

4.1 – SE/12/00881/FUL Date expired 17 July 2012

PROPOSAL: Redevelopment of the mixed-use site to provide 29 dwellings; 22 new houses and flats in three separate blocks and 7 houses and flats by way of converting and/or partial rebuilding the existing Mill House, Mill Cottage and Mill Building with 45 associated car parking spaces and new centrally located access road.

LOCATION: Mill House, Mill Lane, Sevenoaks TN14 5BX

WARD(S): Sevenoaks Northern

ITEM FOR DECISION

This application has been referred to Development Control Committee by Councillor Dickins to consider the bulk, scale and density of the proposal and whether parking provision is adequate.

RECOMMENDATION: That delegated powers be given to officers to GRANT planning permission, subject to the following:

- That officers further consider the merit of financial input into the scheme to increase the level of affordable housing on site, notwithstanding that the development can only viably provide 6 units as affordable housing. If it is deemed “good value” to make a contribution to increase affordable housing within the development, then this shall be secured, otherwise the development shall be approved on the basis that 6 units would be secured for affordable housing.
- That a S106 agreement is completed within two months from the date of this committee, which secures the affordable housing and financial contributions set out in the main report.

and subject to the following conditions:-

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

In pursuance of section 91 of the Town and Country Planning Act 1990.

2) No development shall be carried out on the land until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

To ensure that the appearance of the development is in harmony with the existing character of the site and surrounding area as supported by Policy EN1 of the Sevenoaks District Local Plan.

3) No development shall commence until large scale (1:20) construction drawings for the mill building (Block D) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the

approved drawings.

To ensure, so far as is possible, that the detail of the building as rebuilt matches the existing mill building, to safeguard the distinctive character of this landmark building, in accordance with Policy SP1 of the Sevenoaks District Local Plan.

4) The existing ground floor stone and brick walls to the mill building (Block D) shall not be demolished and shall be retained as existing as shown on the approved drawings, unless agreed otherwise by the Local Planning Authority.

To preserve the oldest part of the building with historic value dating back to the 18th Century, to safeguard the historic character of the building and site in general, in accordance with Policy SP1 of the Sevenoaks Core strategy.

5) The developer shall give the Local Planning Authority at least 7 days notice prior to demolition of the buildings and structures connected to the mill, and shall afford access to the local planning authority to inspect any features connected to the historic use of the mill that are uncovered during such works. Any features considered by the Local Planning Authority to warrant preservation shall be retained on site as part of the development in accordance with a scheme of restoration that shall be submitted to and approved in writing by the Local Planning Authority prior to the rebuilding of the upper floors of the mill or any alternative timetable as agreed in writing.

To preserve any historic features on site that may be uncovered as part of the proposed development and which add to the local value of the mill building and site, in accordance with Policy SP1 of the Sevenoaks District Local Plan.

6) The development shall achieve Level 3 of the Code for Sustainable Homes. No dwelling or flat shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 has been achieved

In the interests of environmental sustainability and reducing the risk of climate change as supported by Policy SP1 of the Sevenoaks District Local Plan.

7) No development shall commence until details of hard and soft landscaping proposals have been submitted to and approved in writing by the local planning authority, and shall include the following - details of the surface finishes of access roads, parking areas, pavements, and any paths or patios around the proposed buildings- details of any walls, fences and retaining structures within the site- planting plans (identifying existing planting, plants to be retained and new planting);- a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities); and- a programme of implementation. The hard and soft landscaping shall be carried out in accordance with the approved details. If within a period of 5 years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To safeguard the visual appearance of the area as supported by Policy EN1 of the Sevenoaks District Local Plan and SP1 of the Sevenoaks Core Strategy.

8) No development shall commence until protective fencing is installed on site in accordance with Section 10.2 of the Sylvan Arb Arboricultural Report dated 29th March 2012. The development shall be carried out in full accordance with the Tree Protection Measures specified under Section 10 of the above report, and as amended by the email

and tree protection plan submitted on 24/07/12 unless agreed otherwise in writing by the Local Planning Authority.

To safeguard the visual appearance of the area as supported by Policy EN1 of the Sevenoaks District Local Plan and SP1 of the Sevenoaks Core Strategy.

9) Notwithstanding the information contained within Section 11 of the Sylvan Arb Arboricultural Report dated 29th March 2012, no tree works shall take place to T8 until a site meeting has been arranged with the Local Planning Authority to discuss and agree specific pruning works to raise the canopy of T8. No development shall take place until such works have been agreed and a height clearance barrier no greater than 4.5 metres in height (or as otherwise agreed) has been installed on site, in a position to be agreed in writing with the Local Planning Authority.

To protect this visually important tree, and to safeguard the visual appearance of the area as supported by Policy EN1 of the Sevenoaks District Local Plan and SP1 of the Sevenoaks Core Strategy.

10) No dwelling or flat shall be occupied until the car parking spaces as shown on the approved plans have been completed and made available for parking. Notwithstanding the designation of the spaces as shown on the layout drawing, the space shown allocated to unit 30 shall instead be allocated as a second parking space to unit 5. Prior to first occupation of the development, the visitor parking spaces shall be clearly marked for such use and maintained as visitor parking spaces thereafter.

To ensure a permanent retention of vehicle parking for the development as supported by Policy EN1 of the Sevenoaks District Local Plan.

11) Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved in writing by the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

To ensure that sufficient capacity or mitigation is made available to accommodate the increase in discharge arising from the new development, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

12) No unit shall be occupied until the cycle and bin storage facilities as shown on the approved drawings have been completed and made available for such use. These facilities shall be maintained for such use thereafter.

To ensure the provision of appropriate facilities to serve the development in accordance with Policy EN1 of the Sevenoaks District Local Plan and SP1 of the Sevenoaks Core Strategy.

13) The development shall not be occupied until the access works have been completed in accordance with the approved plans.

In the interest of highway safety as supported by Policy EN1 of the Sevenoaks District Local Plan.

14) No development shall commence until a sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The drainage scheme should demonstrate that the surface water generated up

to and including the 100 year critical storm will not exceed the run off from the existing site following the corresponding critical rainfall event, so as not to increase the risk of flooding both on or off site. The strategy shall also include details and responsibility for maintenance of the surface water drainage infrastructure.

To reduce the risk of flooding both on site and in the surrounding area, in accordance with Policy EN1 of the Sevenoaks District Local Plan and the National Planning Policy Framework.

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

To protect groundwater within the underlying Principle Aquifers within Source Protection Zone 1 of a public water supply, in accordance with Policy EN1 of the Sevenoaks District Local Plan and the National Planning Policy Framework.

16) No development shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority.

1) A preliminary risk assessment which has identified:- All previous uses;- Potential contaminants associated with those uses; and- A conceptual model of the site indicating sources, pathways and receptors of potentially unacceptable risks arising from contamination of the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

To ensure development is carried out in line with sustainable development principles of the NPPF, to address any contamination risks to public health and ground-waters.

17) Prior to first occupation of units 6 and 9, the first floor windows in the side elevations of these units shall be obscure glazed and fixed shut, and maintained as such thereafter.

