4.3- <u>SE/14/03235/FUL</u> Date expired 6 January 2015

PROPOSAL: Demolition of the existing office building and the

construction of a new mixed use development, comprising

office space and three residential flats.

LOCATION: Denval Marine Consultants Ltd , 156 High Street,

Sevenoaks, Kent TN13 1XE

WARD(S): Sevenoaks Town & St Johns

ITEM FOR DECISION

Councillor Fleming has referred the application to Development Control Committee on the grounds of overdevelopment, over looking and highways

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

1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

2) The development hereby permitted shall be carried out in accordance with the following approved plans: 4743 PD 0002 REV B, 4743 PD 003 REV A

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

3) No development shall be carried out on the land until samples of the materials to be used in the construction of the external surfaces of the building 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 locality as supported by Policy EN1 of the Sevenoaks District Local Plan.

4) Prior to occupation of the building, all first and second floor windows in the north elevation shall be obscurely glazed and retained as such thereafter

To safeguard the privacy of residents as supported by Policy EN1 of the Sevenoaks District Local Plan.

5) No development shall be carried out on the land until full details of soft landscape works have been submitted to and approved in writing by the Council. Those details shall include:-planting plans (identifying existing planting, plants to be retained and new planting);-a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities); and-a programme of implementation. The landscaping shall be implemented in accordance with the approved details and retained thereafter.

To enhance the visual appearance of the area as supported by EN1 of the Sevenoaks

District Local Plan.

6) 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 enhance the visual appearance of the area as supported by EN1 of the Sevenoaks District Local Plan.

- 7) The development shall achieve a Code for Sustainable homes minimum rating of level 3. Evidence shall be provided to the Local Authority -
- i) Prior to the commencement of development, of how it is intended the development will achieve a Code for Sustainable Homes Design Certificate minimum level 3 or alternative as agreed in writing by the Local Planning Authority; and
- ii) Prior to the occupation of the development, that the development has achieved a Code for Sustainable Homes post construction certificate minimum level 3 or alternative as agreed in writing by the Local Planning Authority.

In the interests of sustainability and in accordance with SP2 of the Core Strategy

8) Details of cycle storage at the front of the building shall be submitted and approved in writing to the local planning authority. the approved details shall be implemented prior to occupation of the building and retained as such thereafter

In the interests of sustainable transport provision

9) Prior to occupation of the development, along the site frontage the applicants should restore the full height kerb except at the location of the planned vehicular access.

In the interest of pedestrian safety

10) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: the parking of vehicles of site operatives and visitors loading and unloading of plant and materials including a commitment that (a) heavy goods vehicles will not be permitted to reverse into or out of the site unless under the supervision of a banksman, wheel washing facilities measures to control the emission of dust and dirt during construction

In the interests of highway safety

11) The privacy screens shown located at the end of the terraces shall be installed prior to occupation of the dwelling, in accordance with the approved plans, and maintained as such thereafter

To safeguard the privacy of residents as supported by Policy EN1 of the Sevenoaks District Local Plan.

Informatives

1) The proposed development has been assessed and it is the Council's view that the CIL IS PAYABLE. Full details will be set out in the CIL Liability Notice which will be

issued with this decision or as soon as possible after the decision.

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line (www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.as p),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

1) Was updated of small scale issues which arose during the process of the application and was given time to address it.

Description of Proposal

Demolition of the existing office building and the construction of a new mixed use development, comprising office space and three residential flats.

Description of Site

- The application site is approximately 421m² (0.04 of a hectare) and has a gentle sloped fall from the front to the back of the site. It is located to the north of Sevenoaks Town Centre within an area defined on the Sevenoaks Town Centre Inset map as a main business area in the ADMP and Local Plan and within the town centre under the Core Strategy.
- The site is bounded by a large 4 storey office to the south a formally light industrial site to the north (which now sits vacant), and residential gardens

beyond to the east. The existing building is located a generous distance away from the road to the west and currently allows for a couple of vehicles to be parked on site in front of it.

The site currently accommodates Transterra House which provides office space. It is considered that the current provision is of poor quality and, although it has been extended in the past does not currently provide suitable space that meets modern business needs. The existing building will be demolished as part of this application.

Policies

Sevenoaks Core Strategy

5 Policies - L01, L02, L03, SP1, SP2, SP7

Sevenoaks District Local Plan

6 Policies - EN1, ST1A, EP8, VP1

ADMP

7 Policies - SC1, EN1, EN2, EMP1, TLC1,

Other

8 NPPF

Relevant Planning History

9 None

Consultations

Parish/Town Council

10 Sevenoaks Town Council recommended approval.

KCC Highways

Following the submission of amendments to the scheme, Kent Highways have advised:

'Thank you for securing improvements to the proposals.

