

4.3 - 17/04027/FUL

Date expired 12 March 2018

Proposal: Proposed change of use of the existing car park to a vehicle rental business (sui generis) including erection of small office and the provision of a car valet area.

Location: St Johns Hill Car Park, St Johns Hill, Sevenoaks TN13 3PE

Ward(s): Sevenoaks Town & St Johns

ITEM FOR DECISION

This application has been referred to the Development Control Committee by Councillor Raikes on the grounds that the proposal would potentially impact parking provision locally.

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: Site Location Plan, Site Plan - Proposed, Building Plan, Building Elevations and Wash-bay Canopy.

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

3) The vehicle rental business hereby permitted is for a sui generis use only and for no other purpose.

In the interests of highway safety as supported by policies EN1 and T2 of the Sevenoaks Allocations and Development Management Plan.

4) No customer or potential customer and no activities associated with the approved use, including servicing, vehicle parking or the manoeuvring of vehicles, shall take place on the site between 1900hrs and 0700hrs daily.

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

5) The valeting of vehicles shall only be carried out on the premises between 0900hrs and 1700hrs Monday to Friday.

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

6) Prior to the operation of the approved car rental use being commenced a site management plan for the operation of the use shall be submitted to and approved in writing by the local planning authority. The use shall operate in accordance with the

approved site management plan and the plan shall include measures to control the number of private vehicles arriving at the site.

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

7) Prior to the operation of the approved car rental use being commenced details of suitable surface water drainage system for the site and management of the drainage system shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

To ensure the site is appropriately drained in accordance with the National Planning Policy Framework.

8) Prior to the operation of the approved car rental use being commenced details of a sound reducing cabinet to house the jet wash equipment suitable shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and maintained thereafter.

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

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 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:

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| <ol style="list-style-type: none">1) Was provided with pre-application advice.2) Did not require any further assistance as the application was acceptable as submitted. |
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Description of proposal

- 1 The application seeks approval for the change of use of the northern section of the existing car park to serve as vehicle rental business, which falls within the sui generis use class.
- 2 The site would comprise two detached buildings that would stand adjacent to the north-eastern boundary of the plot. One building would serve as the office to the vehicle rental operation and the other would serve as a valeting bay. Both would be single storey in design with a flat or mono-pitch roof to keep the height and bulk of the buildings to a minimum.
- 3 On the opposite side of the site to the buildings would be 7 parking bays where vehicles either ready for hire or being returned would be parked. Cars would only be parked outside of the site if permits and space within the car park allows for this.
- 4 The vehicle rental business in question, Enterprise, wishes to relocate from the Haywards site on Otford Road following the grant of planning approval to redevelop the Haywards site.

Description of site

- 5 The application site consists of a large car park located behind the existing mix of uses found along St Johns Hill, close to the Bat & Ball junction. The application site currently provides 14 parking spaces, with an additional 51 spaces provided within the remainder of the car park.
- 6 The site is bounded by a mixture of commercial and residential properties. Access to the application site and wider car park is provided in between 127 and 129 St Johns Hill.

Constraints

- 7 The lies within the built urban confines of Sevenoaks, a Source Protection Zone, partially within an Air Quality Management Area and partially within a Neighbourhood and Village Centre.

Policies

Core Strategy (CS)

- 8 Policies:
 - LO1 Distribution of Development
 - LO2 Development in Sevenoaks Urban Area

SP1 Design of New Development and Conservation

Allocations and Development Management (ADMP)

9 Policies:

- SC1 Presumption in Favour of Sustainable Development
- EN1 Design Principles
- EN2 Amenity Protection
- EN7 Noise Pollution
- T2 Vehicle Parking

Other

10 The National Planning Practice Guidance (NPPG)

11 The National Planning Policy Framework (NPPF):

Para 14 of the NPPF confirms that there is a presumption in favour of sustainable development, and that development that accords with the development plan should be approved unless material considerations indicate otherwise. (See paras 11, 12, 13 of NPPF.)

