

4.1 18/03443/FUL

Date expired 1 January 2019

Proposal:

Temporary 3 year use as a day time car park.

Location:

Site Of 166 High Street, Sevenoaks, Kent TN13 1XE

Ward(s):

Sevenoaks Town & St Johns

### Item for decision

Councillor Fleming has referred this application to Development Control Committee as there are concerns upon the impact of the development in terms of highway safety, neighbouring residential amenity and inappropriate land use of the 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) Prior to the first use of the car park hereby permitted written notice shall be submitted to the local planning authority. The use of the land as a car park shall cease at the expiry of three years from the date of the written notice and within three months of the cessation of the car park use, a scheme of restoration of the land shall be submitted to and approved by the local planning authority. All restoration works shall accord to the approved details.

To allow an interim development to occupy the site to allow further consideration on its future re-development in accordance with the aims and objectives of National Planning Policy Framework.

3) The maximum number of vehicles that may park on the site at any one time shall be limited to 78.

In the interest of highway safety.

4) Notwithstanding any details hereby approved, prior to commencement of development details of off site highway works as shown on plan P048-102 Rev. PL-B shall be submitted to and approved in writing by the local planning authority. The approved works shall be provided prior to first use of the development hereby permitted and shall be in accordance with the approved details.

In the interest of highway safety.

5) No development shall take place until an ecological mitigation strategy is submitted to and approved by in writing by the local planning authority. The strategy must include the following:- Walk over site survey- Over view of mitigation required- Methodology to implement the mitigation- Timings of the proposed works- Maps show details of retained habitat/off site mitigation area (if

required)The strategy must be implemented as approved prior to the first use of the development hereby permitted.

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

6) The details of the proposed acoustic boundary treatment as stated in the design and access statement and any other as shown on plan no. PL048-102 Rev. PL-B shall be submitted to and approved by in writing by the local planning authority and implemented in full prior to the first use of the car park hereby permitted.

To ensure that the appearance of the development enhances the character and appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

7) Before the use begins a scheme shall be agreed in writing with the local planning authority regarding the management and operation of the car park. Such a scheme shall include details of maximum and minimum parking periods, type and location of automatic tickets, measures to ensure that the entry and exit points are retained for this purpose, direction signage for approaching traffic (both from within the site and from the public highway), the construction and operation of the proposed barrier at the entrance. The measures agreed in the management and operational plan shall be implemented before the use begins and shall remain in force for the duration of the planning permission.

To safeguard the amenity of the area.

8) The installation of external lighting shall only be carried out in accordance with the approved outdoor lighting report ref: MMA14495 and implemented in full prior to the first use of the car park hereby permitted, unless otherwise agreed by writing from the local planning authority.

To protect the amenities of the area as supported by EN1, EN6 of the Sevenoaks Allocations and Development Management Plan.

9) The surface water drainage measures and their maintenance as detailed in Surface Water Strategy - ref: 369518 (vkhp Consulting January 2019) shall be implemented in full and thereafter maintained, unless otherwise agreed in writing by the local planning authority.

To avoid pollution and flooding and meet sustainability objectives.

10) The car park hereby permitted shall only operate between 0700 and 2200 hours on any day.

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

11) The installation of CCTV shall only be carried out in accordance with the approved CCTV statement and implemented in full prior to the first use of the car park hereby permitted, unless otherwise agreed by writing from the local planning authority.

To safeguard the amenity of the area.

12) Details and location of an electric vehicle charging unit provided within the site shall be submitted to and approved by in writing by the local planning authority and implemented in full prior to the first use of the car park hereby permitted.

In order to mitigate and adapt to climate change in accordance with policies EN1 and T3 of the Sevenoaks Allocations and Development Management Plan.

13) No development including any works of demolition or preparation works prior to building operations shall take place on site until a Construction Transport Management Plan has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period and shall include:

- (a) parking for vehicles of site personnel, operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials used in constructing the development;
- (d) measures for the management and direction of construction traffic for the development;
- (e) wheel washing facilities;
- (f) a scheme for the recycling/disposing of waste resulting from demolition and construction works;

To ensure that the development does not prejudice the free flow of traffic and conditions of safety on the highway or cause inconvenience to other highway users and in the interests of the amenities of the area in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

14) The development hereby permitted shall be carried out in accordance with the following approved plans and details: P048-001 Rev. PL-A, P048-701 Rev. PL-A, P048-102 Rev. PL-B.

