive infrastructure shall be retained thereafter.

In accordance with Policy T3 of the Sevenoaks Allocations and Development Management Plan.

30) A full Car Park Management Plan, which shall include details of the allocation and management of car parking spaces and the Electric Vehicle Charging Points, shall be submitted and approved by the Local Planning Authority prior to first occupation of any part of the proposed development. The development shall thereafter be operated in accordance with this Plan.

To ensure appropriate provision and management of parking spaces and the Electric Vehicle Charging Points and to mitigate any adverse travel impacts in accordance with Policies T1, T2 and T3 of the Sevenoaks Allocations and Development Management Plan.

31) A detailed Delivery and Service Plan shall be submitted to and approved by the Local Planning Authority prior to first occupation of any part of the development. The development shall thereafter be operated in accordance with this Plan

In the interests of highway safety and to mitigate any adverse travel impacts, in accordance with Policy EN1 and T1 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework.

32) No part of the development hereby approved shall be occupied until the refuse store serving that part has been brought into use and is available for occupiers of the development. The stores shall have a water supply and drainage to the foul sewer to facilitate cleaning of the store. The refuse facilities shall be maintained in accordance with the approved details thereafter.

In the interests of residential and visual amenity, and to encourage waste minimisation and recycling of domestic refuse, in the interests of sustainable development and in accordance with Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

33) Unless alternative details are submitted to and agreed by the Local Planning Authority in pursuance of this Condition, the hard and soft landscape scheme shall be implemented in accordance with the following submitted drawings and details: P20656-00-001-GIL-0100 Rev.05 General Arrangement Plan; P20656-00-001-GIL-0101 Rev.02 Roof Terrace Plan; P20656-00-001-GIL-0102 Rev.01 Brown Roof Plan; P20656-00-001-GIL-0200 Rev.03 Sections - Courtyard and Roof Terrace; P20656-00-001-GIL-0201 Rev.03 Sections - Courtyard; BEVNX-BPA-ZZ-00-DR-A-P1160 and BEVNX-BPA-ZZ-04-DR-A-P1164 Artwork Locations; Material and Planting Schedule; Landscape Design and Access Statement. Notwithstanding the above approved drawings and details, full details of all hard surfacing materials and a detailed planting scheme (noting species selection, size of stock at the time of planting and proposed numbers/densities), shall be submitted to the Local Planning Authority for approval within 6-months of the commencement of development above ground. A minimum of eight (8) street trees shall be of a minimum medium-large maturity size. The soft landscaping scheme shall be implemented in accordance with the approved details in the first planting and seeding season following the occupation of the development or the completion of the development, whichever is the sooner. The hard landscaping scheme shall be implemented in accordance with the approved details prior to first occupation of any part of the development hereby permitted.

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.

34) No development above damp proof course shall take place on site until details of the external lighting scheme, as outlined in the Design and Access Statement submitted with the application, has been submitted to and approved in writing by the local planning authority. Such details shall include location, height, type and direction of light sources, means of controlling light spillage and intensity of illumination, as well as the design of the lighting infrastructure. Any lighting, which is so installed, shall thereafter be maintained and operated in accordance with the approved details and shall not be altered other than for routine maintenance.

In order to safeguard visual amenity and the amenities of the occupiers of neighbouring properties in accordance with Policy EN1 and EN2 of the Sevenoaks

Allocations and Development Management Plan.

35) No works above damp proof course level shall take place until full details of the biodiversity enhancement scheme has been submitted to and approved in writing by the Local Planning Authority. This will include (but not limited to) a native species-only landscaping scheme and shall be in accordance with the biodiversity measures set out within the Landscape Design and Access Statement (by Gillespies, May 2022) and the Ecological Assessment (by The Environment Partnership, May 2022) submitted with the application. The development shall be carried out in accordance with the approved details prior to the occupation of the dwelling and maintained as such thereafter.

To ensure the development delivers ecological enhancements in accordance with policy SP11 of the Core Strategy.

36) The hard and soft landscaping scheme shall be managed and maintained in accordance with the submitted Landscape Management and Maintenance Plan by Gillespies (Reference P20656-00-001-GIL-0730 P01, May 2022). Should any trees or plants that form part of the approved soft landscaping scheme and which, within a period of five years after planting, are removed, die or become seriously damaged or diseased in the opinion of the Local Planning Authority, shall be replaced in the next available planting season with others of similar size, species and number, unless otherwise agreed in writing by the local planning authority.

To ensure that the appearance of the development contributes to and remains in harmony with the character of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan. To enhance the contribution of the site to biodiversity in accordance with Policy SP11 of the Core Strategy.

37) The central courtyard amenity space hereby approved shall be made accessible to both residents of the development and the wider public and managed in accordance with an Open Space Management Plan to be submitted and approved by the Local Planning Authority prior to occupation of the development. This Plan shall include a programme for delivery the open space; details of the proposed access arrangements for residents, visitors and members of the public; arrangements for its management, supervision and maintenance and cleanliness; and security arrangements.

To deliver a high quality design, deliver health and wellbeing benefits to the community and enhance the provision of open space in accordance with Policies EN1 and GI 1 of the Sevenoaks Allocations and Development Management Plan.

38) No development, excluding demolition, shall take place until a detailed scheme for protecting the proposed dwelling(s) from noise, including octave band acoustic specifications and the glazing and ventilation specifications, has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details before any permitted dwelling is occupied unless an alternative period is first agreed in writing by the local planning authority.

To ensure the occupiers of the development are not unduly affected by noise

disturbance in accordance with Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

39) Notwithstanding the findings of the Planning Energy, Sustainability & Thermal Comfort Assessment Report submitted, no development, excluding demolition, shall take place until a detailed assessment of the thermal comfort performance of the proposed residential accommodation, as a result of the specified noise and air quality mitigation measures, has been submitted to and agreed by the Local Planning Authority. The assessment should, if necessary, provide a scheme of mitigation against overheating within this accommodation. The development shall be implemented in accordance with the approved scheme of mitigation.

To ensure appropriate standards of living accommodation.

40) No development, excluding demolition, shall be carried out on the land until a scheme of noise control from plant has been submitted to and approved in writing by the Local Planning Authority. The scheme should assess the worst case scenario noise impact from the proposed extract and ventilation system using methods contained within British Standard 4142:2014 Methods for Rating and Assessing Industrial and Commercial Sound to assess the likely effects of sound on people who maybe inside or outside the dwellings nearby and within the development hereby approved. The development shall be carried out using the approved scheme and all plant shall be maintained in accordance with guidance and advice from the manufacturer.

To ensure the occupiers of the development and adjoining residents are not unduly affected by noise disturbance in accordance with Policy EN2 and EN7 of the Sevenoaks Allocations and Development Management Plan.

41) No development, excluding demolition, shall be carried out on the land until a scheme for the protection of the residential properties from potential noise generated by the Class E use and from the ground floor refuse/cycle stores has been submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

To ensure the occupiers of the development are not unduly affected by noise disturbance in accordance with Policy EN2 of the Sevenoaks Allocations and Development Management Plan.

42) Prior to the commencement of work above damp proof course level of the dwellings hereby approved, further details of the air quality mitigation and any mechanical ventilation measures as recommended by the Cundall Technical Note - Bevan Place Air Quality Assessment V1, dated 28/07/2022, have been submitted to and approved by in writing by the local planning authority. The development shall be built in accordance with the approved details and installed and in operation prior to the first occupation of the dwellings approved and maintained thereafter. Verification of installation shall be submitted to and agreed in writing by the local planning authority.

To provide a satisfactory amenity for the future occupiers of the development in accordance with Policy EN1 of the Sevenoaks Allocations and Development

Management Plan.

Informatives

1) It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

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 public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant 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.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissionsand-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

2) The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a

development does not provide a defence against prosecution under this Act. Breeding bird habitat is present on the application site and assumed to contain nesting birds between 1st March and 31st August, unless a recent survey has been undertaken by a competent ecologist and has shown that nesting birds are not present.

3) 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>. Should you require further information please contact Thames Water. Email: 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://www.thameswater.co.uk/developers/larger-scale-developments/planningyour-development/working-near-our-pipes>.

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.

4) Thames Water advises that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. 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://www.thameswater.co.uk/developers/larger-scale-developments/planning-yourdevelopment/working-near-our-pipes>

5) There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, 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://www.thameswater.co.uk/developers/larger-scale-developments/planningyour-development/working-near-our-pipes>

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/buildingwater.

The applicant is advised that 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

6) Due to the close proximity of the proposed development to Network Rail's land and the operational railway, Network Rail strongly recommends that the applicant/developer engages Network Rail's Asset Protection and Optimisation (ASPRO) team via AssetProtectionLondonSouthEas@networkrail.co.uk prior to works commencing. This will allow our ASPRO team to review the details of the proposal to ensure that the works can be completed without any risk to the operational railway.

The applicant / developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works. To start the process with our Asset Protection team, the applicant / developer should use the Asset Protection Customer Experience (ACE) system found on Network Rail's Asset Protection website (<https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>).

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 lies within Swanley Town Centre, situated at the southern entry point to the town centre at the junction of the High Street and Goldsel Road.
- 2 The site is broadly semi-circular in shape and is bound by Bevan Place on its north-west side, with Goldsel Road and Swanley High Street wrapping around its south, east and north sides, creating a curved frontage.
- 3 The 0.63ha site comprises three distinct parcels, namely: (i) the Bevan Place Car Park containing 78 parking spaces; (ii) the site of the former Working Men's Club and Citizens Advice Bureau, and (iii) two existing 3-storey residential blocks, on the south east side of Bevan Place. The latter contains 12 residential homes, which are owned (with the exception of one unit) and managed by West Kent Housing Association (WKHA).

Description of proposal

- 4 The planning application proposes the complete redevelopment of the site, comprising the demolition of existing buildings and structures and the construction of two residential blocks containing a total of 93 new residential homes. This is a net gain of 81 residential homes.
- 5 The largest of the two blocks ('Block 1') faces and follows the alignment of the Goldsel Road and High Street frontage, establishing an elongated block form with a building line fronting these roads. This block ranges from four storeys at either end, increasing to five, then six-storeys in the centre as it faces Goldsel Road. This Block would contain 65 apartments with two resident entrances, one from the High Street and one from Goldsel Road. A 'Class E' (commercial, business and services) unit of 188sqm would be located at ground floor on the High Street, on the corner with Bevan Place.
- 6 'Block 2' would be a five-storey block with its entrance on Bevan Place. This block would contain 28 apartments.
- 7 In total, the proposed mix of accommodation would be as follows:
 - 45 x 1-bedroom flats
 - 44 x 2-bedroom flats
 - 4 x 3-bedroom flats
- 8 The development would provide a new publicly accessible courtyard garden at its centre, accessed via an entrance from the High Street. A roof terrace is also proposed for use by residents above fourth floor level at the southern end of Block 1.
- 9 Two surface level parking areas, accommodating a total of 47 parking spaces for residents and accessed via vehicle entrances from Bevan Place, would be provided.
- 10 The development incorporates changes to the layout of Bevan Place with a new one-way route and egress proposed onto Goldsel Road.

Relevant planning history

11	75/01228/HIST	Continued use of part of car park as open market on one day of each week (renewal of limited period planning permission TR/5/67/560)	GRANT	27/01/1976
12	79/00986/HIST	Display of non-illuminated advertisement hoardings	GRANT	21/11/1979

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13	81/01501/HIST	Use of land for a Saturday market	GRANT	12/10/1981
14	82/00215/HIST	Erection of single storey office building and construction of car parking area temporary period of four years	GRANT	21/04/1982
15	83/01024/HIST	Alterations extension and conversion of roof of premises to form committee room and children's room at first floor level	GRANT	07/09/1983
16	86/00076/HIST	First floor extension for snooker room	GRANT	25/02/1986
17	86/00077/HIST	Demolition of existing single storey timber store and erection of two storey extension to provide beer store, kitchen, offices and committee room	GRANT	04/04/1986
18	87/02373/HIST	Use of car park of working men's club to extend the current Wednesday market on this site	GRANT	20/04/1988
19	88/00192/HIST	Application for use of land for market purposes on Saturdays in addition to current use on Wednesdays	GRANT	02/06/1988
20	89/01040/HIST	(Adv) Non-illuminated hoarding	GRANT	04/08/1989
21	90/01738/HIST	Land to be used as an extension to the existing car park and market 1 day a week	GRANT	21/11/1990
22	92/00391/HIST	Erection of a two storey side extension to club premises (Outline)	GRANT	17/09/1992

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23	93/01653/HIST	Erection of two storey side extension with dormer windows and construction of an external fire escape to existing club building	GRANT	24/01/1994
24	95/00511/HIST	Stationing of 5 bin stores one for each block of flats as amended by letter and plans received 24/5/95	GRANT	20/07/1995
25	96/01568/HIST	Placement of temporary office building for Swanley Volunteer Bureau	GRANT	11/10/1996
26	98/00916/HIST	Renewal of permission SE/96/1568 for a temporary office building for Swanley Volunteer Bureau	GRANT	18/09/1998
27	04/02998/RENEW	Renewal of consent for a porta cabin SE/96/1568 and SE/98/0916	GRANT	19/01/2005
28	09/00862/FUL	Demolition of existing derelict garage block. Erection of a four storey building to accommodate four, one-bedroom flats and two, two-bedroom flats	REFUSE	24/07/2009
29	07/03599/FUL	Erection of BS31 smoking shelter with two wall mounted cigarette bins	GRANT	12/02/2008
30	09/02187/FUL	Demolition of existing derelict garage block and erection of a three storey building to accommodate six, one-bedroom flats	GRANT	05/11/2009
31	16/00774/DEMNOT	Demolition of working men's club and bank buildings	Prior approval not required	08/04/2016

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Policies

32 National Planning Policy Framework (NPPF)

Para 11 of the NPPF confirms that there is a presumption in favour of sustainable development, and that development proposals that accord with an up-to-date development plan should be approved without delay.

It further states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁷; or
any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Footnote 7 relates to a variety of designations, including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

33 Core Strategy (CS)

- L01 Distribution of Development
- L04 Development in Swanley
- L05 Swanley Town Centre
- SP1 Design of New Development and Conservation
- SP3 Provision of Affordable Housing
- SP5 Housing Size and Type
- SP7 Density of Housing Development
- SP8 Economic Land for Business
- SP11 Biodiversity

34 Allocations and Development Management Plan (ADMP)

- SC1 Presumption in Favour of Sustainable Development
- EN1 Design Principles
- EN2 Amenity Protection
- EN4 Heritage Assets
- EN7 Noise Pollution
- H1 Residential Development Allocations
- TLC2 Swanley Town Centre
- GI1 Green Infrastructure and New Development
- T1 Mitigating Travel Impact
- T2 Vehicle Parking
- T3 Provision of Electrical Vehicle Charging Points

35 Other:

- National Planning Practice Guidance (NPPG).
- National Design Guide and National Model Design Code.
- Sevenoaks District Council Town Centre Strategy 2022
- Affordable Housing Supplementary Planning Document 2011, with updates
- Building Research Establishment (BRE) - Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice.
- Community Infrastructure Regulations

Constraints / Designations

36 The following constraints apply:

- Town Centre
- Urban Confines of Swanley
- Air Quality Management Area

Consultations

37 Swanley Town Council

38 June 2022 Consultation:

Objection (summarised)

- Minimal provision of parking onsite.
- No free car parks available to accommodate for the overflow created by the development.
- Suggesting that residents will not require their own transport and should use public transport will not work. Bus services have been reduced and there is no suitable provision for cycling in the area.
- Strain on infrastructure.
- Flooding - junction of Goldsel Road is prone to flooding.
- Height of the building.
- Density of development is excessive.
- Design and materials not in keeping.
- Gates should be removed.
- Inappropriate building which falls short of our expectations.

39 August 2022 Consultation:

Objection. "Our original response still stands as our concerns have not been addressed."

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40 Health and Safety Executive

41 June 2022 Consultation:

“The proposed development site which you have identified does not currently lie within the consultation distance (CD) of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site. However, should there be a delay submitting a planning application for the proposed development on this site, you may wish to approach HSE again to ensure that there have been no changes to CDs in this area in the intervening period.”