Addressing the various issues:-

- 1. The updated drawing shows an adequate manoeuvring area for cars.
- 2. The proposed number of parking spaces for the office remains minimal, however in terms of parking spaces per unit office area it is not significantly different from the existing provision.
- 3. The proposed cycle parking still appears to be impractical, and requires cycles to be lifted and crammed into a small cabinet. This will discourage residents from owning bicycles. Individual cycle lockers would be more appropriate, however

there does not appear to be adequate room to provide a sufficient number. I would recommend that the applicant should provide a Sheffield stand at the front of the development, so that visitors can park their cycles there.

After consideration of the above issues, I do not intend to raise an objection to the application. If approved, I would request the following planning conditions:

- 1. Along the site frontage the applicants should restore the full height kerb except at the location of the planned vehicular access. Reason: Pedestrian Safety.
- 2. Before any construction commences, a construction management plan must be approved by the planning authority. This must include a clear commitment that (a) heavy goods vehicles will not be permitted to reverse into or out of the site unless under the supervision of a banksman, (b) no vehicle will be permitted to leave the site unless its wheels have been cleared of mud, stones or similar material. Reason: Highway Safety.'

Thames Water

12 Thames Water has advised:

Waste Comments

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Water Comments

With regard to water supply, this comes within the area covered by the South East Water Company. For your information the address to write to is - South East Water Company, 3 Church Road, Haywards Heath, West Sussex. RH16 3NY. Tel: 01444-448200'

Representations

15 None received.

Chief Planning Officer's Appraisal

- 16 The main issues for consideration of this planning application are:
 - The principle of development
 - Design and Appearance
 - Highway implications
 - Amenity impact
 - Community infrastructure levy

Principle of Development

- Policy LO1 of the Core Strategy states that development will be focused within the built confines of existing settlements. The Sevenoaks urban area (the site is located within the Sevenoaks Urban Confine as noted in Figure 3 of the Core Strategy) will be the principle focus for development in the district in accordance with Policies LO2 and LO3".
- Policy LO2 of the Core Strategy details the Council's aspiration for development in Sevenoaks. It states that existing suitable employment sites will be retained with the opportunity for regeneration and redevelopment to better meet the needs of business.
- Policy LO3 of the Core Strategy states that a mix of uses will be retained and enhanced within the town centre. The historic form and character of the town centre will be maintained. New development in the town centre should be of a scale consistent with the existing character of the centre and should contribute to improving the quality of the town centre environment.
- Paragraph 14 of the NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.
- 21 Policy SC1 of ADMP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. The Council will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with policies in the LDF will be approved without delay unless material planning considerations indicate otherwise.
- Paragraph 14 of the NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

- Therefore, subject to compliance with other local plan policies, it is considered that the site is a sustainable and acceptable location in principle for a mixed use development scheme incorporating office and residential use.
- 24 Policy SP8 of the Core Strategy relates to Economic Development and Land for Business. It states that the sustainable development of the District's economy will be supported by the retention, intensification and regeneration of existing business area primarily at Sevenoaks, Swanley and Edenbridge and Major Developed Sites in rural areas.
- Policy SP8 states that 'sites used for business purposes will be retained in business use unless it can be demonstrated that there is no reasonable prospect of their take up or continued use for business purposes during the Core Strategy period. Redevelopment for mixed use of business sites may exceptionally be permitted where such development would facilitate the regeneration of the site to more effectively meet the needs of modern business, where the employment capacity of the site, represented by the commercial floorspace, is maintained and where a mixed use development would represent a sustainable approach consistent with the general distribution of development".
- The Core Strategy states that the Council is preparing an Economic Development Action Plan and that one of its key themes is maintaining the supply of local employment land. The Core Strategy has a significant role to play in implementing the Action Plan in the provision it makes for development and states that there is a significant supply of employment land for business use and that the great majority is acceptably located (as identified in the Employment Land Review). The review identifies that there is a future additional land requirement which can be met through the intensification and use of vacant land. The emphasis of policy is therefore on retaining and making effective use of existing employment land.
- 27 Policy EP8 of the Local Plan identifies the main business areas and states that Class B uses will be permitted within these areas.
- One of the three roles that the NPPF identifies that the planning system should play in contributing towards the achievement of sustainable development is described in the NPPF as:
 - "an economic role contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation: and by identifying and coordinating development requirements, including the provision of infrastructure"
- 29 Paragraphs 18 and 19 of the NPPF state
 - 18. The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.
 - 19. The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system."

