

4.2- SE/16/01213/FUL

Date expired 16 June 2016

PROPOSAL: Erection of a single storey side extension to the existing Asda Store.

LOCATION: Asda Stores Ltd, London Road, Swanley BR8 7UN

WARD(S): Swanley White Oak

ITEM FOR DECISION

This application is referred to the Development Control Committee for the reason that the District Council is the land owner for the application site.

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

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

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

2) The development hereby permitted shall be carried out in accordance with the following approved plans: 15-625 PL-01 and 15-625 PL-02.

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

3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building.

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

4) The development shall achieve a BREEAM minimum standard of "Very Good". 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 BREEAM Design Certificate minimum standard of "Very Good" 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 BREEAM Post Construction certificate minimum standard of "Very Good" or alternative as agreed in writing by the Local Planning Authority.

In the interests of environmental sustainability and reducing the risk of climate change as supported in Policy SP2 of the Sevenoaks Core Strategy. The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

Informatives

1) It is the responsibility of the applicant to ensure, before the development

hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

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.asp),
- 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 on the progress of the planning application.
- 2) Did not require any further assistance as the application was acceptable as submitted.

Description of Proposal

- 1 The application seeks the approval of the erection of a single storey extension to the existing building. The extension would comprise a partial in fill of an existing canopy located to the south-west elevation of the building. The extension would be 2m deep and 15.5m long, with the existing

canopy remaining a maximum of 4.3m high. The extension would be finished to match the existing elevation of the building, being mainly glazed.

Description of Site

- 2 The application site comprises a large superstore located within Swanley Town centre. The superstore is served by two large car parks and surrounded by a mixture of retail uses and residential properties.

Constraints

- 3 The site lies within Swanley Town centre, the south-west elevation of the building is a designated Primary Retail Frontage and part of the site is covered by a Tree Preservation Order.

Policies

Sevenoaks District Core Strategy

- 4 Policies - LO1, LO4, SP1 and SP2

Sevenoaks District Allocations and Development Management Plan (ADMP)

- 5 Policies - SC1, EN1, EN2, TLC2 and T2

Other

- 6 The National Planning Policy Framework (NPPF)
7 The National Planning Practice Guidance (NPPG)

Planning History

- 8 No recent planning history is relevant to this application.

Consultations

Swanley Town Council - 19.05.16

- 9 'Support'

County Highways Engineer - 06.06.16

- 10 'I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority.

Please advise the applicant that they will require separate consent from KCC Highways for any works that directly affect adopted highway land.'

Tree Officer - 05.05.16

- 11 'No comment.'

Representations

- 12 None received.

Chief Planning Officer's Appraisal

- 13 The main issues in respect of this application are the principle of the development, the potential impact on the character and appearance of the area, the potential impact on amenities, the potential impact on highways safety and parking provision. Other issues include the potential impact on trees, the Community Infrastructure Levy (CIL), BREEAM standards and sustainable development.

Main Issues

Principle of the development -

- 14 Policy TLC2 of the ADMP states that within the Swanley Primary Retail Frontage, at least 70% of the ground floor frontage will be maintained in A1 use.
- 15 The proposal comprises a modest extension to the existing superstore within a designated Primary Retail Frontage. This means that the percentage of ground floor frontage maintained in an A1 use is not affected.
- 16 The principle of the development is therefore one that the Council could accept provided the proposal comprises with all other relevant planning policies.

Impact on the character and appearance of the area -

- 17 The NPPF states that the Government 'attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.' (para. 56)
- 18 Policy SP1 of the 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.
- 19 Policy EN1 of the ADMP states that the form of proposed development should respond to the scale, height, materials and site coverage of the area. This policy also states that the layout of proposed development should respect the topography and character of the site and the surrounding area.
- 20 The single storey extension would be a modest and subservient addition to the existing large building, which dominates this part of the town. The addition would also take place within an existing canopy area that already projects out from the building, and would not increase the built footprint of the building.
- 21 For these reasons I would conclude that the development would preserve the character and appearance of the area. The proposal is therefore in

accordance with the NPPF, policy SP1 of the Core Strategy and policy EN1 of the ADMP.

Impact on amenities -

- 22 Paragraph 17 of the NPPF identifies a set of core land-use planning principles that should underpin decision-taking. One of these principles is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 23 Policy EN2 of the 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 and future occupants of nearby properties.
- 24 As noted above, the proposed extension would in fill part of an existing canopy projection to the south-west elevation of the building, which faces on to an area of open public space and neighbouring retail units.
- 25 Since the form of the building would not be significantly altered and that the extension would be modest in nature I am satisfied that the development would safeguard the amenities of existing and future occupants of nearby properties. This complies with the NPPF and policy EN2 of the ADMP.

Impact on highways safety and parking provision -

- 26 Policy EN1 of the ADMP states that proposals which would ensure satisfactory means of access for vehicles and pedestrians and provide adequate parking and refuse facilities will be permitted.
- 27 Policy T2 of the ADMP states that vehicle parking provision in new residential developments should be made in accordance with the current KCC vehicle parking standards in Interim Guidance Note 3 to the Kent Design Guide (or any subsequent replacement).
- 28 Access to the existing car parks and the number of parking spaces provided to customers of the superstore are not proposed to be altered by this development. The proposed extension under an existing canopy, taking account of its very modest size, is considered to be wholly acceptable by the County Highways Engineer.
- 29 I am therefore of the view that the development would continue to ensure satisfactory means of access for vehicles and pedestrians and would continue to provide adequate parking in accordance with policies EN1 and T2 of the ADMP.