Para 14 of the NPPF (and footnote 9) also advises that where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless there are specific policies in the NPPF that indicate that development should be restricted. This applies to a variety of designations, including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

Planning history

12 SE/80/00960 - Engineering operations for laying out of car parking area - Granted.

SE/86/00384 - Construction of detached building to house public convenience - Granted.

SE/17/04028 - Advertisement consent for 2 x fascia signs, 2 x entrance and 1 x "wayfinding" sign - Pending consideration.

Consultations

Sevenoaks Town Council - 31.01.2018

- 13 "While Sevenoaks Town Council would support the retention of a car hire business in the Town, it objects to the proposed location, recommending refusal until such time that Sevenoaks District Council have carried out a full assessment of current and future parking needs for the car park, taking account current and future residential development in the area. It was noted that many recent residential developments in the surrounding area have been permitted in the understanding that there is vacant capacity in the St James and St Johns car parks."

County Highways Engineer - 17.01.2018

- 14 “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.

The Transport Statement submitted with the application demonstrates that there will be no significant increase in traffic movements, using the existing access, over and above the existing car park use.”

Parking Services Manager - 21.02.2018

- 15 “As the Parking Services Manager at Sevenoaks District Council I have operated the St Johns car park for the past three years. In my experience the car park operates at around 20-30% capacity throughout the day. The reduction in parking capacity by 20-30 spaces would not have any detrimental effect on the local area or economy.

In my view, use of part of the car park as an Enterprise vehicle rental operation would not have a detrimental impact on the local shops and businesses. I think that this will help support local shops and businesses by attracting more customers to the area and offering employment to local residents.”

Representations

- 16 We received 15 letters of objection, including one petition signed by 25 individuals, relating to the following issues:

- The loss of car parking;
- The demand for parking locally;
- The impact of traffic;
- The impact on highways safety;
- Restriction of access to properties on St James Road and Wealden Place;
- The impact of the illuminated signage;
- Impact of the noise from the valeting area;
- Inadequate space proposed for the vehicle rental use; and
- The provision of services to the site.

Chief Planning Officer’s appraisal

Principal issues

- 17 The principal issues for consideration are:
- The principle of the development;
 - The potential impact on highways safety and parking provision;
 - The potential impact on the character and appearance of the area;
 - The potential impact on residential amenity;
 - Sustainable development.

The principle of the development

- 18 As noted above, the site lies within the built urban confines of Sevenoaks and mainly outside of the Neighbourhood and Village Centre. Only the access to the site falls within the Neighbourhood and Village Centre designation.
- 19 Policies LO1 and LO2 of the Core Strategy encourage development to take place within the built urban confines of Sevenoaks and so the principle of the development is one that we can agree subject to the compliance with all other relevant planning policies.

The potential impact on highways safety and parking provision

- 20 The application has been accompanied by a detailed Transport Statement, which assessed the usage of the car park as a whole. This includes a survey of the usage of the car park during a period between the 1st - 18th November 2017.
- 21 During this time vehicle trips did not exceed 17 arrivals or 17 departures in any given hour. Peak usage of the car park was a total of 30 vehicles and an average of 22 vehicles remained in the car park overnight.
- 22 Given the total number of parking spaces across the site are 65 the survey demonstrates that the car park is underutilised, given the fact that the occupation has been shown to be less than half of the total provision.
- 23 This view is supported by our Parking Services Manager, who has extensive knowledge of the functioning of the car park and goes further than the survey to state that the car park operates at 20-30% capacity.
- 24 Therefore, the proposed loss of 14 parking spaces that are currently available to the public would not have a detrimental impact on the function of the car park.
- 25 Reference has been made to the reliance of current and future residential developments on the use of the car park. Where residential development has been approved close to the site it would seem that the provision of public car parks locally together with good public transport weigh in the favour of the provision of no on-site parking for the respective developments.
- 26 This means that the nearby car parks have not been solely relied upon in considering these residential developments.
- 27 The question as to whether the site provides ample space for the vehicle rental business has been posed by representations. This is acknowledged by the Transport Statement, which indicates that permits would be sought within the adjacent public car park if necessary. This is not a planning consideration. However, we would retain control of the appropriateness of this approach via our Parking Services Manager.
- 28 In terms of highways safety, the Transport Statement confirms that the operation at the Haywards site is comparable in terms of traffic movements

and that acknowledges that these traffic movements occurred up until recently on the local highway network.