To protect the privacy of the occupants of neighbouring dwellings, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

18) Prior to the commencement of development of unit 9, a scheme to prevent overlooking from the ground floor side facing window of this unit into the garden of 25 Weavers lane shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme

prior to first occupation of this property and maintained as such thereafter.

To protect the privacy of the occupants of the neighbouring dwelling, in accordance with Policy EN1 of the Sevenoaks District Local Plan.

19) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no satellite dishes shall be installed on the mill building (Block D) unless approved under a separate planning application by the Local Planning Authority.

To preserve the appearance of the building, in accordance with Policies EN1 of the Sevenoaks District Local Plan and SP1 of the Sevenoaks Core Strategy.

20) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no rear extensions or outbuildings shall be erected to units 1 or 2 unless approved under a separate planning application by the Local Planning Authority.

To safeguard the Lime Tree in the rear garden of Unit 1 which is protected by a Tree Preservation Order, in order to safeguard the visual amenities of the area in accordance with Policies EN1 of the Sevenoaks District Local Plan and SP1 of the Sevenoaks Core Strategy.

21) The development shall be carried out in accordance with the Mitigation and Enhancement Plan submitted by Arbtech and dated 5th July 2012. Prior to first occupation of any unit hereby permitted, full details of ecological enhancement measures to be undertaken on site based on the above plan shall be submitted to and approved in writing by the Local Planning Authority, and provided on site.

In the interests of biodiversity, in accordance with Policy SP11 of the Sevenoaks Core Strategy.

22) No development shall commence until a detailed bat mitigation strategy, incorporating the enhancement measures in table 5 of the Bat Emergence Survey by Arbtech Consulting Ltd, has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

In the interests of biodiversity, in accordance with Policy SP11 of the Sevenoaks Core Strategy.

In determining this application, the Local Planning Authority has had regard to the following Development Plan Policies:

The South East Plan 2009 - Policies SP3, CC1, H1, H3, H4, H5, T4, NRM9, BE4, LF1, LF3, LF4, LF5,

Sevenoaks District Local Plan - Policies LO1, LO2, SP1, SP2, SP3, SP5, SP7, SP9, SP11

Sevenoaks District Core Strategy 2011 - Policies EN1, VP1

The following is a summary of the main reasons for the decision:

The development would not cause undue harm to the living conditions of surrounding residential properties

The development would respect the local character of the area

The development would include the provision of affordable housing and would make a contribution towards local public services.

Any other impacts arising from the development can be suitably controlled by planning conditions.

The traffic generated by the development can be accommodated on the local highway network without harm to highways safety, and the parking to be provided within the development is considered to be at an acceptable level.

It is not considered that the loss of employment use on this site should preclude residential development

The site is within the built confines of the settlement where there is no objection to the principle of the proposed development.

The significance of the mill building as a local landmark would be maintained through re-building of the upper floors of the building to a very similar design

Description of Proposal

- 1 This application seeks planning permission for the redevelopment of the Greatness Mill site in Mill Lane, Sevenoaks. The proposal is for residential development of the site to provide 29 residential units in total and would consist of the following –
 - Demolition and re-building of the mill building to provide 4 residential units (Block D)
 - Retention of Mill House and conversion of Mill Cottage into two flats (Block C)
 - Erection of a part three, part four storey building next to the existing Mill and fronting Mill Lane, containing 13 x 1 and 2 bed units. (Block E)
 - Erection of a terrace of 5 x 3 bed dwellings fronting Mill Lane (Block A)
 - Erection of a terrace of 4 x 3 bed dwellings at the rear of the site. (Block B)
 - A total of 45 parking spaces to serve the development.
 - Creation of a new access road into the site, between Blocks A and E, and creation of a pavement on Mill Lane for most of the length of the site.
 - 6 units within the proposal are to be affordable units.

Description of Site

- 2 The site is located within the built confines of Sevenoaks within an established and primarily residential area. The site is L shaped and 0.4 hectares in area. The land levels change dramatically on site, and rise from road level in excess of 3 metres to the rear of the site.

- 3 The existing site consists of the existing 5 storey mill building with attached workshop / industrial units of lower height. These buildings are in use for commercial purposes – an upholstery cabinet making business operates from the Mill building and a tyre fitting company from the workshop / industrial unit. The site also contains a builders/scaffold yard, as well as 2 dwellings (Mill House and Mill Cottage) and associated gardens to these properties.
- 4 The main mill building was a Grade II listed building, but was de-listed March 2011. The main reason for this was because the mill, although originating on this site in the 18th century as a corn mill, had been subject to a major fire in the late 1920s and was extensively re-built (with a further storey added) using modern building materials and methods such as steel supports and concrete walls. As such, only a fragment of the original mill building remains (the ragstone on the ground floor of the building). The Secretary of State considered that the building was not of special architectural interest and had no special constructional, technological or historical interest to warrant retention of the listing, but did comment that the mill was clearly of local historical interest.
- 5 The site is surrounded primarily by residential properties – consisting of largely 2 storey semi-detached dwellings on Mill Lane to the north and east, by two storey modern terraces at Silk Mills Close to the south, and a mix of two storey semi detached and terraced dwellings to the west. The southern extreme of the site borders the access road to Silk Mills Close and beyond this a residential bungalow fronts onto Mill Lane. The playing fields and park at Greatness Mill lie opposite the southern part of the site. Further afield, 3 and four storey blocks of flats are sited at each end of Mill Lane.

Constraints

- 6 Trees protected by a TPO partially within and partially adjacent to the site.
- 7 Former listed mill building on site that has been de-listed but remains of local interest and considered an “undesigned heritage asset”

Policies

South East Plan

- 8 Policies – SP3, CC1, H1, H3, H4, H5, T4, NRM9, BE4, LF1, LF3, LF4, LF5, LF10

Sevenoaks Core Strategy

- 9 Policies – L01, L02, SP1, SP2, SP3, SP5, SP7. SP9, SP11

Sevenoaks District Local Plan

- 10 Policies – EN1, VP1

Other

- 11 Guidance within the National Planning Policy Framework (NPPF) is relevant
- 12 Guidance within the Sevenoaks Residential Character Area Assessment SPD is relevant

Planning History

- 13 SE/08/01175 - Redevelopment of site to provide 22 dwellings. 8 to be provided within the existing Listed Mill building and Mill Owner's house and cottage. The remaining 14 to be new builds within the site - Withdrawn
- 14 SE/07/00726 - Demolition of outbuildings, conversion of Mill House, construction of 16 No new dwellings – Withdrawn

Consultations

Sevenoaks Town Council

- 15 Original Comments - Sevenoaks Town Council unanimously recommended refusal on the following grounds:

- The proposal constitutes overdevelopment of the site.
- The excessive scale and density is out of keeping with the local area.
- The parking provision is insufficient for the number of proposed dwellings.
- The proposal is contrary to the Sevenoaks Residential Character Area assessment in that:
- The repeated design and building line would not been respected.
- The character of the Mill House would not been preserved due to the excessive height of some of the proposed buildings.
- Loss of light and overlooking to properties in Silk Mill Close.
- Loss of employment though the loss of several small businesses.

Informative:

The Town Council had the following additional reservations.