42 August 2022 Consultation:

No response received.

43 SDC Urban Design Officer:

“The proposals look to provide a gateway/landmark building that addresses the entrance to the town. The location of the site, elevated as it is approached from the east, indicates the beginning of the High Street. The building’s size contributes towards the landmark status of the building.

44 The building introduces a curved form that reflects the layout of the road. This has a strong visual presence that has been mitigated by the stepping of the balconies and the height of the blocks to the principle elevation. To the rear the building has sweeping external access walkways and external entrances. External entrances provide continued overlooking of the main garden area which is beneficial to the quality of residential space but also provides a sense of security to the communal gardens. The linear qualities of the walkways give a welcome strong horizontal aesthetic, mitigating the mass, to the rear and the long lines allow some of the activity of residents to be viewed by each other and those in the gardens. This is to be encouraged in terms of social isolation but also to foster a sense of community.

45 The building has a simple palette of materials of red bricks and complimentary red metal balcony and railing detailing. The design plays with mortar and brick colour to provide a simple and traditional way to add interest to the elevations. Additionally careful attention has been given to how the pattern of the balcony works with the Juliette feature of the windows. This site, being located next to a busy road, means that it must withstand the effects of heavy traffic in the metals used. As well as adding texture to the elevations a red brick fares well in this environment. The use of brick, a proven hardwearing material that ages in a way that is familiar to the local environment, helps to ensure that it will remain an attractive building in the future townscape. The simplicity of the material palette is important to its success. To this end please condition a sample panel (on site) of the bricks and mortar, to show colour and also pointing style. A sample of the concrete coping stone and the metal balcony detail should also be submitted.

- 46 The scheme offers residents and others a new green space with access into and through the site. Additionally residents will be provided with a flexible roof garden that then provides multiple access to outside space. Having access to outside space is of demonstrable benefit to people’s wellbeing and supports good quality development. The long term management and upkeep of these areas must also be considered and approved by the LPA. Details of the design of the metal fencing must also be submitted and approved by the LPA.
- 47 The National Design Guide states that a well-designed building follows the following energy hierarchy:
- reducing the need for energy through passive measures including form, orientation and fabric;
 - using energy efficient mechanical and electrical systems, including heat pumps, heat recovery and LED lights; and
 - maximising renewable energy especially through decentralised sources, including on-site generation and community-led initiatives.
- 48 The design and access statement demonstrates how the building addresses each of these points including that the building is designed to meet passivhaus levels of energy performance and there are solar panels on the roof and air heat pumps contributing towards the net-zero goals of the building.”
- 49 SDC Tree Officer
- 50 June 2022 Consultation:
- 51 “This site is mainly hard landscaped inclusive of the existing footprints of the two blocks. A number of mature trees are located adjacent to the blocks as well as a mature Plane tree that is located towards the south western end of the site, all of which will be lost as part of the proposed development. The aforementioned tree losses would be regrettable, especially the London Plane tree which is very noticeable adjacent to the busy Goldsel Road. The proposals within the Landscape Design Statements, if implemented will create a much more visually and user friendly space, much improving the amenity of this location, which it is felt negates the existing tree losses.
- 52 I note the detail provided showing tree and shrub species and type as well as their proposed maintenance programme, all of which appear acceptable. I was unable to locate details of tree sizes at planting along with their proposed planting locations. I do not feel that this information is required for all plant planting but a necessary plan to show where the main woody plants are to be located along with the tree sizes would be beneficial. On the whole the scheme has the potential to vastly improve this main access into the town.”

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- 53 August 2022 Consultation:
“Please see my comments of the 21.07.2022.”
- 54 SDC Housing Policy:
- 55 June 2022 Consultation:
- 56 “Thank you for seeking formal comments from Housing Policy.
- 57 It is noted the independent viability assessment concludes the application is unable to provide any new affordable housing, as triggered under Core Strategy policy SP3.
- 58 The application site is to re-provide WKHA stock - 11 x 2 bedroom flats - for Affordable Rented housing. Rents are to be capped at 65% of the local open market rent or the Local Housing Allowance applying, whichever is the lower sum. We would request that such provision is secured through an appropriate planning condition.
- 59 We would look for all homes to be provided to Building Regulation standard M4(2) and for 5% of homes to be provided to M4(3) standard, where possible.”
- 60 August 2022 Consultation:
No response received.
- 61 SDC Environmental Health:
- 62 June 2022 Consultation:
- 63 “Air quality
- 64 The air quality assessment appears to have considered the impact of air quality of future users of the proposed development well. However, I am concerned that the assessment has not fully considered the impact of the proposed development on the existing AQMA. My concern is that the height of the building is such that it will be taller than the High Street is wide; thereby creating a classic street canyon effect. It is not clear to me if the consultants have considered this.
- 65 The assessment recommends that an appropriate Air Quality Dust Management Plan is implemented to manage emissions during the construction and operation phases of the proposed development. It is suggested that can be actioned via a pre-commencement condition.
- 66 The air quality assessment does state that a Construction Management Plan (CMP) will be submitted that deals with mitigation of dust soiling during the construction phase. However, I have not had sight of this.

- 67 Noise
- 68 The Environmental noise survey and acoustic design statement report establishes that the proposed development will be able to meet the internal design criteria set out in BS8233 with windows closed and with specified glazing arrangements. It is suggested that, at the detailed design stage, octave band acoustic specifications will need to be developed and it will be essential that the prospective glazing/cladding system suppliers can demonstrate compliance with these specifications.
- 69 Given that the internal criteria can only be achieved with windows closed, the report advises that further assessment (i.e., in terms of what method of ventilation will be installed; e.g., solar rated glazing, black out blinds, fenestration design, attenuated or plenum windows or attenuated louvres or vents) would be necessary to ensure habitable rooms satisfy overheating targets.
- 70 With regards to the glazing and ventilation arrangements, a pre-commencement condition requiring a scheme for noise protection measures be submitted to and approved by the local planning authority might be appropriate.
- 71 The report briefly touches upon noise in external amenity space(s). It suggests that noise levels in these areas may be in excess of the BS8233 criteria but, there is no information as to where this is the case and to what extent this will impact on amenity space. We will need further information on this.
- 72 The report sets out Plant noise criteria in connection with the following condition: “No development shall be carried out on the land until a scheme of noise control has been submitted to and approved in writing by the Local Planning Authority. The scheme should assess the worst case scenario noise impact from the proposed extract and ventilation system using methods contained within British Standard 4142:2014, Methods for Rating and Assessing Industrial and Commercial Sound to assess the likely effects of sound on people who maybe inside or outside the dwellings nearby. The development shall be carried out using the approved scheme and all plant shall be maintained in accordance with guidance and advice from the manufacturer.”
- 73 However, the criteria have been set for the nearest existing dwellings to the proposed site and does not consider proposed dwellings as these will also be affected by any plant noise. Proposed dwellings will need to be considered in respect of plant noise.
- 74 Finally, the report does not consider commercial noise from the proposed commercial space on the ground floor in respect of the proposed dwellings. To what extent will commercial activities have an impact on proposed dwellings and, what mitigation measures might be appropriate to ensure that amenity is not adversely affected by these premises?

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- 75 Contaminated land
- 76 The applicant has provided phase I and phase II contaminated land studies. Soil chemical analysis within the phase II study identified three samples with exceedances over their relevant assessment criteria for Lead and several PAHs. In addition, asbestos containing soils were found. As a result, there is a risk to the human health receptor, and a remediation strategy is necessary. The phase II study recommends that, following site clearance, further groundwater sampling (to verify it is not susceptible to contamination) as well as hand excavated trial pitting (to provide assurance that materials remaining in situ are suitable for the proposed end use) will be necessary.
- 77 I recommend that a condition is attached to any permission granted requiring a remediation strategy is submitted, to be agreed in writing by the local planning authority, prior to implementation. On completion of any remedial works, the applicant shall submit a verification report, to be agreed in writing by the local planning authority, prior to first habitation of any of the proposed dwellings.”
- 78 August 2022 Consultation:
- 79 “I have reviewed the technical addendums to the acoustic and air quality assessments and have the following observations.
- 80 Noise
- 81 The document is correct in its reference to BS8233:2014 and in this instance as the balconies have a relatively small area and could only reasonably be used for plants in pots or airing clothes they are not normally considered as amenity space and so not so constrained and it is not necessary that noise levels on the balconies shall not exceed 55 dB(A).
- 82 Air Quality
- 83 Whilst not ideal the assertion that the adverse air quality that the dwellings facing the road can be addressed by bringing in acceptable quality air from the façade away from the road and at height is correct. However the existing residential dwelling will be subject to a decrease in air quality and whilst not exceeding guidance levels the worsening of air quality should be avoided.
- 84 For both noise and air quality a ducted air system is necessary for ventilation and thermal comfort but should also allow for purge ventilation, however windows should still be openable to allow purge ventilation should it be required by residents. The self-noise of any ventilation system should not exceed 30 dB(A) in bedrooms
- 85 The proposed conditions on noise, air quality and contaminated land are fine but a condition requiring an assessment of the thermal comfort is advised due to the acoustic protection that will be required for the dwellings. The Association of Noise Consultants and the Institute of Acoustics have produced a residential design guide on this subject at

<https://www.association-of-noise-consultants.co.uk/wp-content/uploads/2020/07/ANC-AVO-Residential-Design-Guide-January-2020-v1.1.pdf>

86 I have no other observations.”

87 SDC Environmental and Operation Services:

No responses received.

88 SDC Planning Policy:

89 June 2022 Consultation:

90 “The key strategic planning policy issues are considered to be:

- Town centre uses and strategy
- Housing - including density, older person’s housing, Build to Rent and affordable housing
- Transport and sustainability

91 Policy

92 The brownfield site is situated within Swanley urban confines and within the Town Centre boundary. Development in this highly sustainable location, within close proximity to public transport and the high street, is supported, in accordance with Core Strategy (2011) policy LO4 (Development in Swanley) and LO5 (Swanley town centre). Bevan Place is identified within the Core Strategy (Fig.5) as an ‘area of change’ and the supporting text to policy LO5 identifies that Bevan Place provides an opportunity for further town centre housing development.

93 Bevan Place is allocated for residential development within the Allocations and Development Management Plan (2015) as site H1(g). The design guidance for the site suggests:

- An opportunity for a high density flatted development
- Safeguard the amenity of adjacent residential properties
- Options should be considered to include the WKHA blocks
- Housing specifically designed for older people should be considered
- Impacts related to traffic noise and air quality will need to be considered
- Landscaping should enhance the site
- Access from Bevan Place
- Re-provision or re-location of the working men’s club
- Density - minimum of 100dph (on 0.5ha site)

94 This allocation was also included in the Regulation 19 Plan which was subject to examination in 2019 (site ST2 - 17) for ‘Mixed Use - Residential and Town Centre Uses’ with an increased density of 217 DPH, which would lead to a site capacity of approximately 100 units. The draft design

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guidance for the site states that there is an opportunity to deliver a 'gateway' development and that an air quality assessment should be submitted as part of any planning application.

- 95 Town Centre and Active Frontages
- 96 The inclusion of Class E uses at ground-floor level is supported, to promote active frontages and to complement the new work hub opposite and the high-street, which forms the boundary at the northern end of the site. It is understood that the proposed use is likely to be community café or restaurant, with public access to the internal courtyard during daylight hours, which is supported. Since the former use of part of the site was a working men's club (and re-location was previously envisaged as part of the allocation), it is suggested that these ground floor uses should offer a positive contribution to the local community, and should be conditioned as such to ensure a community benefit from this scheme.
- 97 SDC has recently published a Town Centres Strategy for the District (linked below), which covers this area in Swanley. It identifies this as a gateway location with the potential to set a new design quality benchmark for the town. The study highlights the need for gradual redevelopment and regeneration, one site at a time. It states that development should look to add to the range of uses in the centre, meeting local needs and that new buildings should provide positive and active frontage onto streets. Ground floors should provide interesting and active uses to attract people into the centre, such as cafes and restaurants and upper storeys should provide new homes, adding people who can support a wider offer of shops and services. It is queried whether further floorspace could be dedicated to Class E, as the floorspace proposed is a relatively small unit.
- 98 The Strategy also identifies a number of opportunities for Swanley, including a more diverse range of evening activities, to support the night-time economy, such a family restaurant. It also highlights the opportunity to make the final 100m around the centre more permeable and pleasant. This scheme has the potential to deliver against a number of these opportunities and ensure that the development complements the existing offer in Swanley. https://www.sevenoaks.gov.uk/downloads/file/3354/town_centres_strategy_2022
- 99 Housing
- 100 40% Affordable Housing should be included within this development (in accordance with SP3) and therefore it is disappointing to note that this scheme, due to financial viability, is only proposing no net loss of the 11 WKHA units. It is queried whether options to further explore additional provision of affordable housing, for example through 'value engineering' or similar have been fully explored. The site has been identified, within the ADMP design guidance, as suitable for housing for older people, due to its proximity to a range of facilities and services. This provision should be further explored. Our recent Targeted Review of Housing Need has also identified 'Build to Rent' as a suitable residential model within town centres, and therefore inclusion of this tenure is welcomed. It is noted that

six percent of the proposed residential units will be accessible by wheelchair.

101 Transport

102 The roundabout at the junction of the High Street and Goldsel Road is identified as a 'congestion hotspot' within the town, as set out in the Swanley transport study (Fig 6.3 /Table 11.1). Liaison with KCC should help identify whether there are any junction/transport improvements which could be investigated as part of this scheme. The site lies within an Air Quality Management Area. It is noted that an Air Quality Assessment has been submitted as part of the application, which finds that the site is compliant with WHO guidelines.

103 Sustainability

104 It is noted that two car club spaces are shown to benefit the development, extensive cycle parking spaces and EV charging points, which are all supported. The Energy Statement outlines that the scheme includes high levels of insulation, airtight construction in line with Passivhaus principles, air-source heat pumps and photovoltaic panels resulting in a 74% reduction in carbon over Part L of the Building Regulations, which is all encouraged and supported. However, it is noted that the Council has committed to Net Zero 2030 for the Council and its assets. Therefore, it should be expected that the Council make every effort to meet net zero for the scheme and demonstrate why if it cannot. It is noted that the scheme would exceed 10% energy from low carbon energy sources and be below the maximum limit of 110 litres/person/day for water efficiency.

105 Design

106 This site is clearly a gateway to the town. I am aware that the Design Review Panel has looked at the site and therefore no commentary is provided on design/detailing, other than to highlight that this site provides an opportunity to raise the bar in terms of design in the local area. It should set a standard / precedent / lead by example in terms of the design quality / materials/ finishes/ public realm and tree-planting etc. which we hope to see within Swanley. This location is suitable for high density development, as reflected in design guidance for the emerging Local Plan.”

107 August 2022 Consultation:

108 “Thank you for re-consulting planning policy on this application.

109 The sustainability statement update was useful to benchmark the sustainability credentials of the scheme in relation to carbon reduction, use of low carbon energy sources, water usage and thermal performance. It is welcome that the scheme has focused on these elements, achieving operational carbon reductions greater than current and future regulatory standards.

110 However, it is noted the viability assessment concludes the application is unable to provide any new affordable housing, which is disappointing since

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the provision of affordable housing is a corporate priority of the Council. It is also noted that this planning application now includes elements of public art (stained glass window and an artwork/trellis). It is queried how the introduction of public art to the scheme responds to the issue raised in our previous comments, namely whether there were options to further explore additional provision of affordable housing, for example through 'value engineering' or similar.”

111 KCC Archaeology:

112 June 2022 Consultation:

“No comment.”

113 August 2022 Consultation:

No response received.

114 KCC Economic Development:

Contributions requested. See main body of report.

115 KCC Ecology:

116 June 2022 Consultation:

117 “We have reviewed the ecological information submitted by the applicant and advise that sufficient ecological information has been provided.

118 The site lacks significant ecological features and habitat connectivity. If planning permission is granted, a bird breeding informative and condition for ecological enhancements is advised.”

119 August 2022 Consultation:

No response received.

120 KCC Highways

121 June 2022 Consultation:

122 “This proposed development has been the subject of extensive pre-application discussions with the applicant and their Transport Consultants resulting in a submitted scheme that is generally acceptable to the Highway Authority.