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

#### **Informative**

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.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>.

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.

### **National Planning Policy Framework**

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

### **Description of Proposal**

- 1 The application is to change the use of the land to a public car park for a temporary period of three years. In planning terms, this use is a *sui generis* (unique) use.
- 2 The application would provide a total of 78 car parking spaces for the general public on a 'pay and display' basis, open from 0700 to 2200hrs on any day. Permission is sought for the resurfacing of the site and formation of a public pay and display car park with 78 car parking spaces with cycle locking spaces. Works would include CCTV, low-level boundary treatments and conservation type 5.5m high column lighting units. The car park will operate a pay and display system, open 15 hours a day with one barrier in use when the car park is closed.
- 3 The existing accesses from the High Street would be retained with off-street highway works facilitated by a Section 278 agreement with Kent Highways to enhance the road markings in close proximity to the car park and also reconfigure the existing kerb line. This will involve creating 'Keep clear' markings at the entrance and exit to the site.
- 4 The proposal is for a three-year temporary consent, to allow the recovery of investment associated with building the car park. Upon expiry of the permission, the site would return to its current form with hoarding and gates securing the site.

### **Description of Site**

- 5 The application site, which comprises a roughly rectangular shaped piece of land, of approximately 0.19ha in area. The site is located to the eastern side of Sevenoaks High Street, within the urban area of Sevenoaks. To north, is the forked junction to Seal Hollow Road and to the south, a set of crossroads.
- 6 At present, the site has hoarding to its front boundary and is vacant land. Within the site, sapling (self-seeded) trees populate the site, interspersed with demolition material and the ground levels slope away in a easterly direction.

- 7 Bounding to the north and eastern boundaries of the site are residential properties being 1-5 The Old Courthouse and 2,4 and 8 Warren Court. The properties within Warren Court are on a ground level much lower than the site, varying between 1.2m - 3.5m.

### Constraints

- 8 Adjacent to The Vine Conservation Area
- 9 Built confines of Sevenoaks

### Policies

- 10 Allocations and Development Management Plan:

- EN1 Design Principles Design Principles
- EN2 Amenity Protection
- EN4 Heritage Assets
- EN6 Outdoor Lighting
- EN7 Noise Pollution
- EMP1 Land for Business
- TLC1 Sevenoaks Town Centre
- T1 Mitigating Travel Impact
- T3 Provision for charging for electric vehicles

- 11 Sevenoaks Core Strategy:

- LO1 Distribution of Development
- LO3 Development on Sevenoaks Town Centre
- SP1 Design of New Development and Conservation
- SP8 Economic Development and Land for Business
- SP9 Infrastructure Provision

- 12 Other:

- National Planning Policy Framework
- National Planning Policy Guidance
- Noise Policy Statement for England (NPSE)

### Planning History

- 13 01/01899 - construction of three storey office building - REFUSED

02/02347 - Construction of three storey office building - GRANTED

07/03941 - Redevelopment to provide retail floorspace on the ground floor, 14 residential unit above (12x2 bed flats and 2x1bed flats) together with provision for undercroft car parking and communal open space, following demolition of the existing building - WITHDRAWN

8/00704 - Temporary 3 year use as a car park - REFUSED

## Consultations

### Sevenoaks Town Council

14 Object to the development for the following reasons:

- Impact upon amenity of adjacent residents in terms of noise and disturbance,
- Increase traffic congestion, due to proximity to Pembroke Road Junction;
- Mitigation measures to reduce impact are insufficient.

### SDC Environmental Health

15 No objection raised.

### SDC Tree Officer

16 No objection.

### SDC Parking Manager

17 No comment.

### SDC Economic Development -

18 *Whilst the long term redevelopment of this key town centre site for either commercial or mixed use would add to the economic vitality of the town centre, the proposed meanwhile use as a car park would provide additional capacity for the town and bring a vacant hoarded up site back into use."*

### Kent Police

19 No response received.

### KCC Lead Flood Authority

20 No comment.

### KCC Highways

21 No objection raised, few amendments required to the pavement (highway land), however this can be dealt under Section 278 agreement.