- Concerns over the Highway safety of the proposed access and egress arrangements as a result of the increase traffic generated.
 - The Town Council would like to draw the inadequate drainage infrastructure for the current number of dwellings in the immediate local area to the attention of SDC's environmental health officer, as any further development of this scale would increase strain on this infrastructure. The Town Council would ask that this matter is resolved prior to any permission being granted.
 - CIL funding has not been allocated to any projects within the immediate Greatness area. The Town Council would request that in future a proportion of funding be allocated to local infrastructure
- 16 Further comments - Sevenoaks Town Council noted the amendments made the scheme, but considered they did not address previously raised objections, and therefore unanimously recommended refusal on the following grounds:

- The proposal constitutes overdevelopment of the site.
- The excessive scale and density is out of keeping with the local area.
- The parking provision remains insufficient for the number of proposed dwellings.
- The nearby bus stop would be rendered unusable due to the increase of on street parking resulting from the lack of allocated parking for new residents.
- Loss of employment though the loss of several small businesses.
- Loss of light and overlooking to properties in Silk Mill Close.
- The proposal is contrary to the Sevenoaks Residential Character Area assessment in that
- The repeated design and building line would not been respected
- The character of the Mill House would not been preserved due to the excessive height of some of the proposed buildings especially block E.

Informative

Sevenoaks Town Council remained concerned that the waste water infrastructure in the area is currently insufficient to serve the existing dwellings, and that any increase would exacerbate this situation.

Kent Highways

- 17 Original Comments - The proposal includes 45 car parking spaces for 30 units. Whilst no information is given regarding bus services, the site location is near to a major route which will support bus services and the site is near to railway services and the adjacent footpath is of some help in this regard. It is considered therefore that the car parking provision at this location is adequate and appropriate to its location. As a safeguard however, should this application be approved, it is considered that it may be prudent for a refundable sum to be provided for the provision of traffic management orders (parking restraints) should they subsequently prove necessary. The provision of cycle storage is welcomed. It would be better still if cycles, or vouchers for cycle purchase could also be provided with occupation and perhaps this is something the applicant could consider.
- 18 A study of KCC's injury crash database shows that there have been no injury crashes on Mill Lane in the last three years. Whilst the car parking spaces, obscured by buildings, adjacent to the right of way seem undesirable, evidence, from use of the existing forecourt here, does not indicate that this is a particular problem. The access visibility splay is now also considered to be adequate, particularly in comparison to earlier drawings which retained trees and unsatisfactorily limited junction inter-visibility. If the application is approved the proposed new access will be subject to a S278 agreement and safety auditing will be part of this process. The idea of footways marked by change of material without kerbing is interesting and not necessarily unwelcomed (it is not expected

that these roads would be adopted) however careful consideration will be required to surface water drainage both within the site and at the interface of the site with Mill Lane.

The junction of Mill Lane with the A25 is of a good standard in terms of its inter-visibility, proportions and thereby capacity. It is not considered that the traffic generated from this proposal is of a scale to cause a severe impact as now specified in the new NPPF (Paragraph 32 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.')

I confirm therefore that I would not wish to raise objection to this proposal. If however you have any further queries or I can be of any further assistance, please do not hesitate to contact me.

- 19 Further comments - I understand that this proposal has now been amended comprising 45 car parking spaces for 29 units. For clarity it would be helpful if the Design and Access statement could be updated accordingly, particularly section 5.5, and a new overall or layout site plan is provided.
- 20 Whilst no information is given regarding bus services, the site location is near to a major route which will support bus services and the site is near to railway services and the adjacent footpath is of some help in this regard. It is considered therefore that the car parking provision at this location is appropriate to its location. Should this application be approved, the Districts own parking services may as a safeguard, want to request that a refundable sum be provided for the provision of traffic management orders and it is considered that their views and perceptions should be sought. The provision of cycle storage is welcomed. It would be better still if cycles, or vouchers for cycle purchase could also be provided with occupation and perhaps this is something the applicant could consider.
- 21 A study of KCC's injury crash database shows that there have been no injury crashes on Mill Lane in the last three years. Whilst the car parking spaces, obscured by buildings, adjacent to the right of way seem undesirable, evidence, from use of the existing forecourt here, does not indicate that this is a particular problem. The access visibility splay is now also considered to be adequate, particularly in comparison to earlier drawings which retained trees and unsatisfactorily limited junction inter-visibility. If the application is approved the proposed new access will be subject to a S278 agreement and safety auditing will be part of this process. The idea of footways marked by change of material without kerbing is interesting and not necessarily unwelcomed (it is not expected that these roads would be adopted) however careful consideration will be required to surface water drainage both within the site and at the interface of the site with Mill Lane. Surface water from private areas is not to discharge onto the highway.
- 22 The junction of Mill Lane with the A25 is of a good standard in terms of its inter-visibility, proportions and thereby capacity. It is not considered that the traffic generated from this proposal is of a scale to cause a severe impact as now specified in the new NPPF (Paragraph 32 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.')

- 23 I would not wish to raise objection to this proposal although a new up to date layout plan and design and access statement would be helpful for me to confirm this position.

Conservation Officer

- 24 The Mill building, which is an integral part of this scheme, was delisted in 2011 because the majority of the structure is in fact fairly modern. The base is the only original part c. 18th century. The structure is a significant feature in the area and gives it its special identity. Thus I am pleased that it is to be re-created within the development, retaining the original base, as a conversion has proven not to be technically feasible. A good space has been left on the south side to give the building a suitable setting and the rest of the elevation to the road frontage in part mirrors the form of the other unlisted but historically interesting commercial structures adjoining. I therefore support the scheme from a conservation point of view.

Tree Officer

- 25 The existing site currently occupied by light industrial/commercial enterprises, has a number of trees throughout that appear to be self set. They provide a green screen for this section of the site but most are shown to be removed as part of the proposed development. Given their current locations growing mostly against buildings, it is not a viable option to protect and retain the trees. The loss of this green screen is regrettable but unfortunately its retention is not defensible. I do not therefore have any objection to their proposed removal. The tree that dominates the site is a mature Horse Chestnut, which is located upon adjacent property but a large percentage of the canopy of this tree overhangs this site. This tree is currently protected by TPO 12 of 1989. This proposal shows the main access drive to be located directly to the north east of it. Height clearance may be an issue here as any new residents may have a need to allow access to trades such as skip lorries or removal vans etc. The current clearance is in the region of 3 metres, which is not adequate for the additional traffic that this development will create. In order to raise this canopy to an acceptable height an amount of limbs will need to be removed to gain the additional height clearance. Horse Chestnut trees are soft wooded trees and do not react well to larger pruning wounds, which often rot into the wound. This can clearly be seen from previous pruning to this tree.
- 26 The Arb. report has intimated that this tree should be managed as an eventual pollard, which would resolve the aforementioned issue. This Chestnut is under the management of the neighbour and not the applicant. Such a management proposal therefore needs to be discussed with all parties involved inclusive of myself. I consider that this aspect of this proposal needs to be discussed at greater length in order to ensure that this tree is managed correctly rather than cut out of the way to accommodate it. The tree protection plan that accompanies the Arb. report shows a root protection area with a radii of 11.5 metres when the diameter of the trunk depicts a minimum requirement of 15.2 metres. The possible existence of the two additional parking bays and the required levels also needs clarification.
- 27 Whereas I consider the bulk of the project is achievable, I need greater clarification on the areas adjacent to the Horse Chestnut tree. Full details of the permeable surfaces, full details of replacement planting and hard landscaping will

also be required. It may also be necessary to install a height limiter during demolition and construction works.