123 The application is supported by a comprehensive Transport Assessment dated May 2022 which is considered to be robust in its content and addresses all of the necessary highway issues. The content of the pre-application discussions are included as Appendix B of the Transport assessment. I provide below a summary of those issues.

124 Location

- 125 The site is located close to Swanley town centre within easy walking distance to most facilities including the railway station, bus services, schools, medical facilities, and retail outlets. It is therefore considered to be in a sustainable location with a low reliance on the private car for the majority of journeys. This complies with the recommendations of the NPPF in respect of sustainable travel. The site is identified with the Sevenoaks District Local Plan (2015) as appropriate for housing development.
- 126 Access
- 127 All access to the development is via Bevan Place, which is an existing public highway forming a cul-de-sac and serves the existing residential properties to the north-west as well as the existing Bevan Place public car park. There is also an access directly off the High Street just to the north of the Goldsel Road roundabout which previously served the Working Men's Club which is to be completely closed off. The latter is a welcome improvement to highway safety and congestion.
- 128 It is proposed that Bevan Place is to be changed to one-way working which will reduce the level of traffic movements off the High Street (which in turn should reduce congestion in the High Street) and maintain a better flow of traffic along Bevan Place itself. It is proposed to provide a one-way exit from Bevan Place onto Goldsel Road with the design of the junction arranged such that vehicles can only turn left towards the existing roundabout. This will prevent Bevan Place being used as a shortcut between the High Street and Goldsel Road avoiding any congestion in the High Street on the approach to the roundabout. Any vehicles wishing to travel westwards along Goldsel Road will be able to u-turn at the roundabout which is of sufficient size. This arrangement is considered acceptable in principle to the KCC Highway Improvements Team.
- 129 In addition, it is proposed to provide a 3.0m wide combined cycleway / footway alongside Goldsel Road to the south and east of the site which will improve cycle and pedestrian accessibility and safety to both the site and other local residents.
- 130 Also, it is proposed to improve the pedestrian crossing facilities at the High Street / Goldsel Road roundabout which currently are in poor condition and would assist in improving pedestrian safety.
- 131 All the above off-site works are within the existing public highway and would need to be undertaken under a Highways Act Section 278 Agreement. I would recommend that these works should be completed prior to any works commence on the site since they are essential to the development and it needs to be ensured that they can be completed before the development itself is commenced.
- 132 Traffic Generation
- 133 The TA provides an assessment of the estimated traffic generated by the existing uses on the site i.e. the residential apartments and the car park based on either TRICS data for the apartments or traffic counts for the car

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park. The generation from the Working Men's Club was not included therefore making the assessment more robust.

- 134 The traffic generated from the proposed 93 residential units has been predicted using TRICS data from similar developments. The calculations show that the proposed development would generate a similar level of traffic movements to the existing uses with a decrease of 11 vehicle movements in the AM peak, an increase of 14 vehicle movements in the PM peak, and with a decrease of 54 vehicle movements in the daily totals. Remembering that this excludes the generation from the existing Working Men's Club (which would generally be off-peak), I do not consider the traffic generated by the proposed development is likely to raise any concerns to the Highway Authority with regard to safety or congestion and it would be inappropriate to recommend refusal on traffic impact grounds.
- 135 Highway Safety
- 136 An analysis of crashes over the latest 5 year period shows that there have been 10 reported personal injury crashes in the vicinity of the site, including 2 considered to be serious. None of the incidents could be considered to be due to highway configuration reasons but mainly relate to driver (or pedestrian / cyclist) error. The level of crashes does not raise any concerns when related to the proposed development.
- 137 Parking
- 138 A comprehensive assessment of the existing parking provision and the proposed parking is included in the Transport Assessment. There are several elements to be considered - the existing on-street parking in Bevan Place, the loss of the Bevan Place Car Park, and the proposed parking associated with the new residential development.
- 139 As far as on-street parking in Bevan Place is concerned, the parking spaces are used by a combination of permit holders and limited-time public parking. Parking surveys show that there are adequate spaces for both permit holders (currently 9 residents) and public short-term parking. The revised layout of Bevan Place is to reduce the number of parking spaces available by 4 spaces, but it is considered that other nearby parking is available to easily compensate for this loss.
- 140 The Bevan Place car park currently has 80 spaces available, but survey information shows that the car park is much underutilised with a peak occupation of 22 spaces on a Friday. The surveys also demonstrate that both the existing Park Road and Station Road public car parks have more than sufficient spare capacity to compensate for the loss of the Bevan Place car park spaces. Other surveys (from the U&I development application) demonstrate that in Swanley town overall there is spare capacity enough to cover the loss of this car park and still have spare.
- 141 The proposed development includes a total of 47 parking spaces for the 93 residential units. However, 15 of these units to be occupied by West Kent HA tenants will still be able to apply for permits to park in Bevan Place

itself under the Controlled Parking Zone (CPZ) arrangements. This would leave 78 units to park in the 47 spaces, a ratio of 0.6 spaces per unit. The KCC Residential Parking Standards (IGN3) recommends a maximum of 1 space per flatted unit in a town centre therefore the proposed parking provision, given its sustainable location close to the railway station and bus stops, meets with the KCC requirements. An analysis of car ownership data from the 2011 census indicates that the level of ownership for these types of accommodation in this location would be 58% of residents owning a car, which concurs with the level of provision proposed. It should also be noted that the nearby U&I development in Swanley town centre proposed a similar level of parking (60%) which was cited as a reason for refusing that application, but subsequently this was found to be an acceptable level by the Appeal Inspector (particularly taking into account the excess parking availability in the town) and the Appeal was granted.

- 142 It is noted that disabled parking is proposed at the recommended rate and that 10% of the new parking spaces, both in Bevan Place itself and within the residential parking areas, will be provided with EV charging facilities. A further 10% of the parking spaces will be provided with passive (ducting / cabling only) facilities. This is in accordance with emerging requirements and is found acceptable.
- 143 Cycle parking is to be provided in accordance with KCC policy and is acceptable.
- 144 Overall, it is considered inappropriate to raise any objection to this proposed development by the Highway Authority on lack of parking grounds.
- 145 Travel Plan & Car Park Management Plan
- 146 An outline Travel Plan and CPMP have been submitted in support of the application. Both of these documents are essential in helping to reduce travel by the private car and encouraging travel by walking, cycling and public transport. I would recommend that the TP is monitored by the Highway Authority (under a S106 Agreement) with payment of the appropriate fee. It is recommended that a Condition is applied to any consent granted for a full Travel Plan and Car Park Management Plan to be submitted and approved prior to first occupation.
- 147 The introduction of a Car Club with free availability for residents is welcomed and would hopefully reduce the reliance on the use of the private car for travel and parking.
- 148 Conclusion
- 149 In view of the above assessment of the proposed development and taking into account the requirements of Section 111 of the NPPF which states that ... “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”... I consider that there is no justification for recommending refusal of this application on

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highway grounds provided that the following issues are covered by appropriate Conditions or included in a Section 106 Agreement:

1. The off-site highway works covering the improvements to Bevan Place highway with a new egress onto Goldsel Road; the revised junction of the High Street / Bevan Place; the cycleway / footway alongside Goldsel Road; the improvements to pedestrian crossing facilities at the High Street / Goldsel Road Roundabout; and the delivery vehicle parking area along the High Street, are all completed under a Section 278 Agreement with the Highway Authority prior to any works (including demolition) are carried out on the site.
2. The change to Bevan Place from a two-way to a one-way street through a Traffic Regulation Order at the applicant's expense shall be confirmed before any works (including demolition) are carried out on the site.
3. The revised parking arrangements along Bevan Place shall be agreed by the Parking Authority (Sevenoaks District Council) prior to any works (including demolition) are carried out on the site.
4. A full Travel Plan is submitted and approved by the LPA prior to first occupation of any part of the proposed development. This Travel Plan shall be monitored by the HA at the expense of the applicant.
5. A full Car Park Management Plan is submitted and approved by the LPA prior to first occupation of any part of the proposed development.
6. A full Delivery and Service Plan is submitted to and approved by the LPA prior to first occupation of any part of the development.
7. Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the use of the site commencing.
8. Provision and permanent retention of the cycle parking facilities shown on the submitted plans and Transport Assessment prior to the use of the site commencing.
9. Provision and permanent retention of the EV charging points (both active and passive) included in the submitted Transport Assessment prior to use on the site commencing.
10. Submission of a Construction Management Plan before the commencement of any development on site to include the following:
 11. (a) Routing of construction and delivery vehicles to/from site
 12. (b) Parking and turning areas for construction and delivery vehicles and site personnel
 13. (c) Timing of deliveries
 14. (d) Provision of wheel washing facilities
 15. (e) Temporary traffic management/signage

- 150 Informative: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.”
- 151 August 2022 Consultation:
- 152 “Further to my previous consultation response dated 27th July 2022 and our subsequent discussions, I can confirm that I am prepared to change the wording of the first three recommended Conditions to read as follows:
1. The off-site highway works covering the improvements to Bevan Place highway with a new egress onto Goldsel Road; the revised junction of the High Street / Bevan Place; the cycleway / footway alongside Goldsel Road; the improvements to pedestrian crossing facilities at the High Street / Goldsel Road Roundabout; and the delivery vehicle parking area along the High Street, are all covered by a completed (included a security bond) Section 278 Agreement with the Highway Authority prior to any works (including demolition) are carried out on the site. The works included in the Section 278 Agreement shall be completed prior to first occupation of any part of the development.
 2. The change to Bevan Place from a two-way to a one-way street though a Traffic Regulation Order at the applicant's expense shall be confirmed prior to first occupation of any part of the development
 3. The revised parking arrangements along Bevan Place shall be agreed by the Parking Authority (Sevenoaks District Council) prior to first occupation of any part of the development.
- 153 Informative: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.”
- 154 KCC Public Right of Way
- 155 June 2022 Consultation:
- 156 “The proposed development does not directly affect any Public Right of Way and is not a material consideration in this case.”
- 157 August 2022 Consultation:
- No response received.
- 158 Local Lead Flood Authority
- 159 June 2022 Consultation:
- 160 “Kent County Council as Lead Local Flood Authority have reviewed the Drainage Strategy prepared by Infrastuct CS Ltd dated April 2022 and agree in principle to the proposed development. The proposals seek to utilise a series of piped networks with above and below ground attenuation prior to discharge into a foul sewer at 2 l/s. We would note that at the Detailed Design Stage we would expect to see the drainage the drainage system

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modelled using 2013 FeH rainfall data in any appropriate modelling or simulation software. Where 2013 FeH data is not available 26.25mm should be manually input for the M5-60 value, as per the requirements of our latest drainage and planning policy statement (June 2017); the unadjusted FSR dataset should not be used:

http://www.kent.gov.uk/_data/assets/pdf_file/0003/49665/Drainage-and-Planning-policystatement.pdf

- 161 This should ideally include outputs for the 1,30 and 100 year storm events including the 20% and 40% climate change allowances being applied. Where there is any exceedance of the drainage network above the 30 year event, an exceedance plan should be provided illustrating exactly where exceedance occurs and the extent and depth of flooding. Exceedance must be controlled within the site boundary. We would also note that in the calculations the Hydrobrake has been set to 32 l/s and not the stated and agreed 2 l/s which must be used. This will increase the volume of attenuation required, however, there is ample room within the development to accommodate the additional storage.
- 162 Condition for a detailed surface water drainage scheme for the site and a Verification report recommended.”
- 163 August 2022 Consultation:
No response received.
- 164 Environment Agency:
- 165 June 2022 Consultation:
“We have no comments to make on this planning application as it falls outside our remit as a statutory planning consultee.”
- 166 August 2022 Consultation:
“We have no further comments to make.”
- 167 Thames Water:
- 168 June 2022 Consultation:
- 169 “Waste comments
- 170 The proposed development is located within 15 metres of a strategic sewer. Thames Water requests an informative to be added to any planning permission.
- 171 We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Informative requested.
- 172 With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface

water we would have no objection. Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. 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://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

- 173 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://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>
- 174 Water Comments
- 175 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/buildingwater](https://www.thameswater.co.uk/buildingwater).
- 176 On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. 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.”
- 177 August 2022 Consultation:
As above.
- 178 National Highways:
- 179 June 2022 Consultation:
- 180 “We have been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such, we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.
- 181 The proposals seek to redevelop a number of land parcels on the site, situated in the centre of Swanley. These include the Bevan Place Public Car

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Park (80 spaces), a former Working Men's Club, a commercial unit and 12 apartments. These are to be replaced with a total of 93 residential dwellings across two residential blocks. This would include 71 units for SDC for private tenure and 22 units for West Kent Housing Association (11 as affordable rent and 11 as private tenure).

- 182 We are interested in the potential impacts that the development might have on the SRN, in this case M25 J3 (with the A20). We are interested as to whether there would be any adverse safety implications for the SRN as a result of this proposal.
- 183 Given the similar levels of vehicle trip generation between the proposed and extant land uses, and the distance of the site from an SRN, we conclude that the proposals would not affect the safety, reliability and/or operation of the SRN (the tests set out in DfT C2/13 para 10 and MHCLG NPPF para 111).
- 184 The notice is hereby given that National Highway's formal recommendation is that we a) offer no objection."
- 185 August 2022 Consultation:
"Thank you for your letter dated 02 August 2022 seeking consultation comments regarding the amended development proposals for application 22/01526/FUL.
- 186 We have been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such, we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. We are interested in the potential impacts that the development might have on the SRN, in this case the M25 J3 (with the A20). We are interested as to whether there would be any adverse safety implications for the SRN as a result of this proposal.
- 187 We have previously issued a 'no objection' recommendation to the LPA dated 24 June 2022 regarding the above proposals but note that these have subsequently been amended. From a review of the planning application documents, these changes include minor revisions to the residential floor plans and to the building's entrances. These changes do not have any bearing on highways and therefore doesn't alter the recommendation made in our previous response. National Highways response remains that we raise no objection to this development proposal."
- 188 Kent Police Crime Prevention Design Officer
- 189 June 2022 Consultation:

“No objections and no further comments if all the points raised can be addressed and incorporated into the development to ensure crime prevention and community safety.”

190 August 2022 Consultation:

191 “Further to our meeting with Bell Phillips Architects on 08/03/22, we acknowledge that the applicant addressed most of our comments. However, the remaining comments below still require addressing to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and, in addition, to meet our Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998.

192 If all the points below are addressed and incorporated into this development, we will have no further comments to make. Please do not hesitate to contact us if further information is required.

193 1. Commercial unit and Apartment Recessed doorways should be no deeper than 600mm Deeper recesses can allow a potential burglar a secluded area to work in and for communal doorways allow someone to hide and wait to tailgate someone else in or take advantage of a door closing to squeeze through. Finally, it can provide an unofficial smoking area that can lead to nuisance and conflict and shelter for loitering that can increase the fear of crime and additionally, the shop unit below the flats can also attract anti-social gathering. We recommend “A GUIDE FOR SELECTING FLAT ENTRANCE DOORSETS 2019” for apartments.

194 Noted - however at communal lobby entrances to meet Part M requirements require a 900mm shelter to the entrances. As some of these sit beneath a balcony and to continue the thermal line, the entrance is set back to 1.5m. This is quite a common situation and one we have designed many times before.

195 If it’s an entrance on a main road, we recommend no deeper than 1m, which is compliant with Part M. For large developments such as this one, the risk of loitering and nuisance is increased, this in turn affects local policing and quality of life. The police are often called to disperse such groups that cause intimidation and annoyance to local residents.

196 There are no individual flat entrances to the street at ground floor. This comment applies to communal entrances and not individual ones. Communal entrances are harder to be guarded by residents and when recess is deeper than 1m, they tend to attract loitering and anti-social behaviour. In addition, communal front doors for the flats must be well lit and benefit from CCTV coverage.

197 2. Alarms - The Apartment Access Control should meet SBD Homes 2019 standards and include alarms on all the emergency access doors. PIR lights recommended. All commercial units should have an intruder alarm to detect any unusual or suspicious activity especially at night time.