- 29 This operation includes the implementation of measures to limit the number of private vehicles arriving at the site by collecting/dropping off customers or vehicles. A condition can be imposed requiring a management plan for the running of the business to ensure these measures are put in place.
- 30 Given this the Transport Statement concludes that there would be there would be no significant increase in traffic movements and it follows that this would not have a severe impact on the local road network or highways safety.
- 31 The application has received the support of the County Highways Engineer, who also confirms that the continued use of the access onto St Johns Hill by the development would be acceptable.
- 32 I would therefore conclude that the loss of 14 parking spaces from the car park would not be detrimental to the operation of the car park and that highways safety would be wholly preserved. The proposal therefore complies with the NPPF and policies EN1 and T2 of the ADMP.

The potential impact on the character and appearance of the area

- 33 The site is located in behind properties on the surrounding streets, namely St Johns Hill, Bradbourne Vale Road and St James Road. The single storey buildings proposed to serve the vehicle rental business would therefore have minimal impact on the wider character and appearance of the area.
- 34 The development would be sited adjacent to the remaining section of the public car park and so would be viewed from the public vantage point when entering and exiting the car park site.
- 35 Within this context the single storey buildings would appear as ancillary to the existing development that surrounds the site.
- 36 As such I am satisfied that the development would preserve the character and appearance of the area in accordance with the NPPF, policy SP1 of the Core Strategy and policy EN1 of the ADMP.

The potential impact on residential amenity

- 37 The nature of the development, i.e. single storey buildings and the continued use of the existing open vehicle parking area, means that the proposal would not affect residential amenity in terms of vibration, odour, activity or vehicle movements, overlooking, visual intrusion, loss of privacy or a loss of daylight/sunlight.
- 38 I am also satisfied that the modest increase in traffic movements would not have a detrimental impact upon the air quality of the locality.
- 39 The proposed operation would occur between 7am and 7pm daily. These are reasonable times given that the car park is currently unrestricted in the time that members of the public can enter and exit the site.

- 40 The valeting area that would serve the site would be located to the north-east corner of the site. This structure would be enclosed on three sides and have a roof over it. The applicant proposes to use a jet wash and it is anticipated that vacuuming of the interior of the vehicles would also occur. To dampen the noise of the jet wash the applicant proposes to further enclose this within a sound reducing cabinet, further details of which can be required by way of condition.
- 41 In addition to this, the time during which the valeting process can take place can be controlled to between 9am to 5pm on weekdays only.
- 42 These controls would ensure that noise from the valeting process does not impact residential amenity.
- 43 The development therefore complies with the NPPF and policy EN2 of the ADMP.

Sustainable development

- 44 In my opinion, the proposed scheme wholly 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.

Other issues

- 45 Representations pick up on the fact that the development may result in the restriction of access to properties on St James Road and Wealden Place. This is a civil matter that would need to be dealt with between the relevant parties if the matter were to arise.
- 46 Representations also refer to illuminated signage proposed under SE/17/04028/ADV. This is a separate application to this planning application, which will consider the acceptability of the proposed signage.
- 47 Finally, the matter of the provision of services to the site is raised. The provision of water and electricity to the site is not a material planning consideration. Drainage is a material consideration and further details of how surface run-off from the site can be discharged.

Conclusion

- 48 The proposal would be acceptable in principle, would preserve highways safety and would provide sufficient parking both within the site and the adjacent car park. There would be no detrimental impact on the character and appearance of the area or residential amenity. Consequently the proposal is in accordance with the development plan and therefore the Officer's recommendation is to approve.

Background papers

Site and block plan.