- 28 Further Comments – In response to your request to comment on this specific aspect of the development around the Horse Chestnut (T8). I have again visited the site. The claim is that the applicant proposes to remove branches up to 5 metres to allow traffic. Specifically, it is stated that secondary branches only are to be removed. If all branches are to be removed up to 5 metres then it is clear that more than secondary branches will be removed. Should such limbs be removed then long term harm to this tree will be the result inclusive of visual harm. The pruning back of secondary branches is acceptable but the remaining larger limbs should remain. The latter are no lower than 4.5 metres, is this sufficient height clearance? If this is sufficient height clearance then all will be well. I suggest that a condition requiring the developer to insert a height clearance barrier in front of the tree.
- 29 The ground works are fully detailed and acceptable. I suggest that this aspect of the works should be conditioned and attached to any consent provided.

Thames Water

- 30 Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed. "Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed". Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.

Environment Agency

- 31 Original Comments - We have no objection to the principle of redevelopment of this site for residential purposes but do object to the provision of a ground floor flat in Block D (unit 13) because of the increased risk of flooding.
- 32 We acknowledge that the application does not require a Flood Risk Assessment (FRA) but Mill Lane itself is at risk of flooding from excess surface runoff, and records suggest the site was affected by flooding in 1968. The depth of flooding during this event is unknown, but it is likely flood flow was restricted to Mill Lane and the eastern boundary of the site. The risk of surface water flooding is also confirmed in the Sevenoaks Strategic Flood Risk Assessment dated April 2008. Our surface water flood map suggests the area is at risk of flooding following the critical 30yr rainfall return period event.

- 33 We are therefore concerned with the proposed re-profiling of site levels in certain areas, particularly where ground floor flats are proposed. Lowering the ground level increases the risk of internal flooding and occupiers of ground floor flats will be at increased risk, as they will be unable to seek refuge either for themselves or possessions, at a higher level.
- 34 For example, DWG. 4249-PD-010 shows the northern end of the existing Mill Building (Block D) to be lowered from approximately 72.94metres Ordnance Datum (mOD) to 72.55mOD. The external road surface is 73.09mOD and DWG 4249-PD-051 shows Unit 13 to be a ground floor flat with external doorways on the north and south elevation set at 72.55mOD. If excess surface runoff does flow down Mill Lane, it would likely flow into Unit 13 and result in internal flooding. We therefore object to this detail of the proposal, and recommend the floor level be raised to be above the level of Mill Lane.
- 35 We also note concerns from Thames Water regarding capacity of foul sewage infrastructure. Any additional runoff from the site onto Mill Lane could potentially discharge into the foul sewer network and exacerbate an existing problem. Section 5.4 of Design Access Statement dated 30th March 2012, suggests measures will be put in place to control discharge of surface runoff from the site. We recommend the rate of surface water disposal should be reduced from the existing rate.
- 36 If you are minded to grant permission against our advice, we request to be re consulted in order to recommend conditions and provide further guidance relating to surface water drainage, groundwater protection and land contamination.
- 37 Further Comments – Further to the letter from the applicant dated 21st August 2012, we note the proposals to remove the ground floor dwelling from Block D and instead use the ground area as communal access to the garden area and for bin storage. As such we remove our objection subject to the imposition of conditions.

Mouchel (summarised)

- 38 The application would generate a requirement for the following contributions to mitigate the impact of the development on the delivery of community services by Kent County Council –
- A contribution towards secondary school provision totalling £32,447.25
 - A contribution towards library provision of £6,065.70
 - A contribution towards community learning of £997.50
 - A contribution towards adult social services of £9,361.40

NHS Trust

- 39 In terms of this development, and at this stage, a health care need has been identified for contributions for Winterton surgery and/or Brasted surgery and/or Sundridge surgery. This contribution will be directly related to this development and it will help towards upgrade and/or refurbishment.

- 40 NHS West Kent wishes to work with our local partners on healthcare issues to assure healthcare provisions to improve the health and well being of our population. A healthcare contribution (section 106) is therefore requested in accordance with the recognised Planning Obligations Guidance for Communities and Local Government.
- 41 NHS West Kent seeks a contribution of £21,492.00, plus our legal costs in connection with securing this contribution.

Environmental Health

- 42 Noise – No objection
- 43 Contaminated land – further investigations should be carried out in line with the recommendations in section 10 of the Phase I study report, and that a remediation strategy be provided if necessary.
- 44 Air Quality – Traffic from the development will join the busy A25 - Seal Road - and pass through either, the Bat and Ball junction or through Seal High Street, or may access the town centre via Seal Hollow Road. Bat & Ball, Seal High Street, and the Town Centre are all designated Air Quality Management Areas due to traffic pollution. Whilst the additional traffic from this site would on its own not significantly worsen air quality it does not assist the traffic reduction sought by the Council's developing Air Quality Action Plan and adds to creeping traffic growth in the area. I therefore request the developer be asked to make a Section 106 contribution toward the cost of local air quality monitoring at Greatness and at Bat & Ball, and/or towards measures within our Air Quality Action Plan. I suggest £10,000.
- 45 Local sewer problems – the Environmental Health department has previously had numerous complaints of sewage overflowing from inspection chambers during storm events. I understand this is due to a lack of capacity in Thames Water sewers.

Natural England (summarised)

- 46 The application is in close proximity to Sevenoaks Gravel Pits SSSI and the Kent Downs AONB. However given the nature and scale of this proposal, Natural England raises no objection to the proposal being carried out according to the terms and conditions of the application and submitted plans on account of the impact on designated sites.
- 47 On the basis of the information supplied, Natural England is broadly satisfied that the mitigation proposals, if implemented, are sufficient to avoid adverse impacts upon the local population of Bats and Great Crested Newts.

KCC Ecology

- 48 Original Comments – we have reviewed the information submitted and we require further information to be submitted prior to determination of the application.
- 49 We are concerned that insufficient information has been provided within the submitted documents to assess the impact the proposed development will have on roosting bats.

We have the following concerns:

-the bat scoping survey identified 4 buildings which had a high or moderate potential to be suitable for roosting bats – The Mill, The Cottage, the house and the outbuilding with the tiled roof. However the emergence surveys were only carried out on the mill, the cottage and the outbuilding with a metal roof. There is obviously some disparity between the two surveys. Further information must be provided detailing why emergence surveys were not carried out on all buildings, identified within the bat scoping survey, as having a high or moderate potential to be suitable for roosting bats.

- Only two surveyors carried out the emergence surveys and as they were surveying three buildings we are concerned that the numbers were too low to accurately survey all the buildings. Please provide additional information detailing why the number of surveyors was sufficient to carry out the surveys.

If the information submitted is not sufficient, there will be a need to carry out further emergence surveys on the site prior to determination of the planning application.

The ecological scoping survey identified brown long-eared bat droppings within the mill building. It is disappointing to note that the emergence survey did not re-assess the mill building to establish if there had been and fresh droppings since the scoping survey was carried out.