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- 198 3. Developments of over 25 flats- full security compartmentation will be required to allow residents and authorised visitors only to access the level where their flats are situated and other communal parts of the building.
- 199 4. Audio/visual door entry systems for visitors to call a dwelling are required and no access to the flat amenity space and stairs should be allowed. A two-way conversation between a visitor and resident should take place first before resident decide if they should remotely allow access via the communal entrance doors. Tradesperson or timed-release mechanisms are not permitted as they have been proven to be the cause of antisocial behaviour and unlawful access to communal developments.
- 200 5. The entrances for the retail unit and the residential units should be clearly identifiable and designed to negate the need to enter the private residential areas in order to access the retail unit (including cycle and bin storage areas).
- 201 6. CCTV - CCTV is recommended for car parking areas, retail unit entrances and residential communal entrances.
- 202 7. Parking Inc. visitor. Illumination to the car parking areas is proposed via a number of column luminaires, providing functional illumination to the spaces, whilst minimising the number of luminaires required in these areas. Parking courts will require CCTV coverage to minimise the opportunity for crime in addition to maximum natural surveillance from “active” windows (kitchen or lounge windows for example). The use of allocated parking spaces and clearly signed rule setting for visitor/ commercial spaces reduces the opportunity for conflict. SBD or Sold Secure ground anchors to help address vehicle crime are recommended for Bicycles, Motorbikes, Mopeds, Electric bikes and similar in the visitor parking area.
- 203 8. Vehicle mitigation - car parking areas to prevent mopeds accessing courtyard
- 204 How could this be enforced? Bollards, swing barriers, heavy duty or similar are recommended to be installed at the start and end of paths that are designated for pedestrians only to avoid misuse and ensure safety. The car park had areas connected to pedestrian paths, but this is applicable to all paths that misuse can occur.
- 205 9. Lighting. Any lighting plan should be approved by a professional lighting engineer (e.g. a Member of the ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. Bollards should be avoided as bollard lighting is purely for wayfinding and can be easily obscured. It does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime. It should be avoided. Lighting of all roads including main, side roads and car parking areas should be to BS5489- 1:2020 in accordance with SBD and the British Parking Association (BPA) Park Mark Safer Parking Scheme specifications and standards.

- 206 10. Doorsets. We recommend all external doorsets (a doorset is the door, fabrication, hinges, frame, installation and locks) including folding, sliding or patio doors to meet PAS 24: 2016 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+.
- 207 Noted - we're suggesting LPS 1175 SR2 / STS 202 BR2 doors Noted. This is highly recommended. Could this please be confirmed?
- 208 11. Windows. Windows on the ground floor and balconies are potentially vulnerable and must meet PAS 24: 2016 UKAS certified standard, STS 204 Issue 6:2016, LPS 1175 Issue 8:2018 Security Rating 1/A1, STS 202 Issue 7:2016 Burglary Rating 1 or LPS 2081 Issue 1.1:2016 Security Rating A. Glazing to be laminated as toughened glass alone is not suitable for security purposes.
- 209 12. Landscaping. New trees should help protect and enhance security without reducing the opportunity for surveillance or the effectiveness of lighting and CCTV. Tall slender trees with a crown of above 2m rather than low crowned species are more suitable than "round shaped" trees with a low crown and new trees should not be planted within parking areas.
- 210 This information is provided by Kent Police DOCO's and refers to situational crime prevention. This advice focuses on CPTED and Community Safety regarding this specific planning application."
- 211 National Grid:
- 212 June 2022 Consultation:
"This application falls outside of Cadent's distribution network."
- 213 August 2022 Consultation:
No response received.
- 214 Network Rail:
- 215 June 2022 Consultation:
- 216 "Network Rail is the statutory undertaker for maintaining and operating railway infrastructure of England, Scotland and Wales. As statutory undertaker, NR is under license from the Department for Transport (DfT) and Transport
- 217 Scotland (TS) and regulated by the Office of Rail and Road (ORR) to maintain and enhance the operational railway and its assets, ensuring the provision of a safe operational railway.
- 218 Due to the close proximity of the proposed development to Network Rail's land and the operational railway, Network Rail strongly recommends that the applicant / developer engages Network Rail's Asset Protection and Optimisation (ASPRO) team via
AssetProtectionLondonSouthEas@networkrailco.uk prior to works

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commencing. This will allow our ASPRO team to review the details of the proposal to ensure that the works can be completed without any risk to the operational railway.

- 219 The applicant/developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works.
- 220 To start the process with our Asset Protection team, the applicant/ developer should use the Asset Protection Customer Experience (ACE) system found on Network Rail’s Asset Protection website (<https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>).
- 221 This website also provides more information about our Asset Protection team and the services they offer.”
- 222 August 2022 Consultation:
“I can confirm we have no objections to the proposal.”
- 223 Public Realm Commissioner:
- 224 June & August 2022 Consultation:
No response received.
- 225 NHS Kent and Medway CCG:
- 226 June & August 2022 Consultation:
No response received.
- 227 South East Coast Ambulance Service NHS:
- 228 June & August 2022 Consultation:
No response received.
- 229 Kent Wildlife Trust:
- 230 June & August 2022 Consultation:
No response received.
- 231 Natural England
- 231 June & August 2022 Consultation:
No response received

Representations

232 In total, 118 letters of objection were received during the first consultation period. Two letters of support were received, along with one letter making general comments. A further four public comments were submitted following re-consultation. The responses are summarised below, with the number of respondents raising particular issues.

Issues raised	
Insufficient services and infrastructure to accommodate new development	75
Design not in character and looks unsuitable and unappealing (visual intrusion)	71
Congestion	67
Parking provisions insufficient	35
Height is overbearing	28
Increase risk of flooding and lack of drainage	16
Pollution and air quality	12
Disruption during construction works	11
Loss of privacy	8
Conditions of living in the development	8
Not all flats are been replaced	7
Not enough green spaces	4
Loss of light	4
Concerns over prices of flats/need for council housing	4
Rise in crime	4
No enough EV charging points	3
Fire Safety	3

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Light Pollution	1
Road safety concerns	1
Disabled access to flats	1
Loss of TV signal	1
Density of dwelling less than existing	1
Loss of business for local shops	1

Chief Planning Officer's appraisal

233 The main planning considerations are:

- Principle of the development
- Mix of dwellings, including affordable housing
- Design and impact on the character of the area
- Open space, trees and landscaping
- Biodiversity
- Sustainability
- Amenity
- Access, parking and servicing
- Drainage, Flooding and Water Infrastructure
- Fire Strategy
- Tilted Balance
- Community Infrastructure Levy / s106 Contributions
- Other Issues

Principle of the Development

234 As set out in Section 36(6) of the Planning and Compulsory Purchase Act 2004, applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. For Sevenoaks, the Development Plan comprises the Core Strategy (CS) and Allocations and Development Management DPD (ADMP). National Planning Policies, such as those contained in the National Planning Policy Framework (NPPF), are material considerations.

235 The site lies within the settlement of Swanley, within the defined Town Centre and approximately 500m from Swanley mainline station, with bus stops in the immediate vicinity located along the High Street. It adjoins the area of secondary frontage on the High Street.

- 236 CS Policy LO1 confirms that development will be focussed within the built confines of existing settlements and that Swanley will be a secondary focus for development.
- 237 CS Policy LO4 - Development in Swanley - further states that provision will be made for new dwellings throughout the town on a range of sites suitable for residential use within the urban area. Policy LO5 confirms that the Town Centre will be regenerated to better meet the needs of the population; the accompanying diagram (Figure 5) highlights the application site as an “area of change”. ADMP Policy TLC2 support a range of uses in Swanley, including residential use.
- 238 The objectives of these Policies are taken forward in the 2015 ADMP, within which the site (excluding the WKHA apartment block) is allocated under Policy H1 for residential development (Allocation H1(g)).
- 239 Appendix 3 to the ADMP provides further guidance on the allocated housing sites, with Bevan Place identified as a sustainable location for housing, with good transport links. The site provides, it states, an opportunity for high density, flatted development, subject to safeguarding the amenity of adjacent properties. The guidance also notes that the parking surveys have indicated low usage of the existing car park and states that its loss would not impact on the vitality of the area, also taking into account capacity in Park Road /Station Approach car parks.
- 240 The principle of housing development on the site, and so the removal of existing uses, is therefore established in adopted development plan policy. Consistent with the locational policies of the Core Strategy, the application site provides a sustainable location to deliver new housing in a town centre, close to shops, services and employment opportunities and to public transport links.
- 241 At national level, NPPF paragraph 120 states that planning policies and decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively. Substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs.
- 242 The development would deliver 93 new homes, a net increase of 81 homes taking into account the removal of the 12 units within the WKHA blocks. The housing need position in Sevenoaks District must be an important consideration in assessing the principle of development.
- 243 The adopted Sevenoaks Core Strategy and ADMP planned for the delivery of 3,300 homes over the period 2006 to 2026 with the main site allocations being located around the urban areas of the District and on brownfield land.
- 244 Paragraphs 74 - 76 of the NPPF require the Council to identify a five-year supply of deliverable housing sites, including an appropriate buffer. Furthermore, as the Core Strategy (2011) policies are more than five years

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old, the standard method figure for housing need must be used in place of adopting housing requirement for calculating the five-year housing supply.

- 245 According to the District's most recent evidence on housing supply (September 2021), the current supply of specific, deliverable sites for housing to meet local needs in the District falls substantially short of the National Planning Policy Framework's (NPPF) requirement that a five-year supply is demonstrated. As acknowledged in the Council's Housing Delivery Test Action Plan, the five-year housing land supply calculation finds 2.9 years of supply of deliverable housing sites including a 20% buffer. Further, the Government's 2021 Housing Delivery Test measurement shows that the District has seen consistent under delivery of housing over the preceding three years, at 62%.
- 246 As a result of these factors the Council cannot currently demonstrate a five year housing land supply. The 'tilted balance' described in paragraph 11 of the NPPF, as set out above, must apply in this instance. Whilst we will consider the balance of the case later on within the report, significant weight in favour of the proposal must be attached to the delivery of 81 additional housing units on the site.
- 247 In terms of the E Class use, while the end-user could be drawn from a variety of users (including, for example, retail and restaurant uses (excluding takeaway), medical/health facilities, indoor sport, crèches, offices etc.), such uses are appropriate to the town centre and would help enliven and provide active ground floor frontage on this town centre site, also assisting in drawing the community into the development.
- 248 In considering the comments of the SDC Policy Officer, it is noted that Class E is intended to provide flexibility between uses that are appropriate to town centres, allowing them to more easily adapt to changes in the fortunes and market of the high street. While Class E uses do not necessarily form a "community" function (which would more typically fall within Class F), such uses provide services that support the community and town centre economy in a variety of ways and would draw people into this part of the town centre. This would be supported by the design of the unit, with large areas of glazing enlivening the High Street frontage, and an area of external seating. As such, it is considered that an unrestricted Class E use is appropriate in this location.
- 249 The development would also deliver a generous-sized, landscaped garden and amenity space at its centre, which would be open to the public during daylight hours. This would provide a valuable green space for the town centre, positively contributing to the health and wellbeing of residents and local community.
- 250 Overall, the principle of the development is in accordance with the adopted allocation of the site within the development plan and with wider development plan and national planning policies. Given the overwhelming need for housing in the District, the delivery of 93 (total) homes must be given significant weight, whilst the contribution of the Class E unit and

public open space would enliven and enhance the amenity of the town centre.

- 251 It is worthy of note that the recent Town Centre Strategy also highlights the potential of the application site as a development site to contribute to a process of redevelopment and regeneration in the Town. Such identified sites, it states, should contribute to the range of uses in the town centre, including cafes and restaurants at ground floor and residential uses at upper levels, adding people who can support a wider offer of shops and services. The development would contribute to achieving these aims.

Mix of dwellings, including affordable housing

- 252 A mix of unit sizes is provided across the scheme, as set out below. These are focussed on the provision of 1-bed and 2-bed units (48% and 47% respectively), with a small proportion of 3-bedroom units.

Unit Mix		
Bed-nos. / occupancy	No. of flats	Percentage
1 bed, 2 person	45	48%
2 bed, 3 person	10	11%
2 bed, 3 person (wheelchair unit)	3	3%
2 bed, 4 person	28	30%
2 bed, 4 person (wheelchair unit)	3	3%
3 bed, 5 person	4	4%
Total	93	100%

- 253 The delivery of these units would be consistent with the CS Policy SP5’s encouragement of the inclusion of smaller units in new developments in suitable locations across the District. The published Targeted Review of Local Housing Needs 2021, prepared on behalf of SDC as evidence to the emerging draft Local Plan, identifies the need for 5-15% of new market dwellings or 25-35% of affordable homes delivered in the north west of the District to be 1-3 bedroom flats. The development would contribute to this requirement.
- 254 While the tenure of the dwellings is not fully confirmed, the likely introduction of a private rental scheme is a welcome addition to the housing stock in Swanley and the District, as recognised in the comments of SDC’s Policy Officer.

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- 255 All homes have been designed to comply with the Nationally Described Space Standards. Six wheelchair accessible units would be provided, distributed across the floors of Block 1, each with access to two lift cores. All other units would meet the Building Regulations Standards (M4(2)) for accessible and adaptable dwellings, a standard broadly equivalent to the lifetime homes standard referred to in Policy SP 5. The provision for accessible accommodation would, therefore, meet and exceed the requirements of Policy SP 5, which seeks to increase the proportion of housing that can be readily adapted to the needs of older people and people with disabilities. This provision, which exceeds the basic standard of Building Regulations, can be secured by condition.
- 256 The scheme would deliver the 82 of the 93 homes within private tenures; it is understood that this is most likely to be as homes for private rental securing a source of long-term revenue for SDC. The submission notes that 71 of the homes would be delivered by SDC for private tenure, with the remaining 22 homes delivered by WKHA.
- 257 The existing residential blocks on the site contain 12 two bed flatted units, 11 of which are affordable rental units owned and managed by WKHA. Within the proposed Block 2, 11 flats will be provided as affordable rental units, replacing those to be lost with the demolition of the existing blocks. These would be two-bedroom, four-person homes, with rents capped at the level proposed by SDC Housing Officers (65% of the local open market rent or the Local Housing Allowance applying, whichever is the lower sum); this would be secured through condition.
- 258 The application is subject to CS Policy SP3, which requires that residential developments of 15 dwellings or more should provide 40% affordable housing. In exceptional circumstances, where it is demonstrated to the Council's satisfaction through an independent assessment of viability that on-site provision would not be viable, a reduced level of provision or financial contribution may be accepted.
- 259 The applicant has submitted a Viability Appraisal which concludes that the proposed scheme produces a deficit and is not able to support a further contribution to affordable housing above the 11 replacement homes proposed. It notes that the developer's circumstances, including access to favourable debt terms and the ability to take a return on investment over a longer period via a rental model, mean that the proposal is deliverable.
- 260 The applicant's Appraisal has subsequently been assessed by independent consultants, instructed by SDC Planning, as required by national and local policies. This assessment similarly concludes that the scheme would produce a negative residual land value and, as such, cannot support additional on-site affordable housing beyond the 11 homes offered or provide a financial contribution in lieu of on-site provision.
- 261 The applicant has also provided further information, in response to the SDC Policy Officer's comments, regarding the potential to reduce costs to allow for increased affordable housing to be provided. This note states that, while costs have been reduced through the value engineering process, it is not

possible to achieve savings on a sufficient scale to make affordable housing viable. The importance of achieving quality design and high levels of sustainability and securing public realm and transport improvements are also emphasised as key contributions of the scheme. In this respect, it is accepted that, even if it were possible, costs should not be reduced by sacrificing the quality of the development, particularly bearing in mind the significant shortfall.

- 262 Although regrettable that further affordable homes cannot be supported, it is considered that a robust viability case has been presented and that the scheme could not deliver affordable housing even if key benefits of the scheme were lost. The current proposal is, therefore, consistent with the requirements of Policy SP3.