30 Paragraph 22 of the NPPF states

"Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities."

- The Council's emerging Allocations and Development Management Plan, EMP1 proposes that the site continues to be allocated for business use. The site forms part of the employment land supply that the Employment Land Review (2007), and the updated Long Term Employment Space Projections (2011), recommend that the Council should retain to meet requirements of the local economy to 2026.
- The proposed development site forms part of the High Street employment land allocation in Sevenoaks. It is subject to policy EP8 of the Sevenoaks Local Plan (2000), policy SP8 of the Sevenoaks District Core Strategy, and EMP1 of the ADMP The approach in these policies is consistent with para 22 of the NPPF. Its redevelopment for mixed use purposes is also compliant with Policy LO3 of the Core Strategy which states that a mix of uses will be retained and enhanced within the town centre.
- The local policies seek to protect such sites unless it can be demonstrated that there is no reasonable prospect of their take up or continued use for business purposes during the Core Strategy period. If this cannot be demonstrated, they exceptionally allow for the redevelopment for mixed use where such development would facilitate the regeneration of the site to more effectively meet the needs of modern business, provided that the employment capacity of the site, is maintained and where a mixed use development would represent a sustainable approach consistent with the general distribution of development.
- Having assessed the information submitted with the planning application, and visited the site, it is considered that the existing building is in a poor state of repair and is no longer fit for purpose. The applicant has submitted information to demonstrate that in its current state and with minimal parking provision, the existing building would not meet the needs of modern business. It is accepted that there is no reasonable prospect of the site's take up or continued use for business purposes during the Core Strategy period in its current state.
- The existing area of office space (excluding circulation, toilets and storage) is approximately 141msq and the proposed area is 97msq. However the existing property is very cellular over 2 floors with lots of small rooms like a residential property whereas the new space is much more efficient with an open-plan area all on a single floor. The company who vacated the site had 4 employees. If the efficiency of the existing building were improved, potentially 9-10 employees could be accommodated. The proposed floor plan shows sufficient space for 14 employees including disabled access.
- The proposal would potentially provide an increase in the number of jobs currently on the site and seeks to redevelop the site for mixed use so that it would more effectively meet the needs of modern business. Although the amount of

employment floorspace would be reduced, it would, given the upgrade of existing office space, not reduce the employment capacity of the site. Given the location of the site within the town centre, it would represent a sustainable approach consistent with the general distribution of development in accordance with local policy including policy LO3 of the Core Strategy which states that a mix of uses will be retained and enhanced within the town centre.

The density of the development is 75 dwellings per hectare. This level is considered appropriate, and makes the best use of land. It is compliant with the requirements of policy SP7 which states that developments should achieve at least 75 units per hectare within Sevenoaks Town centre. The provision of residential units within the built confines and within the town centre is compliant with local and national policy with the site being a sustainable location that should be the principle focus for development in the district.

Design and Appearance

- Policy EN1 of the Local Plan contains a number of criteria including that all forms of development are compatible in terms of scale, height, density and site coverage with other buildings in the locality. The design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard. The layout of proposed development should respect the topography of the site and retain important features such as trees. The design of new buildings should incorporate measures to deter crime.
- Policy SP1 of Core Strategy states that all new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated. In areas where the local environment lacks positive features, new development should contribute to an improvement in the quality of the environment. The Districts heritage assets and their settings will be protected and enhanced.
- 40 Policy EN1 of ADMP states that proposals which would create high quality deign will be permitted subject to a number of design criteria including that the form of the development should respond to the scale, height, materials and site coverage of the area; the layout of the proposal would respect the topography and character of the site; the proposal would not result in the loss of open spaces that would have an unacceptable impact on the character of the area; the design of new buildings should be permeable and provide connectivity with neighbouring areas; and would create a safe and secure environment.
- Paragraph 57 of the NPPF states that 'it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes'
- Paragraph 60 of the NPPF states that 'planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.'