- 50 Great Crested Newts – we are satisfied with the results of the updated HIS survey. The survey has identified that the pond has a below average potential to contain Great Crested Newts. We are satisfied with the conclusion that there is limited potential for GCN to be present on site.
- 51 Mitigation and Enhancement Strategy – we are satisfied with the majority of the information provided within the strategy. However a map must be submitted showing where the ecological enhancements will be located within the site. We are aware that a map has been included showing the location of the log piles. However we would also like details of the locations of bird and bat boxes, bat tiles and hedgehog homes to be included.
- 52 Further Comments – we have spoken to the ecologist in detail about our comments and he was able to resolve our queries. Our main concern was that there were not sufficient surveyors when the bat surveys were carried out. However the ecologist stated that when the surveys were carried out they were able to observe all the features which they had assessed as being suitable for roosting bats. As a result we are satisfied that the bat surveys are sufficient.
- 53 A detailed mitigation strategy for bats must be submitted for comment as a condition of planning permission. It must incorporate the enhancements detailed within table 5 of the bat emergence survey.
- 54 Mitigation and Enhancement Strategy – we are satisfied with the information detailed within the updated mitigation and enhancement strategy.

Representations

- 55 42 letters of objection received, raising the following concerns

- Overdevelopment of site through height of buildings and number of units
- Enclosing impact upon Silk Mills Close
- Loss of privacy to existing properties
- Impact / pressure on drainage and water supply
- Increase in number of cars using Mill Lane
- Impact upon Mill Lane / A25 junction
- The existing sewage / storm water pipe in Mill Lane causes flooding, including the discharge of sewage
- Inadequate parking
- Impact of building E on properties on Mill Lane
- The proposal would impact upon the landmark status of the mill building
- Harm to character of Mill lane through the scale of development proposed
- The development would result in the loss of views of the North Downs
- Lack of parking
- Parking should be unallocated
- Shortfall of parking spaces for Block A
- The development would significantly reduce the availability of parking on Mill Lane
- The development is too dense and should be reduced and adhere to targets set for Sevenoaks urban area
- The mill has been identified as an important feature in the Sevenoaks Residential Character Area Assessment and it should be protected
- More detail is required on the rebuilding of the mill to ensure it is of suitably high quality
- The designs do not maintain current building or roof lines and make no attempt to preserve existing character. The Sevenoaks Residential Character Area Appraisal states that “repeated designs and building lines in Mill lane should be respected”
- The use of stone and brick on the ground floor should be preserved.
- Loss of business uses within site
- Loss of trees

- Additional noise and disturbance
- Mill lane is used for overspill parking by the football club and church, and this will make matters worse
- Why has the mill been de-listed?
- Impact of cars driving out of development on properties opposite on Mill Lane
- Concern over parking during construction
- The road width is limited and used by buses. Further traffic will be detrimental.
- A bat roost may still exist in the mill building
- The black cladding proposed on the mill would be inappropriate
- Concern regarding hours of construction and the deposit of mud on the highway
- Loss of wildlife
- Loss of light
- Loss of trees
- Why does the mill building need to be replaced rather than converted?

Group Manager Planning Services Appraisal

56 With regards to the relevant policies of the Development Plan and the NPPF, the main considerations in this case are considered to be:

- The principle of a residential development
- The impact of the proposal on the character and appearance of the area
- The impact of the proposal upon surrounding neighbouring amenities
- The impact of the proposal upon highways safety, including parking provision
- The provision of affordable housing
- Other matters, including flooding, drainage, ecology, and other infrastructure requirements.

Principle of development

57 The site is located within the built confines of Sevenoaks and policies LO1 and LO2 of the Sevenoaks Core Strategy reinforce the Sevenoaks urban area as a principal focal point for development in the town.

- 58 The site is also identified for housing within the Council's Allocations and Development Management Plan DPD (ADMP), which has been agreed by Cabinet and Full Council, and will be subject to public consultation prior to an Examination in Public later this year. The ADMP identifies the site as suitable for a mix of dwellings and flats, with a net capacity of approximately 20 units.
- 59 Notwithstanding the content of policies LO2 and SP8 of the Core Strategy relating to the retention of business premises, given the allocation of the site in the ADMP for housing development within a sustainable urban location, I consider the principle of development to be acceptable.
- 60 The site would largely fall under the definition of previously developed land, being primarily in commercial use. The NPPF encourages the effective re-use of such land. Although the NPPF also allows a local authority to consider policies to resist the inappropriate development of residential gardens where, for example, development would cause harm to the local area, it does not preclude development on garden land as a matter of principle. Whilst policies EN1 of the Local Plan and SP1 of the Core Strategy seek to protect local character, neither policy seeks to prevent garden development. Nor do policies LO1 and LO2 of the Core Strategy which focus development and growth into major towns within the District such as Sevenoaks. On this basis, I consider residential development of the site to be acceptable, subject to detailed local impact upon the site and surroundings.

Impact upon the character and appearance of the area

- 61 Policy SP1 of the Sevenoaks Core Strategy states that all new development should be designed to a high quality and respond to local distinctiveness. Policy SP7 states that new housing should be developed at a density consistent with achieving good design, and should not compromise the distinctive character of the surrounding area. Subject to this, the policy states that new development is expected to achieve a density of 40 dwellings per hectare.
- 62 A good starting point to define the existing area is the Sevenoaks Residential Character Area Assessment. This document defines the form, design and materials of residential properties in Mill Lane as varied. It recognises that all residential properties are set back from the road, with houses on the east side slightly elevated. It also recognises the existing Mill building as a positive landmark in the street scene due to its height, materials and the unusual nature and appearance of the structure (including lofts, eaves and tiled roof). The assessment goes on to state that in proposing new development in this area, individual buildings should be of a high quality design standard, that repeated designs and building lines in Mill Lane should be respected, the character of the landmark mill building should be retained, and the view of the North Downs should be protected.
- 63 With regard to the above, it is clear that the mill building and the adjoining buildings on the site are very much different in scale, siting, appearance and historical context than surrounding residential properties. The buildings are of industrial character and appearance, and are sited hard against the road edge. Whilst the other buildings on site are in a poorer state of repair and of more utilitarian form, the assessment rightly acknowledges the status of the mill as a positive landmark feature.