Design and impact on the character of the area

- 263 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. The NPPF is clear that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve; good design is a key aspect of sustainable development (para.126). Paragraph 134 further states that development that is not well designed should be refused. Further guidance on design is given within the National Design Guide and the National Model Design Code.
- 264 The site lies at a prominent arrival point to the town centre, where key roads from the south east (London Road) and south west (Goldsel Road) converge, bringing people into the town from the M25 and from surrounding villages. It sits in a location that marks the transition between the more suburban, residential areas to the south and east and the town centre.
- 265 Given the site's location, it provides the opportunity for a prominent, landmark building that both signals the gateway to the town centre and provides a stimulus to other investment and confidence in the town. The opportunity exists to build at a greater scale than exists in the town at present. At the same time, the site's prominent location means that there is an imperative for the development to set a benchmark for the town in terms of design quality, as is reflected in policy and within comments on the application.
- 266 There is an eclectic mix of building styles, periods and materials in the vicinity of the site, with limited cohesion and little by way of established urban grain. Established heights are 2-3 storeys, with some four storey buildings emerging more recently on the High Street. While the north side of the High Street opposite the site is characterised by a continuous terrace of two-three storeys, building styles on this street vary and there are a number of developments under way or in the pipeline that will influence the appearance of this street. Bevan Place is characterised by the five three-storey red-brick residential blocks that line either side of the street. More widely, the former terraces on and around the site have largely been replaced by the looser suburban housing to the south east. Beyond the rail

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line to the south is the Swan Mills paper factory complex, with more residential areas further afield. To the north, also across a railway line, is the pedestrianised Swanley Centre shopping centre and the larger floorplate retail and community uses of the town centre, along with areas of open space. Of note, the Swanley Centre was subject to planning permission (part-detailed / part-outline), granted at appeal in July 2019, for the phased redevelopment of the shopping centre, comprising a mix of housing, retail/commercial and community uses in buildings ranging from 3 to 11 storeys. This permission has since expired.

- 267 Various character areas, and the impact of the development on these, are further documented in the Townscape and Visual Impact Assessment (TVIA) submitted with the application.
- 268 The varied nature of the surrounding, in my view, allows a bespoke approach to be taken to the design of the proposed development. In this respect, the development must complement and be sympathetic to its surroundings, rather than seek to adopt any particular style, form or character.
- 269 The proposed built form is a specific response to a unique site, with its long curved frontage along Goldsel Road and the High Street, and its location within the town centre at a prominent arrival point. As noted by the Design Officer, the building's size contributes towards the landmark status of the building, appropriate to its position.
- 270 The new buildings would establish a new frontage to the surrounding streets, which would enclose and provide greater activity on the street frontages, also reducing the prominence of the highway infrastructure. Whilst establishing the street frontage, generous setbacks from the pavement edge have been incorporated to facilitate landscaping, including proposals for the planting of numerous street trees, which will soften the built form and be a welcome addition to the urban environment.
- 271 The use of perimeter blocks wrapping around the site also allows for the creation of the central open space, which would be protected from the surrounding road network and, with a successful landscaping scheme, create an attractive, secluded space to be enjoyed by residents and the wider community. Significant attention has been given to the scheme for landscaping and the creation of attractive and valued amenity spaces, which would make an important contribution to design and to the health and wellbeing of residents and the local community, as well as offering other biodiversity and environmental benefits.
- 272 It is noted that the Design Review Panel sought further justification for the proposed curvilinear form and, through pre-application discussions, the applicant was asked to give greater consideration to how the form and height relates to its surroundings. The scheme continues to propose a bold and strong curved frontage; however, the inclusion of more angular forms within the elevations, which both break up the bulk of the façade and create a series of more typical 'flat-fronted' elevations, allow the scheme to effectively respond to surrounding built forms. The fanned balconies

between these frontages allow the building to ‘turn the corner’, as well as adding an attractive element of the design and reducing the appearance of scale.

- 273 The development incorporates stepped heights in response to a number of factors including visual impact, relationship with surrounding buildings and spaces, sunlight/daylight impacts to surrounding properties and light to the central garden space. In Block 1, four storey elements would front the High Street, broadly reflecting the scale of the building opposite, and the southern part of the block (also allowing sunlight to the central courtyard). This block steps up to five and six storey elements, the latter consisting of five fifth floor apartments. Block 2 provides a more uniform block of five storey.
- 274 The form of the frontage of Block 1, interspersed with fanned balconies, setbacks and the deep set entrances, would create interest, light and shadow to the elevations, further breaking up the appearance of scale. Consistent detailing, excluding the curved frontages, would be provided to Block 2.
- 275 Prevailing materials in the vicinity of the site vary widely, although there is a strong presence of brick. The WKHA blocks on and adjoining the site are key examples of the use of red brickwork.
- 276 The development would adopt a simple palette of quality materials, with a predominant use of light red brick; the material selection is supported by the SDC Design Officer for its traditional quality and durability, and ability to work within the town centre environment. Detail and interest in the elevations would be incorporated through subtle banding within the brickwork, for example, through slight variations in colour of brickwork (e.g. the ground floor elevation would have a darker red brick) and in render, and soldier coursework around entrances. Metalwork, in the form of balustrades, window railings and entrance gates, would be of a complementary ‘beige-red’ colour, adding a further unifying detail to the elevations. Such brickwork banding and detailing picks up on details in the local built environment, reflective of some of the detailing used both on the WKHA blocks but also on the development opposite at 27-37 High Street, currently under construction.
- 277 Again, this approach is supported by the Design Officer, who has recommended a materials condition be attached to ensure the appropriate quality and simplicity of finish is delivered.
- 278 Concerns have been raised regarding the approach to the internal elevation to Block 1 and particularly the impact of the access deck and the long curved balconies; there are some fears that this would resemble harsher architectural styles from the past. I note that, with the exception of the top floors, the steel balconies would be open, allowing views through to the flat entrances and to residents’ movements. SDC’s Design Officer has commented on “sweeping external access walkways and external entrances” that would provide continued overlooking of the main garden area benefitting the quality of residential space and providing a sense of security

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to the communal gardens. The linear qualities of the walkways, she states, give a welcome strong horizontal aesthetic, mitigating the mass, and the long lines allow some of the activity of residents to be viewed by each other and those in the gardens. This is to be encouraged in terms of social isolation but also to foster a sense of community.

- 279 Overall, I consider the overall design approach to be well-considered and to create a successful response to its context, delivering a high-quality design appropriate to this gateway location.
- 280 While I consider the scale of the development to be broadly appropriate to this location, the impact of the proposed height in views warrants further consideration.

Townscape and Visual Impact

- 281 The impact of a development of this scale and design on the character of the town centre and on views is provided within the TVIA. It is recognised that the character of the site will change from being on the edge of the residential areas to becoming a gateway to the town centre. In this regard, it is considered that the proposed scheme would have a moderate beneficial effect on the town centre and residential character areas in the vicinity. The combination of the new buildings and associated high quality public realm, it states, would be beneficial and indirectly enhance the townscape character by strengthening the change in character between the town centre and the surrounding housing. I would concur with this view.
- 282 A series of eight views, ranging from short to long distance, are assessed for the development's impact, with visuals provided to indicate how the development would appear within these views. In distant views from the edge and outside of the urban area, the assessment indicates a minor change in views, which I would not consider to be harmful. The development would sit comfortably within the building line of the urban area, viewed against a backdrop of the tree line and often filtered by vegetation in the foreground. There would be very limited effects on views from the Kent Downs AONB as views of the proposed scheme would be limited within the panoramic views from the Downs.
- 283 From closer range views within the urban area, the building would be more prominent and will invariably make an impression. For the majority of these, the view of the new buildings is expected to be a positive addition to the townscape.
- 284 As noted in the TVIA, the greatest visual effects will be for those receptors living adjacent to the development on St George's Road / Montague Place. Here, the scale of the new building will represent a stark contrast with the largely two storey properties in the foreground. From this viewpoint, the difference in scale would, for a time at least, create an uncomfortable relationship. These views would be filtered at street level to some extent by landscaping and tree planting that would mature over time. The architectural detailing of the building would also break up the appearance of bulk and create greater interest.

285 Nonetheless, it is considered that this scale of the development in this location would cause a degree of harm (defined by the TVIA as moderate adverse), at least in the short term until it becomes an established part of the townscape. I consider this further in the context of the tilted balance.

Density

286 Core Strategy Policy SP 7 states that all new housing will be developed at a density that is consistent with achieving good design and does not compromise the distinctive character within which it lies. The density targets within this Policy have been superseded by national policy and its emphasis on optimising the use of urban land.

287 Paragraph 124 of the NPPF requires that planning decisions should support development that makes efficient use of land, taking into account factors including the identified need for housing and other forms of development as well as the importance of securing well-designed, attractive and healthy places. Paragraph 125 stresses that, where there is a shortage of land to meet housing needs, it is especially important that decisions avoid homes being built at low densities and that developments make optimal use of the potential of each site.

288 Further, the National Model Design Code makes clear that density is only one indicator and that, in itself, it is not a measure of how appropriate a particular development may be within an area type. The focus should, therefore, be on whether the proposal achieves good design as a whole, taking into account its impact on the surroundings.

289 While recognising the limitations of density as a measure, members may wish to note that Appendix 3 of the ADMP indicates that the site could be developed at an “approximate” density of 100 dwellings per hectare; for the current site area of 0.63 hectares, this would result in the provision of 63 dwellings. Reflecting the greater emphasis on the need to make best use of urban sites, the previously emerging Local Plan proposed an approximate density of 217 dwellings per hectare; such a density would result in a development of 137 dwellings.

290 The development, which would achieve 148 dwellings per hectare, would sit within these two density measures (towards the lower end of the range) and is considered appropriate for the site and its sustainable urban location, and to deliver on the objectives of the NPPF for making optimum and efficient use of land.

Security

291 The development has been subject to review by the Kent Police Crime Prevention Design Officer and measures put in place through the design to ensure its ongoing safety and security once occupied. This strategy, along with further details of lighting design, would be secured through conditions.

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Public art

- 292 The submission includes outline proposals for public art provision within the scheme, within the central courtyard and, internally, within the entrance from the High Street, as well as for the creation of interesting landscape features (green wall/trellis feature) on the fourth floor terrace. These proposals provide the opportunity to enrich the design and further connect with the community and the history of the site. Their inclusion would be subject to a condition.

Open space, trees and landscaping

- 293 The application incorporates detailed proposals for the provision of landscaped amenity space, comprising the central courtyard and the fourth floor roof terrace on Block 1, as well as proposals for significant tree planting both within the amenity space and along the surrounding streets. The amenity space would include areas of planting, lawned garden, seating areas, play space and footpaths.
- 294 The amenity space proposals defined by the Landscape Drawings are supported by detailed justification and explanation the Landscape Design and Access Statement and accompanying materials and planting schedule; these form a central component in delivering a high quality design. The planting scheme reflects the proposed use and characteristics of different parts of this space (e.g. from mature street tree and border planting, to areas of sunny lawn, meadow or shade tolerant planting, to hedges, to an area of “orchard”/ “grove” planting of specimen trees).
- 295 In line with ADMP Policy GI 1, and as noted above, the introduction of open space as part of the development is regarded as a significant positive contribution of the scheme. The landscaping of this space as proposed would be of considerable value to this part of the town and offer important amenity space to residents and the community, providing health and wellbeing benefits, and acting as a counter-balance to harshness of the surrounding built environment. It would soften the appearance of the development, provide opportunity for biodiversity enhancements and sustainable drainage, and help mitigate the impacts of climate change.
- 296 In this regard, the landscape proposals are welcomed as a positive contribution of the scheme.
- 297 Considering the specific impact on trees, ADMP Policy EN1 requires that the layout of proposed development sensitively incorporates natural features such as trees; proposals should not result in the loss of open spaces or green infrastructure that would have an unacceptable impact on the character of the area. The NPPF also emphasises (at para.131) the important contribution of trees to the character and quality of urban environments, and their help in mitigating climate change - the creation of tree-lined streets is promoted.

- 298 While much of the existing site is hard surfaced, there are a number of street trees along Bevan Place and Goldsel Road, and surrounding the existing WKHA flatted blocks. All 22 existing trees would be removed as a result of the development, along with other hedgerows, either due to building works or changes to the road layout (see below).
- 299 The arboricultural assessment concludes that the majority of these trees are of low quality, several are suffering from disease, and offer limited amenity value due to size and condition. However, there are three moderate quality (Category B) trees that form part of and contribute to amenity of the Bevan Place street frontage (1 x wild cherry; 2 x Callery Pear). Further, a mature London Plane tree located on the corner of Bevan Place with Goldsel Road is identified as a Category A tree, having a significant presence and contributing to the street scene in this location. Its removal, however, is required to accommodate the opening up of Bevan Place to create the new left turn junction onto Goldsel Road.
- 300 This loss of Category A and B trees would clearly be regrettable and would only be acceptable if fully compensated for by a planting scheme that would mitigate their loss and provide a net benefit in environmental and amenity terms. In this regard, the scheme would secure the planting of 81 new trees around and within the site comprising a mix of species including, as stated in the arboricultural report, street trees with a medium-large mature size along Bevan Place and to the southern boundary along Goldsel Road. This is a net increase of 59 trees.
- 301 Overall, taken in combination with the wider landscaping proposals, I consider that the proposals would result in a meaningful net benefit in terms of tree planting and their contribution to amenity, the environment and biodiversity of this part of the Town Centre. These benefits would be further secured through condition.
- 302 I note the comments of the Tree Officer that confirm the proposal would create a much more visually and user friendly space, much improving the amenity of this location, which he concludes would negate the loss of existing trees. Subject to conditions requiring further confirmation of the tree planting scheme, the officer states that ... “the scheme has the potential to vastly improve this main access into the town.” I would concur with this view, noting also that the proposals would deliver on the NPPF’s objective of delivering tree lined streets.
- 303 Finally, the applicant has proposed to reuse the trunk of the removed London Plane tree as part of the play space within the central courtyard. This is considered a positive gesture recognising the significance of this tree and achieving something of value to come from its loss.

Biodiversity

- 304 ADMP Policy SP11 confirms that biodiversity in the District will be conserved and opportunities sought for enhancement to ensure no net loss of biodiversity. This includes the creation, protection, enhancement, extension and management of sites to enhance biodiversity. Similarly, the NPPF at

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paragraph 174 seeks to minimise impacts on and provide net gains for biodiversity.

- 305 The Ecological Assessment submitted with the application confirms the low ecological value present on the site. Furthermore, it is considered unlikely that there would be any direct or indirect impacts on any statutory or non-statutory designated wildlife sites due to distance, a lack of hydrological connection, and the densely urbanised landscape that separates the proposed site from the statutory designated wildlife sites.
- 306 Although very limited biodiversity value was found in the site, the removal of vegetation has the potential to result in the loss of suitable nesting and foraging habitat for common bird species. As advised by the KCC Biodiversity Officer, measures should be taken to avoid the potential disturbance or destruction of nests and there are statutory protections outside the planning regime to ensure these are implemented.
- 307 The KCC Biodiversity Officer notes that the only effective method of meaningfully enhancing biodiversity at a site like this the provision of a native species planting scheme. While bird and bat boxes, he states, are likely to be ineffective, native foliage and wood material can provide invertebrate habitat.
- 308 As noted, a detailed and comprehensive landscape scheme is proposed, which is expected to include native, species rich planting. In addition, 'brown roofs' would be incorporated across the flat roofs of the development (excluding only the level 4 roof terrace but including the areas occupied by solar panels). The Landscape Statement notes that these would be seeded with local plant species, to boost local endemic habitat and improve foraging opportunities. Certain features, such as log piles, slabs and tree branches, would be introduced to maximise potential for biodiversity and habitat.
- 309 Subject to conditions securing the quantity, selection and diversity of landscape planting, and the delivery of the brown roofs, it is considered that the development would secure significant enhancements to biodiversity on and around the site in line with the NPPF and Policy SP11.

Sustainability

- 310 Policy SP2 promotes best practice in sustainable design and construction to improve energy and water efficiency of all new development and contribute to achieving zero carbon development as soon as possible.
- 311 The development puts forward an energy strategy based on efficient 'fabric first' passive design utilising high levels of insulation to minimise heat losses; airtight construction, again to minimise heat losses via air infiltration; and the inclusion of low or zero carbon technology in the form of a low-carbon ambient loop with 2-stage heat pump system, comprising central Air Source Heat Pumps (ASHP) and individual Water Source Heat Pumps (WSHP) for space heating and hot water preparation.