Contact Officer(s):

Mike Holmes Extension: 7406

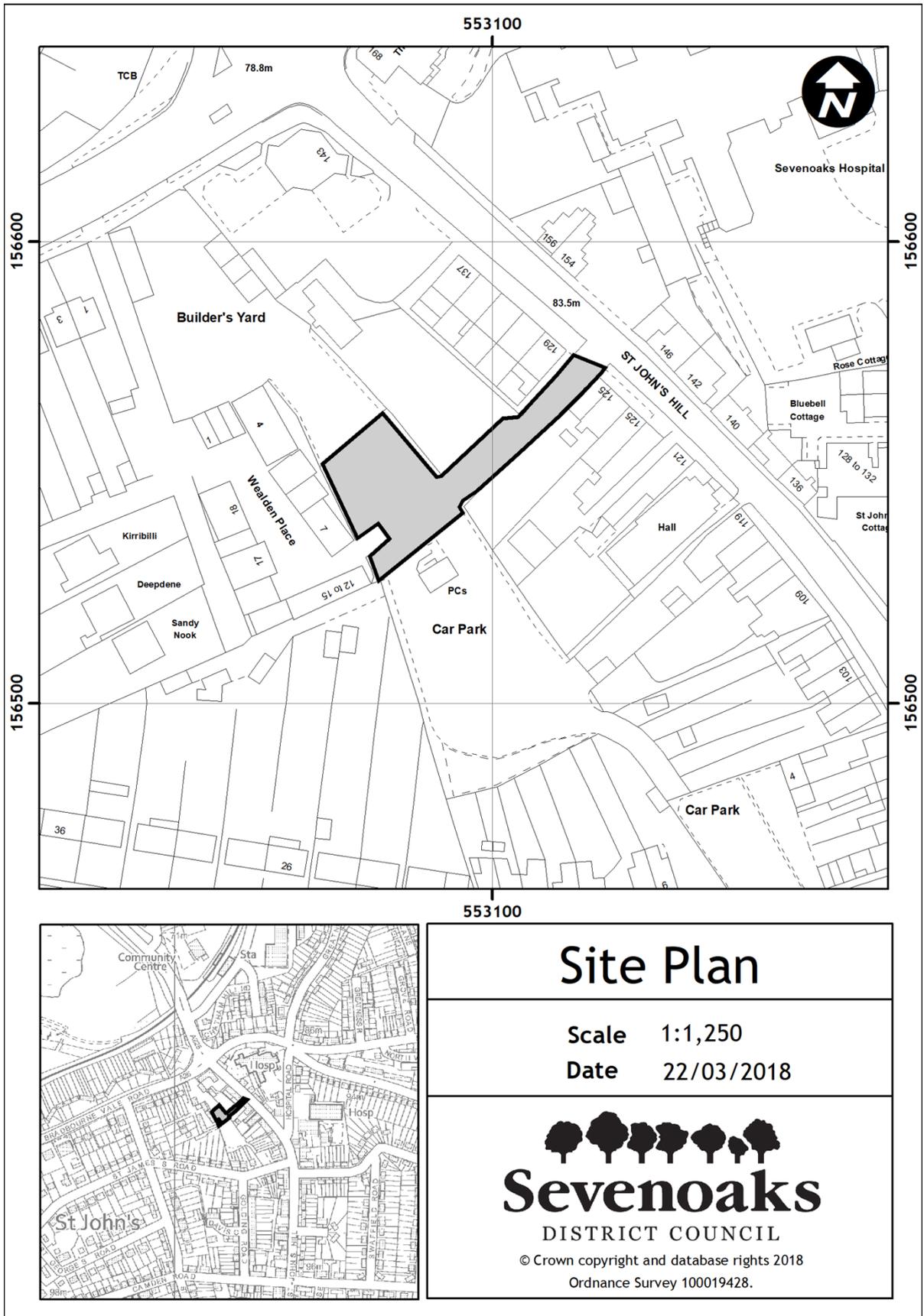
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=P1BLYIBKJ9M00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P1BLYIBKJ9M00>



Block Plan