- 64 The application proposes to demolish the upper floors of the mill building, which are not of historical interest or construction, and to rebuild the building to essentially the same form and scale as existing, the purposes of this being to maintain a landmark building in the area. Some changes would be made to the replacement mill building, including the provision of some additional windows, and the installation of a lift shaft at the rear of the building. However the form and appearance of the building has been designed to closely represent the existing building.
- 65 Whilst the building is no longer a designated heritage asset, having been de-listed, it is nonetheless of local historical interest and as such is a non-designated asset. The NPPF states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will need to be made having regard to the scale of any harm or loss and the significance of the heritage asset. Policy SP1 of the Core Strategy states that heritage assets within the district should be protected and enhanced.
- 66 In this instance, the applicant has submitted a statement to justify why the building is not suitable for conversion. This explains that the upper floors of the existing mill building were designed for storage space, and that the steel and blockwork construction would render conversion of the building very difficult and unlikely to conform to basic housing design guidance, let alone current building regulations requirements. Internal layouts would be seriously compromised and unable to align with housing design guidance such as “lifetime homes”. The solution put forward by the applicant is to rebuild the upper floors of the mill, but to retain externally the design, scale and mill form of the building.
- 67 The application includes a heritage statement which recognises the significance of the building as a notable and characterful building in the local townscape. It also recognises that the historical remnants of the building are limited to the ground floor stone work. The application seeks to retain this stonework on the ground floor, and to rebuild the remainder of the mill, to imitate the existing structure and provide the visual continuity of a mill building on the site. As part of the development, there is also potential for other original features to be exposed, such as the wheel pit and chute, and conditions can be used to appropriate mechanisms to deal with such features during the course of the development. The Council’s conservation officer supports the proposal, and I consider that the significance of the mill has been properly considered and would be preserved through this scheme, in accordance with the NPPF and Policy SP1 of the Core strategy.
- 68 The smaller industrial units next to the mill would be removed and replaced by a part three, part four storey block of flats (Block E). This building would be detached from the mill building, thus exposing the side elevation of the replacement mill, and would be stepped slightly further back into the site than the existing buildings. The building would be around 11.5 metres in height at four storeys, dropping to around 9.7 metres at three storeys at its closest point to the mill building. Although the flats would be taller than the existing buildings to be demolished on site, the mill building would still clearly dominate the local townscape, and the stepping back of block E would reinforce the dominance of the mill building. I consider this to be an appropriate relationship. The block would be constructed in a mix of bricks, tile hanging and cladding, with barn hips, front facing gables and attic windows which have been designed to complement

the setting of the mill building. Whilst the flats would be greater in height and mass than the residential properties opposite, they would be between 3.5 and 5.5 metres lower in height than the existing and proposed mill building, and would add to other blocks of flats on the lane which contrast in scale with conventional dwellings.

- 69 Whilst the mill and Block E would be sited against or close to the pavement, this reflects the position and scale of the existing buildings on site close to the road. The slight set back of Block E does provide an opportunity to install a pavement at the front which currently does not exist, although this would stop at the mill building which remains hard against the road.
- 70 The terrace of dwellings in Block A would be of two storey design with some accommodation in the roof space, and generally around 9 metres in height. The dwellings would front onto Mill Lane and have been designed with a mixture of barn hips and front gables. This design approach has again been purposefully taken to link the units with elements of the mill building. These buildings would face Greatness Park. The buildings would be set back from the lane and of similar scale to established dwellings in the road. In fronting Mill Lane, the design adopts a positive streetscape approach.
- 71 The works to Block C relates to the existing house and attached cottage on site. The form of this building remains essentially the same, with some excavation works around the lower ground floor of Mill Cottage, and new brickwork / cladding / tiling to the building. This block would provide a dwelling and 2 x flats. Given the position of this building to the rear of the mill and the limited alterations proposed, this would be unlikely to cause any discernible impact upon local character.
- 72 The dwellings to the rear of the site in Block B would be 8.8 metres in height. Being within the rear of the site, the buildings would have little impact upon the character / appearance of Mill Lane or Silk Mills Close. They would be most visible from the public footpath immediately next to the site leading from Mill Lane to Greatness Lane. However this path leads past a number of other dwellings and the proposal would be little different to the existing presence of dwellings when viewed from the footpath.
- 73 Taking the above into account, I am satisfied that the locally distinctive character of the area would be maintained through the provision of a (largely) replacement building to imitate the existing mill as a landmark feature. The new buildings fronting Mill Lane would reflect in part the presence of flatted blocks and dwellings in the area, whilst being designed to complement the mill building. The building line for the flats in Block E would be on the site of existing buildings which are hard against the road, whilst the smaller scale dwellings in Block A would be set further from the road, to reflect the prevailing position of other surrounding small scale domestic properties. Overall I consider this design strikes the right balance on Mill Lane between retention of the distinctive character and building lines of existing large scale buildings on site, and the more conventional layout of domestic properties elsewhere.
- 74 The impact of the development on the character of Silk Mills Close is more contained, given the small number of units in the close and its backland position as a no-through route. The rear of the units in blocks A and E would face towards the close and towards the road and parking areas serving the existing dwellings. It

is important to note that the Close is at a much higher land level than Mill Lane, and as a result the perception of the height of the proposed development would be much less when viewed from Silk Mills Close – the height of blocks A and E from the close would be in the region of 6.5 and 8.5 metres respectively. The units facing Silk Mills Close in Blocks A and E would be at a distance of 7-10 metres from the Close and a minimum of 23 metres from the existing dwellings themselves.

- 75 A line of trees exist along the boundary between the site and Silk Mills Close and these are protected by a TPO. Subject to conditions, the Tree Officer is generally satisfied that the development would not cause any harm to these trees. However a query has been raised over the relationship between the Horse Chestnut tree and the proposed access road, and whether suitable clearance for this tree can be achieved, particularly in relation to service vehicles using the access. The tree officer is satisfied that the tree would not be harmed provided that any crown lifting was limited to 4.5 metres in height. Having checked typical heights for a refuse vehicle and heavy goods vehicle, these would be able to pass under the tree at a height of 4.5 metres without causing damage to the tree.
- 76 Given the difference in levels, the distance between the proposed buildings and Silk Mills Close, and the preservation of existing trees on site, I am satisfied that it would not have a harmful impact upon the character and appearance of the close.
- 77 The Residential Character Area Assessment seeks to preserve views of the North Downs from the area. These views can be attained from views down Mill Lane and partially across the site from Silk Mills Close. The current mill building does obstruct such views at present and the flatted block, sited next to the mill building, would only have a marginal impact on these views. From Silk Mills Close, views across the site to the north would be maintained through retention of the mill house and cottage. As such I do not consider the views of the Downs to be materially interrupted through this development.
- 78 Overall, I consider that the development would not harm the existing character of the area, and includes measures to complement local distinctiveness, in accordance with policy SP1 of the Core Strategy and guidance contained within the Sevenoaks Residential Character Area Appraisal.
- 79 Whilst it is recognised that the density of development exceeds the 40 dph set out under Policy SP7 of the Core Strategy, this is not a maximum density and I have found the scale and layout of the development to be acceptable in this location. On this basis, I am of the view that the density proposed (72 dph) can be supported on this site without any material harm to the surrounding area.

Impact upon surrounding neighbouring amenities

- 80 The proposals for Blocks C and D seek to utilise or imitate existing buildings on site. Whilst this involves some minor adjustments and addition of windows, particularly to Block D, these do not materially change the relationship between these buildings and neighbouring properties. As such, in terms of mass, scale and impact, I do not consider that the proposals for Blocks C and D would cause any undue impact on neighbouring properties in comparison with the existing buildings. Although a new residential use would be introduced to Block D, the associated activity and outlook from this building would be unlikely to cause harm

to neighbouring properties on the opposite side of Mill Lane or at No. 20, given the distance involved, the intervening highways and public footpath, and the outlook from the Mill building which would be towards the front of these properties.