- Paragraph 63 states that 'in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.'
- The scale, height and bulk of the proposal fits in comfortably with its surroundings. It would be taller than the existing building, however it would relate well to the street. The ridge line is approximately 1.6m lower than the neighbouring building 154 High Street.
- The scale of the building in the street is reduced by the stepping back of the building which helps to break up its form. Set back from the boundary line, it creates a greater sense of openness on the streetscene. Although the depth of the building into the plot is considerably greater than existing, this has no impact on its appearance in the streetscene.
- Although the proposal is significantly larger than the existing building, given the context of the site, the surrounding development and its location within the town centre, the design treatments such as the set down in height from the neighbouring building and set back from the road along with the distances from the development to any residential uses, would ensure that the proposal does not represent an overdevelopment of the site. In all respects, the proposal complies with local and national planning policy.
- The neighbouring plot to the North is vacant. An application was withdrawn in 2011 for construction of three storey office building with associated car parking to the rear & at the basement level. This was approved at committee with the requirement for a legal agreement to be signed. The agreement was not signed and the application therefore not permitted. The proposal showed the building up of the vacant land up the boundary line of the site but with no windows in the Southern elevation where it adjoins No. 156.
- The application for No.156 shows a small gap between it and the boundary of 166. Any forthcoming proposal for the neighbouring site at 166 would need to be set in more from the side boundary than previously considered to allow some light to reach the windows in the northern elevation of the proposed development at 156. The upper storey windows would be obscurely glazed and are non habitable. As such, it is considered that this proposal would not compromise the revised development of the neighbouring plot.
- The application proposal is a high quality building with clean lines and detail that reflects the surrounding context. A traditional material palette is shown which would create a cohesive design across the scheme as a whole. The main material is buff facing brick, with the introduction of a feature header course and cill with a feature banding and entrance portico.
- The ground floor is shown as finished with a stucco render which would give an acceptable period feel to the development, with a stone portico defining the entrance. The fenestration is carefully proportioned and complements the styling of the building.
- The roof is proposed to have a grey slate finish with dormers to the front and rear with the occasional discrete conservation roof light introduced to maximise natural daylight.

- The styling and detailing of the building would be in harmony with its locality and shows materials and detailing a high quality that would respond to the character and distinctiveness of the area.
- A soft landscaping scheme can be imposed to control the landscaping of the development at the front and area.

Amenity impact

- Policy EN1 of local plan states that proposed development should not have an adverse impact on the privacy and amenities of a locality by reason of form, scale, height, outlook, noise or light intrusion or activity levels including vehicular or pedestrian movements.
- Policy EN2 of ADMP states that proposals will be permitted where they would provide adequate residential amenities for existing and future occupiers of the development and would safeguard the amenities of existing sand future occupants of nearby properties by ensuring that the development does not result in excessive noise, vibration, odour, air pollution, activity or vehicle movements, overlooking or visual intrusion and where the built form would not result in an unacceptable loss of privacy or light enjoyed by the occupiers of nearby properties.
- No windows are proposed in the side elevation of the building which faces onto the existing adjacent office development at 154 High Street. On this southern side of the development, the proposal would extend 10.6m further back into the site than the existing and extend an additional two floors upwards. A distance of 1.3m is maintained between the proposal and number 154. Where the first upper floor windows are located on 154, the proposed building steps back and the open rear terraces are located. This would ensure that there would be sufficient daylight to the windows of Number 154. Opaque privacy screens are shown on the sides of the terraces so that there would be no overlooking between the proposal and the windows of No. 154.
- 57 Given these factors, there would be no unacceptable impact on the users of No. 154
- On the side of the development that is adjacent to the vacant plot, the proposal would extend an approximate additional 11.5m back into the site. The plot next to the development site is vacant. The relationship between the development of the vacant plot and this proposal has been considered already.
- The closest building that would be affected to the north is sited 47m away. This is an acceptable distance between buildings for there to be no detrimental impact on the amenity of the occupiers of No.168-170 High Street. The residential windows on the northern elevation all service WC's, ensuites and utility rooms. As such, they can be reasonably required to be obscurely glazed. There would therefore be no overlooking impact from the proposal to the north.
- The nearest residential premises to the rear of the site is 6 Warren Court. The garden of this sits at the rear of the application site. There would be maintained an approximate distance of 33m from the rear building line of the proposal to the closest boundary of the garden of No 6 Warren Court. The distance between rear building lines would be 48m, however this would be at an oblique angle and not

facing. These distances are acceptable in this context and would not result in a detrimental impact on the amenity of the occupiers of the proposal or existing dwellings.

This proposal would have a minimal impact on neighbouring amenity that is considered acceptable.

Highway implications

- 62 Core Strategy Policy SP2 states that the council will:
 - '2. Seek improved facilities for cyclists and pedestrians'
- Policy T1 of the ADMP states that:

"New developments will be required to mitigate any adverse travel impacts, including their impact on congestion and safety, environmental impact, such as noise and tranquillity, pollution and impact on amenity and health."