- 312 The applicant has used the standard assessment approach to quantify the energy sustainability of the development, comparing predicted carbon emissions from the proposed development with that generated by a building delivered in accordance with baseline Building Regulation requirements. The proposals put forward would achieve a level of emissions of 25.90 tonnes of CO₂ per year compared to a baseline scenario of 98.10 tonnes per year. This would result in a 74% reduction of CO₂ emissions from this baseline scenario. This, as stated in the submission, is equivalent to 68 of the 93 apartments achieving net zero carbon emissions.
- 313 The applicant has presented a comparison with the London Plan requirements, which seek 100% reduction against Building Regulation requirements, including a minimum of 35% reduction on-site; using this as a benchmark, an on-site reduction of 74% is a significant betterment.
- 314 Not only would the proposed buildings exceed minimum Building Regulations significantly in regards to the building fabric and its air permeability, two low or zero carbon energy generation systems have been proposed.
- Air Source Heat Pump.
 - Photovoltaic Panels, with significant coverage of the roof top to facilitate this.
- 315 The submitted assessment confirms that 68% of the regulated energy will be generated on-site using low carbon energy sources, substantially exceeding the 10% demand stated in CS Policy SP 2.
- 316 The water efficiency calculations also conclude that the new dwellings will have an efficient daily water usage of 104.86 litres/person which is below the maximum limit of 110 litres/person/day stated in Part G of the Building Regulations. Other measures addressed within the Planning Energy, Sustainability & Thermal Comfort Assessment Report include waste minimisation and recycling, sustainable drainage and transport.
- 317 Overall, it is considered that, although not achieving “zero carbon”, the proposals would significantly exceed current Building Regulations in terms of sustainability and energy performance and would represent a high performing scheme in this regard, setting a positive example for future developments.
- 318 I note that the Class E space has not been separately assessed for its BREEAM standards, on the basis that it comprises less than 1000 m² and accounts for 3% area of a larger residential development. It would, however, sit within the larger building envelope and benefit from the energy and sustainability benefits of the wider development. In this regard, I am satisfied that it appropriately deals with the requirements of policy and would be a highly sustainable form of development.
- 319 The proposals within the Planning Energy, Sustainability & Thermal Comfort Assessment Report will be secured by condition to maintain the long term delivery sustainability and contribute towards the drive towards zero carbon in line with Policy SP2.

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Amenity

- 320 Policy EN2 of the ADMP requires that proposals provide adequate residential amenities for future occupiers of the development, and safeguard the amenities of existing and future occupants of nearby properties. This takes into account a number of factors, considered as relevant below.
- 321 In terms of the impact of traffic activity on issues such as noise, air quality and disturbance, the transport assessment has concluded that traffic movements from the development are expected to be broadly in line with those generated by the existing site, with some reduction predicted across the day. This is reflected in the following sections.

Noise and vibration

- 322 The NPPF (para.185) requires that planning decisions ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:
- (a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and the quality of life; and
 - (b) Identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.
- 323 ADMP Policy EN7 requires that development should not have an unacceptable impact when considered against the indoor and outdoor acoustic environment, including that of existing and future occupiers of a proposed development and the amenities of nearby properties. Further, development should not result in unacceptable noise levels from existing sources that cannot be adequately mitigated.
- 324 The submitted Environmental Noise Survey and Acoustic Design Statement Report considers the impact of noise, in particular, from road traffic and plant. While environmental noise data identifies levels of noise around the site in excess of target levels for internal environments, the assessment shows that, with conventional mitigation measures (comprising appropriate cladding, specified glazing and acoustically attenuated ventilation), appropriate internal noise levels in line with targets can be achieved within the development. The mitigation measures can be specified at the detailed design stage and secured by condition.
- 325 Similarly, noise from plant and commercial functions can be appropriately mitigated. Conditions would require the submission of a scheme to ensure the required noise mitigation is incorporated in the development.

- 326 In terms of external amenity areas, the central courtyard space would achieve appropriate levels of noise in relation to target standards, being largely protected by the proposed buildings.
- 327 The external balconies facing Goldsel Road would be exposed to higher noise levels; given the size and function of these spaces, industry standards suggest that the application of noise limits is not necessarily appropriate. Further, these recognise that there should be a balance between making efficient use of land within urban areas, where there is also a convenience associated with living in such areas, and achieving lowest practical noise levels. In this context, the noise levels to these balconies are considered acceptable, as endorsed by the EHO who states that ... “in this instance as the balconies have a relatively small area and could only reasonably be used for plants in pots or airing clothes ... it is not necessary that noise levels on the balconies shall not exceed 55 dB(A)”.
- 328 Overall, the EHO has confirmed the acceptability of noise environment and mitigation proposals, subject to noise conditions being imposed and a requirement to assess internal thermal comfort levels as a result of acoustic (and air quality) protection measures.

Air quality

- 329 The site is located within an Air Quality Management Area within Swanley Town Centre declared for exceedances of the Nitrogen Dioxide annual mean objective.
- 330 The NPPF (para.186) states that; ... “Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified.”
- 331 Planning Practice Guidance notes that “Whether air quality is relevant to a planning decision will depend on the proposed development and its location. Concerns could arise if the development is likely to have an adverse effect on air quality in areas where it is already known to be poor, particularly if it could affect the implementation of air quality strategies and action plans and/or breach legal obligations (including those relating to the conservation of habitats and species). Air quality may also be a material consideration if the proposed development would be particularly sensitive to poor air quality in its vicinity.”
- 332 An air quality assessment has been undertaken and the results provided with the planning application. This considers the exposure of nearby residents and future occupants of the site to air pollution, during construction and on occupation.
- 333 During construction, while dust generation from demolition and construction activities have the potential to have significant effects on the surrounding environment, these can be effectively minimised with appropriate

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mitigation measures in place. These would be secured through an Air Quality Dust Management Plan, required by condition as part of the Construction Management Plan.

- 334 The assessment of exposure of future occupiers of the site found that exceedances of national objective levels of pollutants nitrogen dioxide (NO₂) and fine particulates (PM₁₀ and PM_{2.5}) are unlikely throughout much of the development; as such, the development would comply with current national air quality objectives. In these circumstances, the report confirms that natural ventilation would provide appropriate air quality for residents; where restrictions on openable windows are required by virtue of noise impacts, air intakes can be introduced.
- 335 In response to the first consultation, the Environmental Health Officer (EHO) confirmed that the assessment considers the impact of air quality on future users well; however, further detail was requested regarding the potential canyon effect of the new building on air quality to the High Street (i.e. the impact on the concentration of pollutant due to the 'enclosure' of the street).
- 336 The applicant has undertaken further modelling and assessment of the impact of the new building on NO₂ levels. This found that there would be increased levels of NO₂ at lower levels on the High Street, which would result in potential exceedances of the annual mean NO₂ objectives on facades of the new Block 1, facing the High Street at ground and first floor level, and to the buildings opposite at ground floor; above this, acceptable levels would be maintained.
- 337 The assessment concludes that the ground and first floor levels are suitable for non-residential use with natural ventilation - however, residential use at these levels would require a mechanical ventilation strategy, with air intakes positioned at second floor or higher or on non-road facing facades. In consultation, the EHO has accepted this as appropriate, subject to a condition being imposed to secure the details of the air quality mitigation strategy for the units effected by elevated NO₂ levels.
- 338 The report also concludes that, notwithstanding increased NO₂ concentrations, the ground floor of the buildings across the road remain suitable for commercial use (as existing), while first floor levels and higher, and those set back further from the High Street, remain suitable for residential use with no further mitigation required. The EHO has, however, highlighted that the existing residential dwellings will be subject to a decrease in air quality and, whilst not exceeding guidance levels, he states that the worsening of air quality should be avoided.
- 339 The development would, therefore, cause a degree of harm to air quality on the High Street, failing to contribute to reducing NO₂ levels within this part of the High Street. These levels would, however, remain within accepted limits.

- 340 The increase in NO₂ concentrations should be considered within the context of both the site designation for housing and the need to achieve efficient use of an allocated, town centre site. In this regard, the four storeys fronting the High Street represent an appropriate scale for this location.
- 341 Consideration should also be given to the wider framework to reduce pollutant levels within the AQMA, driven by the Sevenoaks Air Quality Action Plan 2022. This confirms that NO₂ levels within the High Street have seen a steady decline over the preceding 5 years, with predicted annual concentrations being within the Air Quality Strategy Objectives. With continued legislation-led improvements to vehicle emissions, pollution levels would reasonably be expected to further decline. Further actions are promoted within the Action Plan to continue this trend and the planning application proposals would contribute to these, for example, through diversion of some traffic away from the High Street, the promotion of modes of transport with a low impact on air quality (such as electric vehicle charging points, improved cycle facilities) or reduced car demand (e.g. the provision of a car club) and the increase in green infrastructure on the site.
- 342 In summary, it is accepted that the development would cause harm to air quality levels and to the AQMA objectives. Taking into account the above context, however, and the wider trajectory of decreasing levels of pollutants in Swanley High Street, and that air quality levels would be maintained within guidance, this harm is not considered of sufficient weight to warrant refusal.

Sunlight and daylight

- 343 The applicant submitted a Daylight & Sunlight study as part of the submission. The assessment was conducted in accordance with the BRE 'Building Research Establishment's Report 2011 - "Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice"; following publication of an updated BRE Good Practice Guide in June 2022, an addendum to the study was submitted for consideration with the application, confirming that the assessment within the initial study remains valid.
- 344 Policy EN2 of the ADMP seeks to ensure that an unacceptable loss of light does not occur to the occupiers of nearby properties. The policy does not make specific reference to BRE guidance although reference is made within the Sevenoaks Residential Extensions SPD. The BRE guidance is utilised as a standard for such assessment.
- 345 It is also important to reflect on paragraph 125 (c) of the NPPF, which states:
- 'local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)'. [emphasis added]

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- 346 The NPPF asks local planning authorities to consider whether the proposed development would have ... “an unreasonable impact on the daylight and sunlight levels enjoyed by neighbouring occupiers”. [emphasis added]
- 347 The development would make efficient use of brownfield urban land, allocated within the development plan, to deliver housing in the District. The question, therefore, is not whether there would be a loss of daylight or sunlight to adjoining properties; some loss must be expected given the current open nature of much of the site. Rather, it should be considered whether that loss is unreasonable, so leading to unacceptable living standards for residents.
- 348 In assessing impacts on light to adjoining properties, I note that the applicant’s consultant has looked at wider factors relevant to the site, in addition to applying the standard assessment and target values, as is permissible under the guidelines. These include the fact that the site is allocated for residential development and that it is in a ‘central urban location’, where the guidance and previous appeal decisions (including that for the Swanley Centre to the north) have accepted that reduced values are appropriate. Further, other daylight/sunlight limiting factors in the existing situation have been considered, including the orientation of windows and the presence of light-limiting balconies above windows. In the context of these factors, the consultant has recommended alternative target values against which the development should be assessed.
- 349 In this context, the Consultant’s conclude that; “... the proposed development performs well from a daylight and sunlight perspective. Whilst there is an impact to some neighbouring properties which is beyond the recommended level, this is not unusual in a central urban location and in this case, driven primarily by the lack of development on the existing site. GIA have considered an alternative assessment, as advocated for with the BRE guide, which demonstrates that the proposed development sits within the flexible intention of the BRE guide.”
- 350 I have reviewed the information provided and it is clear that light losses would be experienced to surrounding properties, including windows to dwellings within the Bevan Place blocks directly opposite the site, 14 High Street, 18-22 High Street, 23-25 High Street, 27-37 High Street, and 11-12 & 14-15 Montague Place. Compliance with the BRE Guidelines is summarised below:

Property	No.of windows	No.of rooms	Daylight - Compliant for Vertical Sky Component (VSC) test	Daylight - Compliant with No Skyline test	Sunlight - Compliant with Annual Probable Sunlight Hours test
2-36 (even)	48	36	35/48	31/36	40/42

Bevan Place			(76%)	(86%)	(95%)
14 High Street	13	8	0/13 (77%)	6/8 (75%)	9/9 (100%)
18-22 High Street	4	2	3/4 (75%)	0/2 (0%)	3/4 (75%)
23-25 High Street	1	1	0/1 (0%)	0/1 (0%)	1/1 (100%)
27-37 High Street	16	16	8/16 (50%)	4/16 (25%)	12/16 (75%)
11-15 Montague Place	16	16	2/16 (13%)	2/16 (13%)	N/A

- 351 The above figures relate to the application of the BRE guideline standards which, as noted above, are not entirely applicable to urban locations, where there is an imperative to deliver higher densities. In any event, in the majority of instances, the above ‘transgressions’ with BRE Guidelines are categorised within the assessment as minor or moderate, with some limited exceptions where the changes experienced would be more pronounced and often influenced by other factors (e.g. deep set balconies in 27-37 High Street), or would relate to less ‘sensitive’ rooms.
- 352 Furthermore, the retained daylight values are generally in line with the alternative target value for VSC (of 18%) as recommended by the consultant. Of the 41 windows which do not meet the BRE’s recommendations for VSC, 32 (78%) will retain in excess of the adjusted target figure of 18%. A small number of windows (9) would receive VSC levels below the 18% applied by GIA; eight of these have limited views of sky due to the host building’s own construction, one (within the Montague Place dwellings) would receive a 17.6% VSC level, marginally below the target. Further, all but five of the 36 non-compliant rooms for ‘no skyline’ will retain in excess of 40% daylight distribution, which the assessment considers good.
- 353 With respect to sunlight, the proposed development would generally achieve good compliance in relation to BRE Guidance and, where impacts

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occur, these are a result of the self-limiting design of the neighbouring properties.

- 354 Having regard to the flexibility that the NPPF paragraph 125 states must be taken in applying policies and guidance relating to daylight and sunlight impacts, it is considered that the applicant has taken a reasoned and robust approach to assessing these. On the basis of the evidence presented, I do not consider the expected losses to daylight to amount to unreasonable or unacceptable under the terms of the NPPF and development plan policies, and should not be a reason to inhibit making effective use of the site under paragraph 125.

Privacy / Overlooking

- 355 Third party representations have raised objections that the development would cause a loss of privacy to, and overlooking of, adjoining properties. Consideration has been given to the impact of the proposed development on surrounding neighbours.
- 356 The National Model Design Code notes that “Privacy distances are important but can have an impact on the density of development”; further it states that “There would not normally be a privacy distance at the front of the property.” Between the rear of properties, a guideline 15-20metre distance is recommended.
- 357 In this respect, the proposed blocks would front the surrounding roads, facing properties on the High Street, Bevan Place and Goldsel Road. It is not therefore appropriate to adhere to privacy distances. Rather, it should be recognised that the new building would establish a built frontage to the streets and form a typical ‘cross street’ inter-visibility relationship with its neighbours. The cross street relationship, which will vary in distance, would reflect the urban location where a tighter urban grain is appropriate.
- 358 Notwithstanding the above, it is worth noting that the building line would be set back from the edge of the pavement / site boundary and allow for distances of at least 18 metres across Bevan Place, 17 metres across the High Street, and 26 metres across Goldsel Road towards the properties on Montague Place (20m+ from the rear gardens).
- 359 While accepting that there would be a noticeable change from the existing situation that is likely to result in a greater sense of being overlooked from neighbouring properties, the above distances would ensure appropriate distances are maintained to mitigate against this harm for the majority of properties.
- 360 However, the most marked change in my view is likely to be from the four two-storey dwellings on Montague Place (nos.11, 12, 14 and 15). Here, there would be a notable sense overlooking from the 5-6 storeys of accommodation facing the properties, which I consider would cause a degree of harm to the amenities of the occupiers. The minimum 20 metre separation distance, however, would be met or exceed the recommended

standard in the National Model Design Code and, as such, the impact would not justify refusal.