- 81 The proposed dwellings in Block A would face Greatness Park and would be sited some 27 metres and 24 metres from the front of the existing property at 1 Mill Lane and the flank wall 1 Silk Mills Close respectively. Given these distances and, in the case of Silk Mills Close, the changes in land levels, I am content that this block would not cause any unacceptable loss of light, privacy or outlook to these properties. The flank wall of unit 1 in Block A would face across the road access to Silk Mills Close towards a bungalow on Mill Lane named "Camion". This building is orientated so it has no main windows or aspect facing towards the application site and the relationship would be quite typical of neighbouring properties either side of an access road. Overall, I do not consider that the development would lead to unacceptable living conditions for the occupants of Camion.
- 82 Block B consists of the terrace of 4 units proposed at the rear of the site. The block would be sited adjacent to dwellings on Weavers Lane, with a distance marginally under 5 metres between the flank wall of Block B and No. 25. This existing property is sited on a lower land level than the application site, and separated from it by the intervening public footpath. Block B would be orientated in a similar line to No 25, but would project beyond the building line of No. 25 by around 5 metres. It would maintain a 45° light angle from windows in the rear elevation of No 45, as recommended in BRE light guidelines, and the two small windows in the flank wall of Block B can be restricted through the use of obscure glazing. Whilst windows in the front elevation of Block B would allow some angled views into the rear garden of 25, these would be limited, over the existing public footpath, and would not overlook the garden area near to the rear of 25. This relationship is typical of most conventional houses in urban areas.
- 83 Block B would also be sited adjacent to 14 Silk Mills Close, and would be set behind the building line of this property. Block B would be sited due north of this property with a distance of 12 metres between flank walls. Whilst the flank wall of Block B would be visible to the occupants of No. 14, given this distance and orientation of the block, I do not consider it would be likely to cause any undue loss of outlook or light to No. 14. The first floor window in the flank wall of Block B is a secondary bedroom window and can be conditioned to be obscure glazed to prevent overlooking.
- 84 The rear elevation of Block B would face towards the rear gardens of properties on Grove Road, with a distance of around 26 metres between the respective buildings. The current boundary hedge provides some screening and at this distance, I consider this relationship to be acceptable.
- 85 Block E consists of the flatted block fronting Mill Lane. At part three, part four storeys in height, this building would be taller and greater in scale than the existing residential properties on the opposite side of Mill Lane. A distance of approximately 18 metres would be maintained between the block and the existing residential properties on the opposite side, which are on a slightly raised land levels to the application site. The applicant has submitted section drawings to demonstrate that Block E would not obstruct the passage of light to the front windows of houses on Mill Lane, and that a 25° light angle would be maintained

to these windows, in accordance with BRE guidelines. The distance between the block and these properties across Mill Lane is a typical arrangement between buildings that face one another across a highway. Whilst the Block would be visible to the occupants of these properties, and more noticeable than the existing buildings on site due to its additional scale and height, I do not consider this would cause an unacceptable loss of outlook or dominating impact, given the distance and intervening road. Nor do I consider that any privacy would be compromised given that existing windows face onto the public highway.

- 86 Policy EN1(3) of the Local Plan seeks to ensure that new development does not have an adverse impact upon the privacy and amenities of an area. In my opinion and for the reasons given above, I consider the development to be in accordance with this policy.

Impact upon highways safety

- 87 The proposal would utilise two access points – the main access to the site would be created between Blocks A and E, and an existing access point to the north of the existing mill building would be retained to provide access and parking for three vehicles.
- 88 The highways officer is satisfied with the layout and visibility for the main access road. Whilst it is acknowledged that the other access has limited visibility, this is an existing access and would only be used to access three parking spaces. Given this existing situation, the Highways Officer does not object to this element of the scheme.
- 89 Similarly, the highways officer is satisfied that Mill Lane and the junction with the A25 are suitable to accommodate any additional traffic.
- 90 In terms of parking, 45 spaces have been proposed to serve 29 units in total. When these are broken down, 2 spaces can be allocated to each dwelling on site (based on reallocating the space for unit 30 which no longer exists to the dwelling at unit 5), 1 space per flat and 6 visitor spaces. This would accord numerically with the guidance from Kent Highways on parking. The only departure from the guidelines would be the allocation of spaces to each flat, however in this instance the Highways Officer does not object to this, and I also consider that allocation would be necessary in part to define spaces allocated to affordable housing units from those allocated to the open market units.
- 91 Kent Highways also advise that, as a safeguard, a refundable sum should be provided by the developer for the provision of traffic management orders (parking restraints) should they subsequently prove necessary following the development. This would, for example, allow for the provision of yellow lines near road junctions if deemed necessary. Having discussed this with the Council's Parking and Amenity team, a sum of £3,000 has been agreed in principle. This would be secured via a S106 agreement.
- 92 The NPPF states that developments should be well located to maximise the use of sustainable transport modes. In this instance, Mill Lane is on a bus route, and the site is around 700 metres from the Bat and Ball station, and a similar distance from shops and facilities on St. Johns Hill. I consider this site offers sustainable transport choices and services, in accordance with the NPPF. Policy EN1 (6) and (10) of the local plan seeks to ensure that suitable parking is provided and that

developments would not cause unacceptable highways impacts. Taking the advice from Kent Highways into account, I would take the view that the development would accord with this policy.

Affordable housing

- 93 Policy SP3 of the Core Strategy requires housing developments to make provision for affordable housing. In this instance, the policy would normally seek a requirement for 40% of the units to be affordable, which numerically would amount to 12 units.
- 94 The applicant has submitted a viability statement which sets out that the development would not be viable if 12 affordable units were provided. The statement has been examined by the Council's viability consultant and following this exercise, it has been established that the development can support 6 affordable units. The applicant proposes to allocate the proposed mill building and two units within Block C as the affordable units, and has reached an agreement with the West Kent Housing Association to take these units.
- 95 Policy SP3 does allow lower levels of affordable housing provision on sites where viability is proven to be an issue, and I am satisfied that this is the case on this site. On this basis, the reduced level of provision would accord with Policy SP3.
- 96 Notwithstanding this, officers have entered into dialogue with the applicant to establish whether more affordable units on site could be provided if further money was injected into the development. If the sum required was reasonable, your officers consider that it may be possible to use some of the affordable housing contributions accumulated from other developments to make up the difference and secure more affordable housing on the site. The applicant is willing to consider this, and discussions are ongoing with the applicant and affordable housing provider over the likely sums necessary.

Other matters

- 97 Flooding – the Environment Agency originally objected to the application, on the basis that the site historically flooded in 1968, and that the area is identified as at risk from surface water flooding. This objection was specifically to the ground floor unit proposed within the mill building, and this has since been deleted from the scheme, resulting in a reduction of units from 30 as originally proposed to 29 units. Following this, the Environment Agency has raised no objection to the development, subject to conditions.
- 98 Drainage – a number of local residents have raised concern that the existing sewer connection in Mill Lane is inadequate, and that flooding can occur which brings sewage into the road, often occurring following bouts of heavy rainfall. Having investigated this further, it appears that a shared sewage and storm water pipe takes waste and surface water from Mill Lane, and that problems can occur when excessive volumes of surface water enter the pipe, leading to overflow problems.
- 99 This facility is operated by Thames Water, who have provided comments on the application. Thames Water recognise that the waste water infrastructure is insufficient to accommodate the additional demand generated from the development, and have requested that a condition is imposed on any permission

to require a drainage strategy to be agreed with the developer to ensure that it would not make conditions any worse. This would be secured by condition. Policy EN1 (9) of the Local Plan requires developments to meet the requirements of statutory undertakers and service providers. Subject to imposition of the condition as requested by Thames Water, I am satisfied that the development would accord with this policy.