Other Issues

Impact on trees -

- 30 The NPPF states that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside

ancient woodland (para. 118). Policy EN1 of the ADMP further supports this position.

- 31 There are no trees adjacent to the section of the building where the proposed extension would be located. It is therefore the case that no protected trees would be impacted upon as a result of the proposed development.

Community Infrastructure Levy (CIL) -

- 32 The development comprises an extension to a superstore, which is less than 100m² in area. For this reason the development is not CIL liable.

BREEAM standards -

- 33 Policy SP2 of the Core Strategy requires that all conversions to residential use will be required to achieve BREEAM “Very Good” standards. Applicants must submit evidence which demonstrates how the requirements have been met or which demonstrate that compliance is not technically or financially feasible.
- 34 This information has not yet been provided by the applicant but has been requested by way of condition 4 above to ensure that the development complies with policy SP2 of the Core Strategy.

Sustainable development -

- 35 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 (para. 14).
- 36 In my opinion, the proposed scheme fully accords with the development plan, and I have explained this in detail above. It follows that the development is appropriate and there would be no adverse impacts in granting planning permission for the development.

Conclusion

- 37 I consider that the proposed development would preserve the character and appearance of the area, would preserve amenities, would preserve highways safety and would provide sufficient parking. Consequently the proposal is in accordance with the development plan and therefore the Officer’s recommendation is to approve.

Background Papers

Site and Block plans

Contact Officer(s): Mr M Holmes Extension: 7406

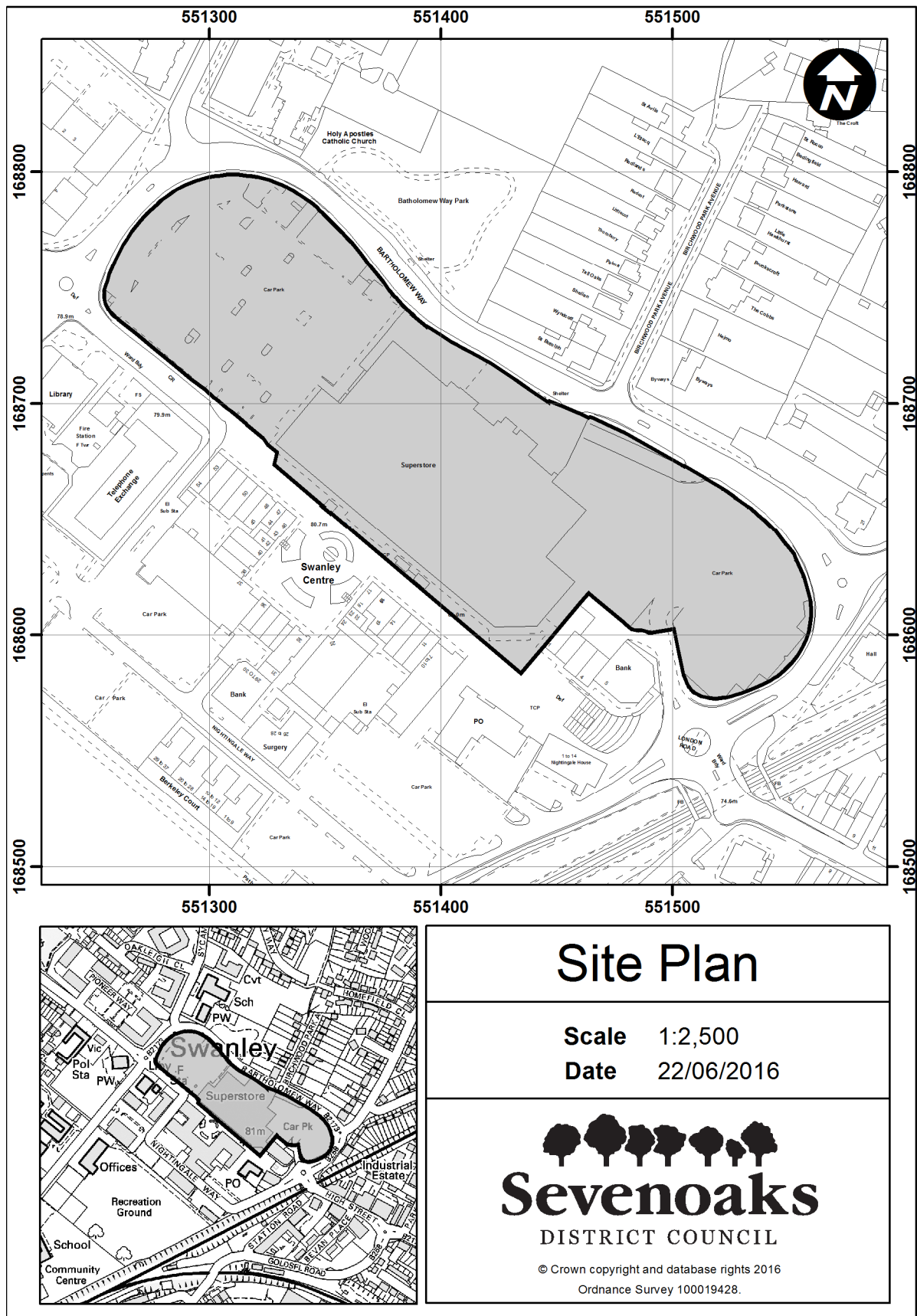
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=O5ZR8TBKKNV00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=O5ZR8TBKKNV00>



BLOCK PLAN