Outlook

- 361 Planning decisions cannot take into account specific views - the loss of a particular view would not give rise to an amenity issue in itself. Policy EN2 does, however, seek to ensure that the development does not result in excessive visual intrusion to neighbouring properties. This issue should be considered in the context of the site's allocation and the need to make most efficient land, and its position at the transition between the residential area to the south east and the town centre.
- 362 In this respect, there will plainly be a significant change in outlook to adjoining occupiers with the change in scale of built development on the site. Neighbouring residents would have a new view of a building on a significantly greater scale to that which exists on the site at the present, and one which is taller than surrounding buildings. I am mindful, however, that the allocation of the site comes with an expectation that flatted development of an appropriate density should be delivered on the site. I also consider that there would be sufficient space around the site to allow appropriate separation between neighbouring properties and the new building, and this would mitigate this impact, as would the softening of the new buildings with peripheral landscaping. The view would also be of a building of good design quality, with its bulk and height broken up by the stepped heights, setbacks and detailing in the elevation.
- 363 In conclusion, the development would clearly be visible from a number of residential properties on neighbouring roads; however, the extent of visual intrusion and impact upon their outlook, is not so substantial to justify a refusal, though it is accepted some limited harm to the properties to the south east of the site (i.e. on Goldsel Road) would result.

Proposed amenity for future residents

- 364 The noise and air quality environment for the new development has been assessed above and it is considered that appropriate levels of amenity can be achieved within the new properties, subject to appropriate mitigation measures. Details have also been provided to show how appropriate thermal comfort levels would be provided through a combination of natural and mechanical ventilation to the development.
- 365 With regards to access to light, all 93 of the homes would be dual aspect, so maximising the opportunities for natural light to the properties. The applicant has submitted information outlining the approach to assessing daylight to the proposed units, which indicates that the proposed development would benefit from good daylight availability. The submitted Daylight and Sunlight Study indicates that the courtyard will also receive good levels of sunlight, in excess of BRE's recommendation, and so will provide good amenity to future residents.

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- 366 As referenced above, all dwellings would meet or exceed the nationally described space standards and good standards of accessibility.
- 367 The new residents would have access to good levels of private and communal amenity space. Each dwelling would have its own balcony space for their own private use. The central courtyard space would also provide landscaped amenity space for play and recreation, and sheltered from the surrounding roads. Block 1 also contains the roof terrace, which provides communal amenity space containing landscaping, seating areas and recreational facilities (e.g. table tennis tables).
- 368 Overall, I consider a good standard of living environment would be achieved for the new residents.

Access, Parking and Servicing

- 369 Paragraph 111 of the National Planning Policy Framework states that; ... 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.
- 370 ADMP Policy T1 states that new development will be required to mitigate any adverse impacts that could result from the proposal. Policy EN1 states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking. Policy T2 of the ADMP states that vehicle parking provision should be made in accordance with KCC vehicle parking standards. However, the policy does allow the Council to depart from established minima or maxima standards in taking account of specific local circumstances. ADMP Policy T3 seeks the delivery of electric vehicle charging points.

Access

- 371 Significant works are proposed to the road layout around the site as part of the development to serve both the development and to improve access in this part of the town. It is understood that these have been subject to lengthy discussion with KCC as Highway Authority in advance of the application being submitted, as reflected in the officer's response.
- 372 At present, there are two vehicular entrances to the site, namely:
- Access to the existing car park via Bevan Place, a cul-de-sac accessed from the High Street. This also serves the existing residential properties on Bevan Place. Current movements on Bevan Place are constrained, with on-street parking either side and vehicles unable to pass in two-way movements.
 - A secondary access directly on to the High Street, situated between the Bevan Place access and the High Street/Goldsel Road roundabout junction. This junction is notable for its heavy use, which is the source of congestion on the High Street.

- 373 The applicant’s Transport Assessment includes an analysis of trip generation from the site from the existing (car park, residential) and proposed uses, the results of which have been reviewed and endorsed by KCC Highways. The Transport Assessment states that the proposed development of 93 residential units would generate modest levels of daily traffic movements due to the size of units and the town centre location. The proposed units are, therefore, expected to generate a total of between 19 and 24 vehicle movements during the peak hours. The detailed analysis, using the ‘TRICS’ database to establish predicted trip rates, shows that the proposed uses would generate a similar level of traffic movements to the existing uses, with a decrease of 11 vehicle movements in the morning peak, and an increase of 14 vehicle movements during the afternoon peak. Overall, it shows that the development would result in a decrease in vehicle movements daily (not taking into account former movements generated by previous uses on the site). Highways impacts should therefore be considered in this context; given this assessment, the impacts on the road network are unlikely to be considered severe.
- 374 A number of highway enhancements are proposed as part of the development.
- 375 The proposals would see the closure of the entrance to the site to the High Street, which is regarded as a benefit to highway safety and congestion on the High Street.
- 376 As part of the development, significant changes to Bevan Place would be implemented to facilitate access to the site and Bevan Place, and enhanced movement around the site. This would include widening of the carriageway, the rearrangement of car parking spaces, footway widening and resurfacing and the inclusion of traffic tables to limit traffic speeds and improve pedestrian safety. Significantly, Bevan Place would be made into a one-way road, with access only from the High Street and a new left-turn only egress to Goldsel Road.
- 377 As indicated in the response from the KCC Highways Officer, the new through route would reduce the level of traffic movements on the High Street and so contribute to reducing congestion. This is a recognised pinch point and weakness of Swanley Town Centre, as recognised within the 2022 Town Centre Strategy, which seeks to improve arrival points into the town centre.
- 378 Whereas movement along Bevan Place is currently constrained, the proposed changes would enable convenient vehicle access to the site for existing and future occupants and servicing vehicles, and ensure appropriate access for fire and emergency vehicles. The works would not only serve the development, but are also considered a positive contribution to traffic conditions and reducing congestion in the High Street and on the High Street/Goldsel Road roundabout.

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- 379 In addition to the works to Bevan Place, further enhancement works are proposed around the site on its High Street and Goldsel Road frontages, to include footway widening to facilitate a shared cycle/pedestrian path and the enhancement to pedestrian crossing facilities at site entrances and the High Street/Goldsel Road junction. Again, this would contribute to achieving the stated objectives for Swanley within the Town Centre Strategy, with improved pedestrian and cycle facilities and environment around the site.
- 380 The above outlined works are considered integral to the development and it is noted that these would need to be subject to a further s278 highway agreement with the Highway Authority and the implementation of Traffic Regulation Orders. Planning permission would be conditional on this agreement and orders being in place, with works required before occupation.

Servicing, Deliveries and Emergency Access

- 381 A shared loading bay would be introduced on High Street, adjacent to the E Class Unit, and new delivery bays to serve residential properties provided on Bevan Place and within the southern car park.
- 382 The plans show that sufficient space has been provided for refuse and emergency vehicles to enter and turn within the site, subject to ensuring appropriate controls are put in place to prevent parking within the turning bay; this can be achieved through appropriate conditions.
- 383 The proposed ground floor layout includes a refuse store for each residential block, with an allocation of waste and recycling bins, in excess of Building Regulation requirements. I note from discussions with SDC Direct Services that SDC's waste storage requirements exceed those of Building Regulations, and that these reflect the greater waste generation created by the increase in home working. SDC has confirmed, however, that the numbers of bins provided, although marginally short of SDC's request, are acceptable. Separate allocation and collection arrangements have been made for the commercial waste generated by the Class E unit.
- 384 The bin stores at the north end of Block 1 and within Block 2 are within an appropriate distance to the kerbside for collection. The southern bin store, from which collection would be arranged from the car park turning bay, is slightly in excess of the guidelines provided by SDC leading to longer 'drag distances'; however, the difference is limited (approx. 3 metres) and would meet Building Regulations / Kent Design Guidance standards and advice. SDC Direct Services has confirmed in discussion that this is manageable.
- 385 With appropriate management arrangements put in place for the transferral of waste to collection points, therefore, the refuse arrangements are considered acceptable. Final details of the delivery and servicing arrangements would be secured through a Delivery & Servicing Plan required by planning condition.

Parking

386 Loss of existing spaces:

The existing site contains 80 public parking spaces, which would be lost as part of the development. Adjoining the site on Bevan Place, a total of 26 on-street car parking spaces are present. These are part of a Controlled Parking Zone, for use by permit holders (with only Bevan Place residents able to purchase permits) and short stay public parking during day time hours. Restrictions are lifted overnight and at weekends/ on bank holidays. The applicant confirms that there are currently only 9 permit holders from the Bevan Place blocks, with four of these from the housing blocks to be demolished. The changes to the layout of Bevan Place would lead to the loss of four on-street spaces.

387 It should be noted that the loss of the Bevan Place Car Park is established within the development plan allocation and policy for the site. Nonetheless, further detailed assessments of the use of the Bevan Place and other town centre car parks have been carried out to inform the application submission and contained within the Transport Assessment.

388 Survey data indicates that, during even the busiest weekday periods, the Bevan Place car park is significantly underutilised, with maximum usage at 28% - 22 of the 80 spaces. Surveys of the use of the Park Road car park approximately 60m east of the application site and the Station Road car park approximately 100m to the northwest of the application site confirm that local car parks surrounding the site benefit from significant levels of spare capacity at all times, with the total use of these car parks at around 40% occupancy. Remaining spaces would allow more than enough capacity to accommodate the displaced Bevan Place car parking. This includes 23 spare spaces remaining available as a worst case, with around 42 spaces available at 6pm when residents and visitors of the development are likely to be most active. Taking into account available on street spaces, overnight capacity of around 88 spaces is shown.

389 Beyond this, the assessment indicates that further capacity exists within the wider town centre car parks.

390 The underutilisation of the Bevan Place car park, and spare capacity elsewhere, further establishes the acceptability of its loss as a car park, and the imperative of making more effective use of a town centre site to deliver development needs.

Proposed parking:

391 A total of 47 parking spaces would be provided on-site; 22 spaces within the northern car park and 25 spaces within the southern car park. This would also include 3 no. wheelchair accessible parking bays, one within the southern car park and two within the northern car park. No parking is designated for the Class E unit.

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- 392 The applicant advises in their submission that the on-site parking would serve 78 units, with the intention being that the remaining 15 units (including the 11 affordable rent units operated by WKHA) would be eligible for parking permits on Bevan Place, replicating the arrangements for the existing flats. On this basis, on-site parking would be provided at a ratio of 0.6 spaces per dwelling.
- 393 Following works on Bevan Place, twenty parking spaces would be available for permit holders and public short stay users, with an additional wheelchair space (also available to permit holders) and car club space. Residents with access to on-site parking, through the implementation of a car park management plan, would not have access to permits for on-street spaces on Bevan Place.
- 394 The adopted parking standards of Policy T2 require a maximum provision of 1 space per unit in town centre locations; the standard notes that reduced or nil provision is encouraged to support demand management and the most efficient use of land.
- 395 The parking provision is therefore in line with adopted policy and standards.
- 396 Parking is recognised as area of concern within Swanley, as reflected in public comments and those of the Town Council. The applicant has provided evidence from Census data for Swanley Town Centre, demonstrating that car ownership levels are around 0.46 cars per unit for the primary size of dwellings proposed, with a car ownership of 0.57 expected for larger (3-bed) flats. The provision of spaces at a ratio of 0.6 spaces per dwelling is therefore likely to accommodate the car ownership needs of residents of the development.
- 397 The adopted parking standards confirm that visitor parking does not need to be provided for town centre development and can be accommodated on-street or within local car parks. As set out above, there is sufficient capacity within other town centre car parks in the vicinity to accommodate visitors to the development.
- 398 I note that the proposed levels of on-site car parking are also consistent with, or exceed, other approved residential developments in Swanley town centre, including recent applications along High Street (e.g. 27-37 High Street, where 5 spaces are provided for 27 flats) and the 'Swanley Square' development, which proposed 0.59 spaces per unit.
- 399 To support the effective use of the car parking areas, a Framework Car Park Management Plan has been submitted, with the aim of reducing any residual impacts of parking on the surrounding highway network and ensuring sufficient allocation and enforcement is in place to preserve the designated residential parking for its intended use. This CPMP will require the implementation of a paid permit allocation system that would both encourage prospective residents to consider the need for car ownership and manage the use of the car park, but would also ensure that dwellings are not unnecessarily allocated a car parking space. All residents that are blue badge holders would be provided with free permits. The CPM would also

- include a restriction on prospective residents of the private residential units from obtaining a car parking permit to park on Bevan Place. The management, allocation and security of the car parking areas, and the monitoring of their usage, would be overseen by an on-site management company. A detailed CPMP would be secured by condition, which would require its operation prior to occupation of the units.
- 400 This measure would be implemented alongside a Travel Plan, a framework of which is provided, that would encourage more sustainable travel options and the reduced reliance on car travel or private car ownership.
- 401 One such measure will be the introduction of two car club spaces in the vicinity of the site - this would be a new measure within Swanley and has the potential to further reduce private car ownership [NB. The applicant cites data from the CoMoUK, Car Club Annual Report for Great Britain 2020, which found that 9 private cars are replaced by each car club car and that there is a greater propensity for these vehicles to be more sustainable electric vehicles; further, the Car Club's survey of nearly 5,000 users found that 22% were prevented from buying a car through access to car club vehicles. The Travel Plan, and car club provision, would be secured through conditions.
- 402 Policy T3 of the ADMP states that electrical vehicle charging points should be provided within new residential developments to promote sustainability and mitigate climate change. The Transport Assessment confirms that these would be provided as 10% 'active' vehicle charging points, with a further 10% to be provided with 'passive' infrastructure to provide further charging points as future demand dictates. This provision would be further secured by condition.
- 403 Current standards require a minimum of 1 cycle space per unit for flats.
- 404 The proposed site layout would include a cycle store for each residential block, Block 1 would be provided with 66 cycle spaces, Block 2 with 28 spaces, thereby meeting the required ratio. The Framework Travel Plan also states that the proposed cycle stores would include charging infrastructure for electric bicycles.
- 405 The Class E unit would be provided with 1 long stay and 1 short stay cycle parking space.
- 406 The proposed development would therefore secure sufficient cycle provision and a condition would be attached to any consent to ensure the cycle parking provision.
- 407 Based on the above, I conclude that the proposed development makes sufficient provision for parking, in line with adopted standards and evidence of usage and capacity within the Town Centre. It reflects the need to encourage greater use of more sustainable modes of travel and reduce reliance on private car usage. This would be supported by measures to manage car parking demand. Parking provision therefore complies with ADPM Policy T2 and the NPPF.

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- 408 KCC Highways Officer has confirmed acceptance of parking provision.
- 409 Overall, the highway, access and parking proposals put forward as part of the development are considered acceptable. Further, the public realm/highway improvements would make meaningful enhancement to movement within and the environment of the town centre.

Drainage, Flooding and Water Infrastructure

- 410 The application site is not located in an area with a high probability of flood risk, being located within Flood Zone 1; this conforms to the objectives of the NPPF.
- 411 A Drainage Strategy is submitted with the application, which is further illustrated within the landscaping scheme. The surface water drainage design proposed for the new dwellings is to follow the drainage hierarchy to ensure the site reflects the natural flows from the site as closely as possible:
1. Rainwater reuse
 2. Infiltration (permeable paving only)
 3. Discharge to Surface Water or a Watercourse
 4. Discharge to a Surface Water sewer or a Highway Drain
 5. Discharge to a Foul Sewer (buildings only).
- 412 The drainage strategy would achieve a significant betterment in surface water run-off over the existing situation, thereby limiting flows into the mains sewer. Permeable hard surfacing will be incorporated within car parking areas, in addition to areas of soft and other permeable landscaping. A below ground attenuation tank design is incorporated intended to accommodate a 1 in 100 year plus 40% storm event. The size of the attenuation tank has been adjusted through the course of the application to facilitate increased volumes of water.
- 413 KCC Lead Local Flood Authority has reviewed the Drainage Strategy and, subject to further conditions requiring the submission of further details of the drainage system, has agreed to the principle of the development.
- 414 In response to Thames Water's comments, further conditions are proposed that would ensure the ongoing protection of mains water infrastructure.

Fire Strategy

- 415 Although the surface of the top floor in either block would not exceed 18 metres (so requiring a formal Fire Statement), a Fire Strategy has been submitted with the application detailing the measures proposed to ensure appropriate fire protection and escape arrangements. The Health and Safety Executive were consulted but did not respond.