- 100 Air Quality – The Environmental Health Officer has commented that whilst the site is not within an AQMA, most traffic from the development will join the A25 and pass through either, the Bat and Ball junction or, through Seal High Street, or access the town centre via Seal Hollow Road. Bat & Ball, Seal High Street, and the Town Centre are all designated Air Quality Management Areas due to traffic pollution. Whilst the additional traffic from this site in isolation is not considered to significantly worsen air quality, it would add to creeping traffic growth and the EHO considers that a sum of £10,000 should be secured to contribute towards measures within the Council’s Air Quality Action Plan and for monitoring purposes. This has been agreed by the developer, and would assist to mitigate against impacts on air quality, in accordance with Policy SP2 of the Sevenoaks Core Strategy.
- 101 Ecology – an ecology report has been submitted with the application. It identifies the potential presence of bats in existing buildings, and mitigation measures include the provision of bat lofts within the development, in addition to other ecological enhancements. These are to the satisfaction of the County Ecologist. On this basis I am satisfied that the development would maintain and contribute towards biodiversity, in accordance with Policy SP11 of the Core Strategy.
- 102 Other S106 requirements – the development would generate a need towards contributions towards KCC and NHS Trust services, as specified earlier in the report. The payment of these is agreed in principle by the applicant. On this basis, the development would contribute towards infrastructure provision, in accordance with Policy SP9 of the Core Strategy.

Conclusion

- 103 The principle of residential development is accepted on this site, as evidenced by its inclusion in the Council’s ADMP. The development seeks to rebuild a large part of the mill building, but to essentially replicate the form and design of the existing building, to maintain the historical connection and landmark status of the building – and it is considered that this would be an appropriate way forward for this undesignated heritage asset. The layout, design and scale of the remainder of the proposal is considered to complement the context of the site and mill building, whilst respecting the character of the wider residential area and the amenities of existing neighbouring properties. Sufficient parking would be provided and the traffic generated would not lead to unacceptable highways conditions. Matters relating to drainage can be addressed via a planning condition. The scheme would secure the redevelopment of a largely brownfield site in a sustainable location, would secure on site affordable housing and other contributions towards local infrastructure.
- 104 Taking the above factors into account, I would conclude that the development accords with national and local development plan policies and would recommend that delegated powers be given to officers to grant planning permission, subject to the following –

- That officers further consider the merit of financial input into the scheme to increase the level of affordable housing on site, notwithstanding that the development can only viably provide 6 units as affordable housing. If it is deemed “good value” to make a contribution to increase affordable housing within the development, then this shall be secured, otherwise the development shall be approved on the basis that 6 units would be secured for affordable housing.
- That a S106 agreement is completed within two months from the date of this committee, which secures the provision of affordable housing and financial contributions towards KCC and NHS Trust services, the provision of traffic management orders, and measures set out in the Council’s Air Quality Action Plan.

Background Papers

Site and Block plans

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

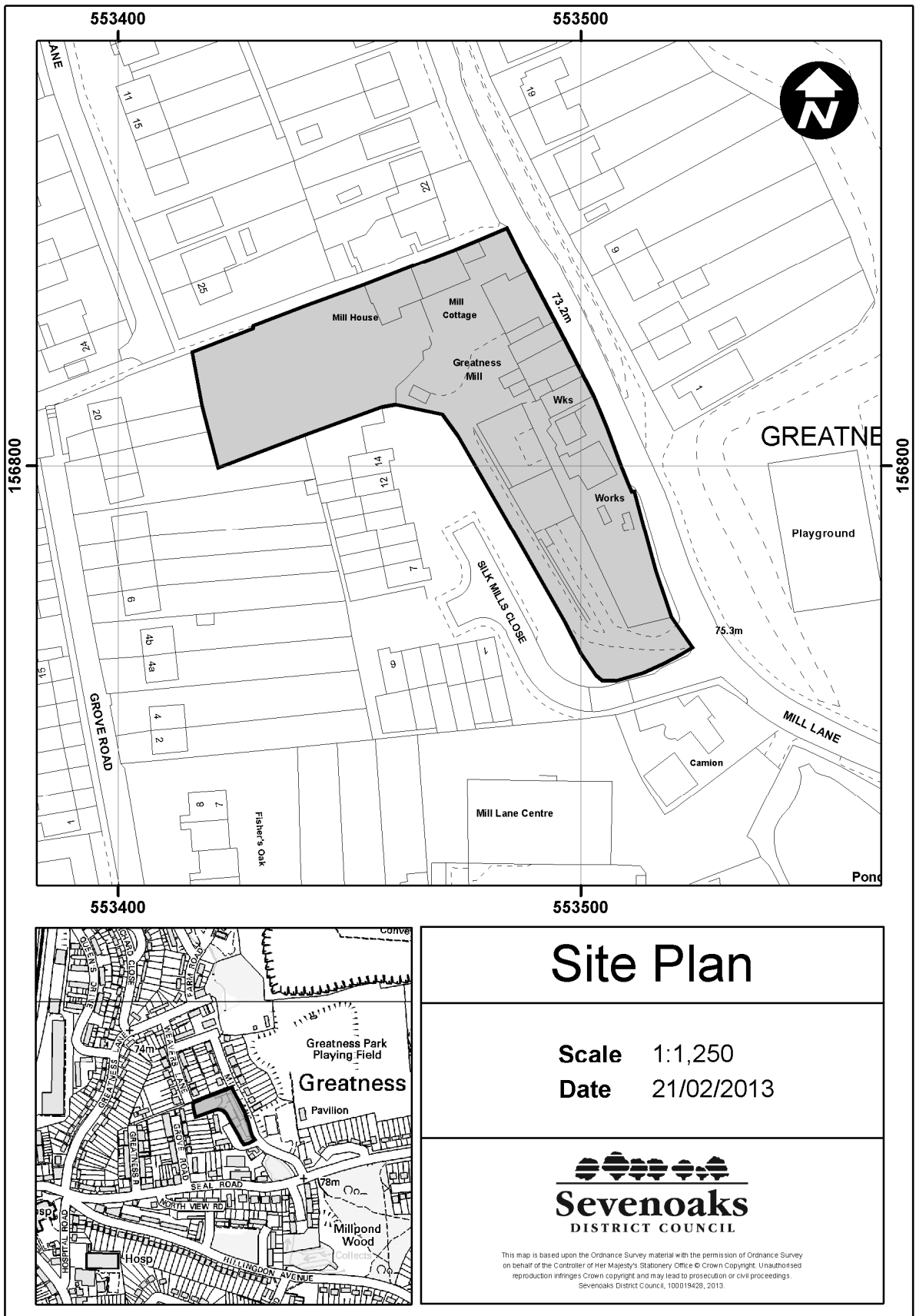
Kristen Paterson
Community and Planning Services Director

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=M1W683BK8V000>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=M1W683BK8V000>



Site Plan

Scale 1:1,250
 Date 21/02/2013



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BLOCK PLAN