- The development proposals include 3 allocated spaces for the residential flats in accordance with the parking standards. A further space will be provided for the shared use of visitors and the office development. This shared use is encouraged as the two uses tend to require parking at different times.
- A transport assessment has been submitted which demonstrates that this is a satisfactory provision on the basis that the residential provision will be in accordance with adopted parking standards, and that the office parking, while less than the current provision would be acceptable within such a sustainable location within the town centre. The parking would also provide for a much safer access in to and out of the site, compared with the current arrangement which requires vehicles to back out onto the highway.
- Following the submission of some amendments to the parking provision on site, Kent highways have raised no objection to the proposal and agree with the transport assessment that the parking provision in this location is acceptable. The proposal provides an adequate manoeuvring area for cars and although the proposed number of parking spaces for the office remains minimal, it is not significantly different from the existing provision.
- Kent Highways consider that the proposed cycle parking appears to be impractical, and requires cycles to be lifted and crammed into a small cabinet. This will discourage residents from owning bicycles. Individual cycle lockers would be more appropriate, however there does not appear to be adequate room to provide a sufficient number. Kent Highways have recommended therefore that the applicant should provide a Sheffield stand at the front of the development, so that visitors can park their cycles there. Given the generous set back of the development from the road, this can be achieved through condition.
- Conditions can also be imposed regarding restoration of the full height kerb across an expanse of the frontage, submission of a construction management plan including a clear commitment that (a) heavy goods vehicles will not be permitted to reverse into or out of the site unless under the supervision of a banksman, and (b) no vehicle will be permitted to leave the site unless its wheels have been cleared of mud, stones or similar material.

Community Infrastructure Levy

- The Council adopted the Community Infrastructure Levy on 18 February 2014 and began charging on applications approved from the 4th August.
- 70 The proposal is CIL liable and no exemption has been sought.

Conclusion

71 That planning permission is granted.

Background Papers

Site and Block plans

Contact Officer(s): Joanna Russell Extension: 7367

Richard Morris Chief Planning Officer

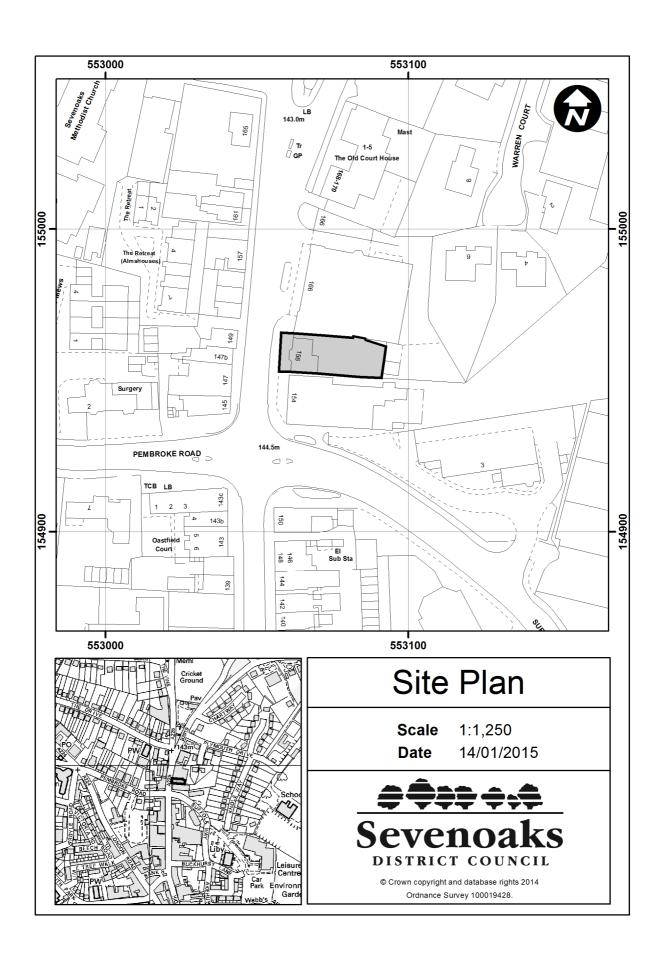
Link to application details

http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=ND468NBKHE500

Link to associated documents

http://pa.sevenoaks.gov.uk/online-

applications/applicationDetails.do?activeTab=documents&keyVal=ND468NBKHE500



Block Plan