- 416 The report confirms that the fire safety measures proposed demonstrate a level of fire safety equal to or greater than the general standard implied by compliance with the recommendations in BS9991 (Fire safety in the design, management and use of residential buildings - Code of Practice), in addition to the May 2020 Amendments to Approved Document B, Volume 1. It states that the level of safety satisfies the functional requirements of the Building Regulations relating to fire safety.
- 417 In this regard, I am satisfied that the development has appropriately taken into consideration fire safety within its design, which would further be secured through Building Regulation approval.

Tilted Balance

- 418 As noted above, Paragraph 11 of the National Planning Policy Framework applies a presumption in favour of sustainable development in planning, which means approving development proposal that accord with an up-to-date development plan without delay. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted except where:
- The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 419 It has been noted that the development plan is out of date given its age and due to the lack of housing land supply and shortfalls in housing delivery.
- 420 Notwithstanding this, it must be noted that the application site is allocated for housing development; significant weight must be attached to delivery of housing on such sites given the substantial unmet need for housing.
- 421 The need to make optimum use of sustainable brownfield sites within urban areas, where there is convenient access to services, facilities and transport links, must also be given significant weight, in accordance with policies in the NPPF for the efficient use of land. This is particularly pertinent within Sevenoaks District where much of the District is subject to the stringent development constraints applied within Green Belt and Areas of Outstanding Natural Beauty.
- 422 Additionally, the above report highlights a number of other benefits of the scheme to the town centre. This would include:
- the delivery of a new town centre use and active frontage, supporting activity and vitality in this part of the High Street;
 - public realm improvements, including the introduction of more generous landscaping and tree-lined streets and the creation of a high-quality

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public amenity space within the town centre, open to use by the community;

- the delivery of improvements to transport infrastructure, to contribute to reducing congestion, lower reliance on private vehicles and the promotion of sustainable transport use;
- the delivery of a high quality design that will rejuvenate a key arrival point to the town centre, in a prominent position.

423 There would also be net benefits in terms of landscape and biodiversity, and the creation of a highly energy efficient and sustainable development.

424 Adverse impacts arising from the development have been identified, namely the worsening of air quality on the High Street (albeit these are maintained within target limits and, potentially, only for a temporary period), amenity impacts in the form of daylight impacts to properties in the immediate vicinity and perceived overlooking (but within appropriate separation distances maintained), and the visual impact from isolated views to the south east. There would also be a loss of some valued trees, albeit there would be a substantial net gain in tree planting and landscaping.

425 These combined weight of these impacts would not, however, significantly and demonstrably outweigh the substantial public benefits of the proposal. Further, there are no protective policies that would provide a clear reason for refusing the application.

426 On this basis, Paragraph 11 of the NPPF would require that planning permission is granted.

Other issues

Contamination

427 The applicant has completed Phase 1 and Phase 2 contaminated land surveys that have identified a limited number of soil samples with exceedances in certain pollutant levels. The Phase II study recommends that further sampling and trial pit investigations be carried out following site clearance, and a remediation strategy implemented as appropriate. The Environmental Health Officer has recommended that a remediation strategy be required by condition prior to implementation and that, subsequently, a verification report be submitted prior to occupation. On the advice of the officer, I am satisfied that the site can be made fit for human occupation and that risks to other sensitive receptors can be managed through these measures.

Management of construction works

428 To ensure that the amenity of existing residents is sufficiently protected, as well as the safety of the highway network, it would be appropriate to impose a construction management plan condition, to ensure neighbouring occupiers amenity is not compromised during the construction phase of the development.

Insufficient Infrastructure

- 429 Many representations have mentioned that the development would apply additional strain upon the existing local infrastructure. However, to meet any shortfall in the provision of infrastructure and services, funding can be sought after by the pooled receipts from the Community Infrastructure Levy.

Archaeology

- 430 The site is not within an area identified as having archaeological potential. KCC Archaeology were consulted and had no comment on the application.

Lighting

- 431 A lighting strategy has been developed within the landscape proposals and set out within the Design and Access Statement. To ensure the maintenance of appropriate visual amenity, to safeguard residential amenity and to provide necessary on-site security, detail of lighting would be secured through condition.

Community Infrastructure Levy (CIL) / Section 106 Contributions

- 432 This proposal is CIL liable. CIL contributions are intended to fund infrastructure to help support development. This development is expected to generate in excess of £650k in CIL receipts, prior to the 25% reduction to the Town.
- 433 KCC Economic Development have raised requests for funding for County services via s106 funding arrangements. They have specifically requested the following monies:
- Primary Education expansion - £41,778
 - Community Learning - £1,330.02
 - Youth Service - £5,303.50
 - Library Bookstock - £4,491.45
 - Social Care - £11,897.28
 - Waste - £4,412.07
- 434 The total contributions requested would amount to approximately £69.2k. The KCC requests all relate to offsite contributions, where it would be unreasonable for the applicant to provide direct contributions via a Section 106 Agreement, whilst at the same time also have to pay CIL. It should also be noted that the CIL charge rate was formulated, the rate was set to cover infrastructure provision as such education and community contributions.
- 435 The level of CIL receipt is more than sufficient to cover the infrastructure request from KCC. As infrastructure providers, KCC is able to bid for funds in line with the Council's existing CIL spending procedures. As Sevenoaks District Council is a CIL charging authority, it would not be reasonable to secure other financial contributions for infrastructure in this instance.

Agenda Item 4.1

- 436 With regards potential Section 106 requirements, it is not possible to secure contributions through this mechanism given that SDC is both landowner and planning authority in this instance. The NPPG is clear, however, that it may be possible to overcome a planning objection to a development proposal equally well by imposing a condition on the planning permission or by entering into a planning obligation under Section 106 of the Town and Country Planning Act 1990. In such cases, it advises, the local planning authority should use a condition rather than seeking to deal with the matter by means of a planning obligation.
- 437 In this case, provision of affordable housing units and changes to the highway network can be secured through condition; such conditions will meet the six tests and other guidance set out within the NPPG and it is considered that these would satisfactorily secure the necessary infrastructure.

Conclusion

- 438 The application site is allocated for housing within the adopted development plan, which must be the starting point for considering the proposals in line with statutory requirements of the planning process. Further, the development would make a significant contribution to delivering new housing in the District, in the context of a severe unmet need, in a sustainable town centre location, where policies and guidance highlight the importance of making efficient use of land and where there is recognition that the site has the potential to deliver high-density housing. The Town Centre Strategy recognises the site's potential as a development site and the opportunity it provides to deliver positive change to the town.
- 439 There is, therefore, considerable support within adopted policy and guidance for the application scheme, to which significant weight must be attached.
- 440 The development would contribute to the principles of achieving high-quality design and sustainability, with significant efforts made to reduce carbon emissions from the building through design and low and zero carbon technology. It will deliver public realm, landscaping, and transport enhancements to the town centre and a new public open space.
- 441 Some isolated harms have been identified, relating to air quality, amenity and visual impact. The totality of these harms is, however, regarded as less than significant and not demonstrable. In applying the presumption in favour of sustainable development set out in paragraph 11 of the NPPF, these harms would not outweigh the substantial public benefits of the scheme.
- 442 It is therefore recommended that this application is approved.

Background papers

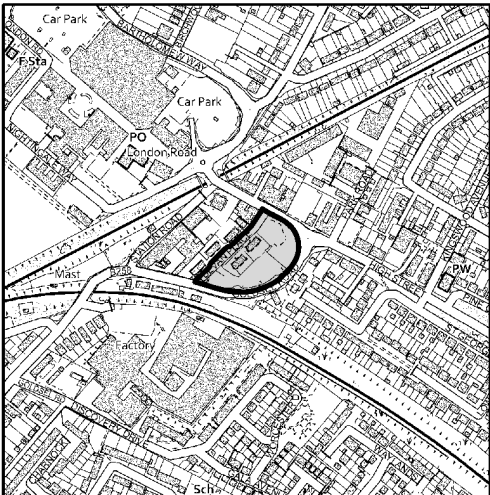
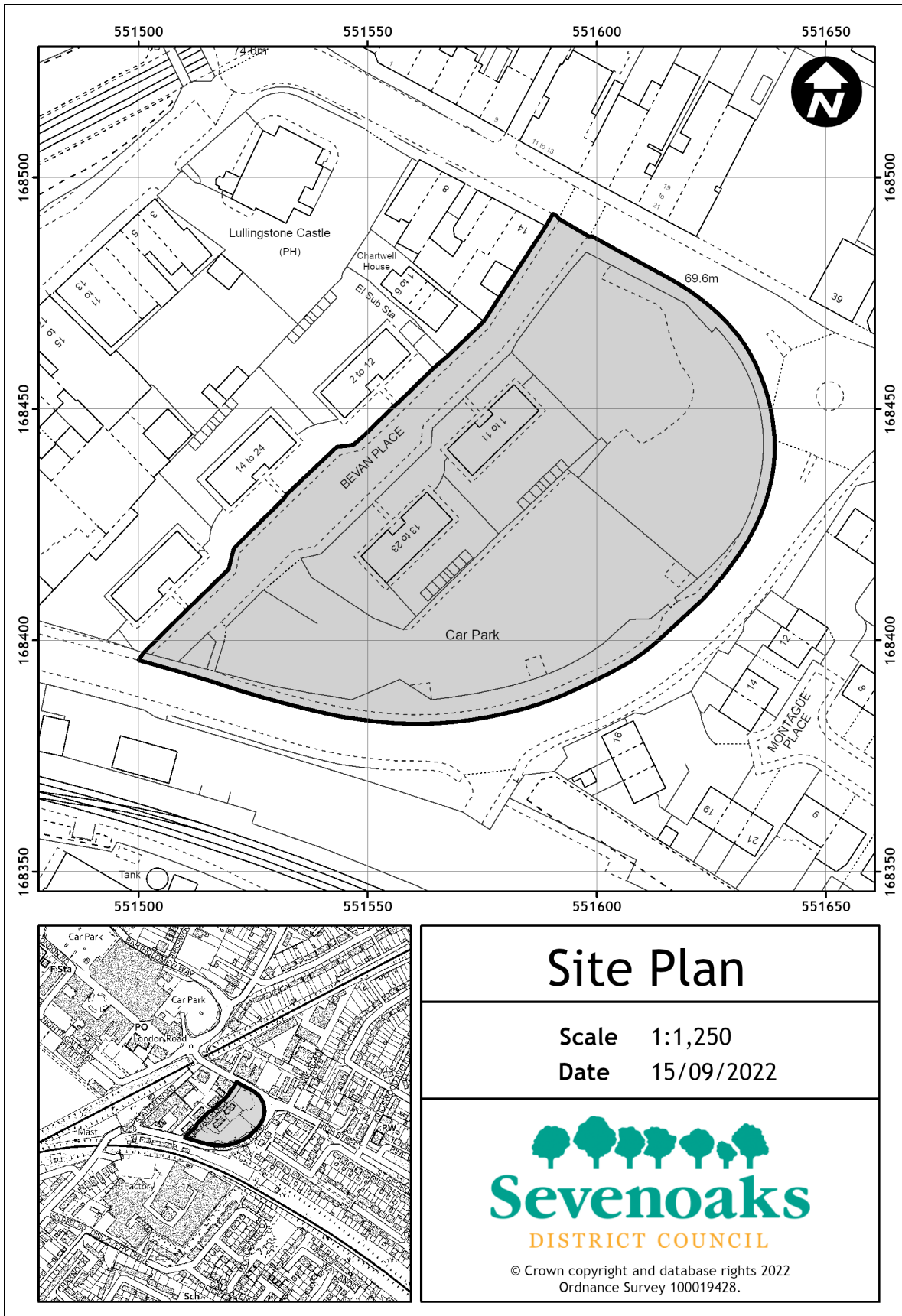
Site and block plan

Contact Officer(s): Nicola Furlonger: 01732 227000

Richard Morris
Chief Planning Officer

[Link to application details:](#)

[Link to associated documents:](#)



Site Plan

Scale 1:1,250
Date 15/09/2022



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Ordnance Survey 100019428.

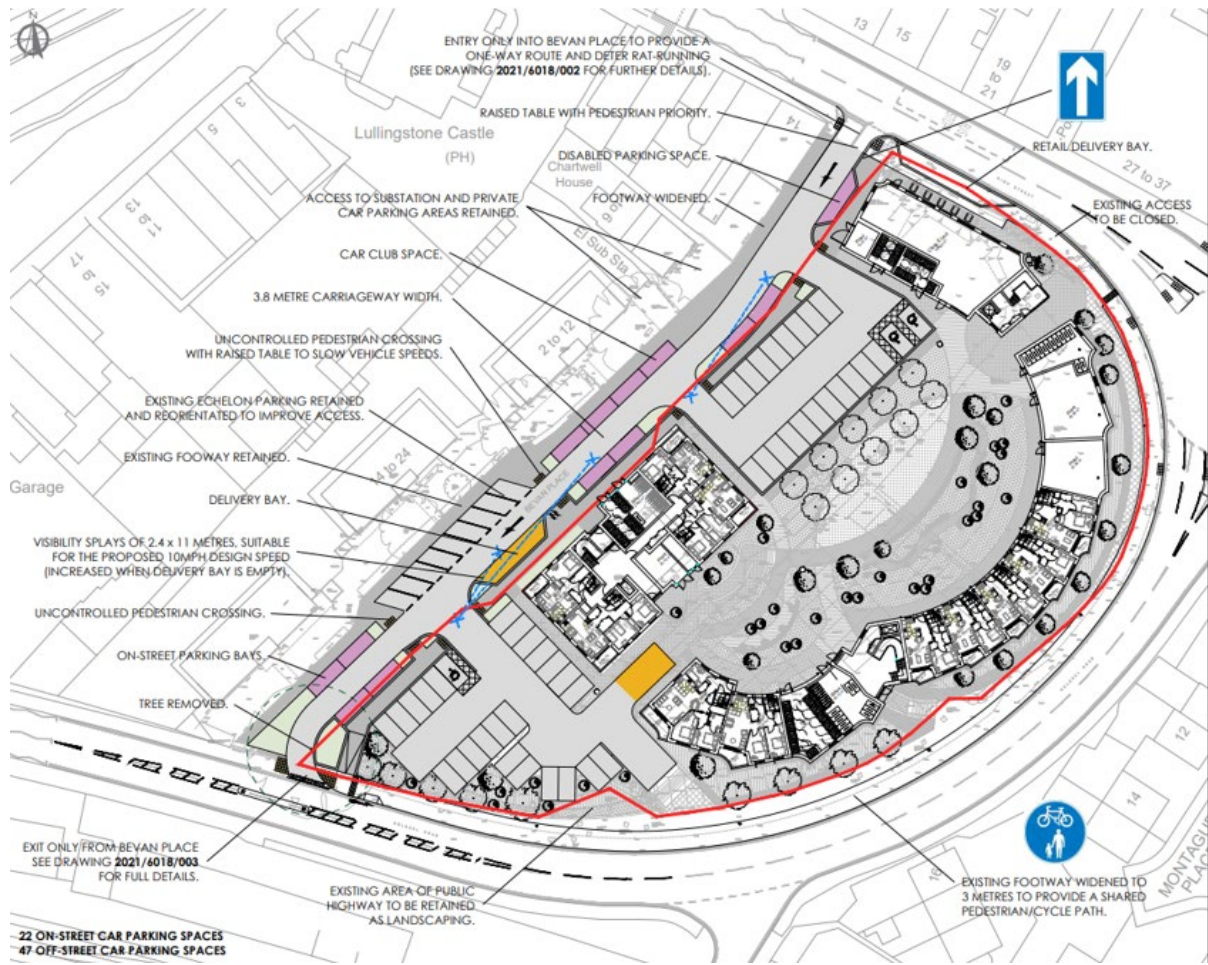
PROPOSED BLOCK PLAN



LANDSCAPE GENERAL ARRANGEMENT PLAN



HIGHWAYS LAYOUT PLAN



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Planning Application Information on Public Access - for applications coming to

DC Committee on Thursday 29 September 2022

4.1 22/01526/FUL - Land South East of Bevan Place, Swanley Kent BR8 8BH

[Link to application details:](#)

[Link to associated documents:](#)

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