### KCC Ecology

22 No objection subject to condition.

## Representations

23 21 in support for the following reasons:

- More parking for the town;
- Benefit the shops of the town centre;
- Positive impact upon local economy;

- Visual benefit, by the removal of the hoarding which is an eye sore;
- Alleviate over-parking on nearby streets;
- It's a temporary use, still allow for permanent development;
- Wasting a valuable piece of vacant land, bring it back into a use.

24 26 objections received on the following grounds:

- Loss of privacy to residents
- Security issues particularly in regards to the site and boundary
- Pollution - air, noise, lighting and inadequate air impact assessment
- Drainage issues and lack of details on how this will impact neighbouring amenities
- Traffic - congestion and driver and pedestrian safety
- Potential for antisocial behaviour
- Sustainability and permanency - long term viability of the site plus impact on local businesses and employment
- Visual amenities - loss of trees, verdant character
- Better/alternative use(s) of the site
- 3 years - too long
- Insufficient highway evidence
- Visual impact

## Chief Planning Officer's Appraisal

### Principle Issues

- Principal of Development
- Impact upon the character and appearance of the area
- Impact upon the existing residential amenity
- Highways

### Principle of Development

- 25 The site is positioned within a highly sustainable town centre location. It is located within an identified business area and policy EMP1 of the ADMP states that Class B uses will be permitted within these areas. In addition, LO3 of the Core Strategy allows for mixed use developments within the town in addition in the appropriate provision for long stay parking. The increase in car parking provision in the town centre, where there are known deficiencies, will also comply with policy SP9 of the Core Strategy. This policy supports the development of infrastructure facilities required to resolve existing deficiencies and to support the scale and distribution of development proposed in the core strategy.
- 26 In 2002, under reference 02/02347/FUL, planning permission was granted for a 3 storey office development with 60 parking spaces. This permission was never implemented. Then in 2007 a planning application for retail and 14 no. residential units was presented to the Council but was then later withdrawn in 2011 under reference 07/03941/FUL. Sometime in 2011, the building 'locally known as Edwards Electrical' was demolished by the landowner. Today, this is vacant site and that has a 'nil' planning use as

the site has clearly been abandoned. As such, there is a clear need to comprehensively redevelop this allocated site. Furthermore there is a need for additional business floorspace over the plan period, hence the sites allocation.

- 27 This proposal seeks for a temporary 3-year planning permission for a car park on this site. There are no extant permissions or current applications to redevelop the application site itself, nor are any such applications likely to be forthcoming in the short/medium term.
- 28 National Planning Policy Guidance (Paragraph: 014 Reference ID: 21a-014-20140306) provides support for bringing forward temporary uses and states:  
*'?...may also be appropriate on vacant land/buildings to enable use for a temporary period prior to any longer term regeneration plans coming forward (a meanwhile use) or more generally to encourage empty property to be brought back into use. This can benefit an area by increasing activity.'*
- 29 Upon considering this, there is often a concern that a use for car parking and other 'meanwhile' uses would serve to discourage such redevelopment, as highlighted in the third party objections.
- 30 This proposed car park can be described as a 'meanwhile use' which acknowledges the long term aims for the site and that the proposal does not represent a permanent solution. A temporary 3-year planning permission could be appropriate in this instance and it is unlikely that as such a proposed use will have much influence on the overall deliverability of such redevelopment in any case. In addition paragraph 106 of the NPPF further lends support to the scheme as it states that *'..local authorities should seek to improve the quality of parking in town centres so that it is convenient, safe and secure...'*
- 31 This does, to some degree assists in favour for a temporary permission however, the applicant has provided limited evidence of current viability issues concerning the future re-development of the site and that it could be some time before this allocated site can be brought forward for comprehensive re-development. However, the timing of this scheme is not overly material, given that there is no immediate likelihood of a redevelopment scheme going forward.
- 32 A Parking Assessment has been submitted with the application. This sets out the results of independent parking demand surveys undertaken at the existing long stay car parks near the station in Sevenoaks, in September 2018. It also considers matters relating to the projected car usage impact resulting from the proposal.
- 33 The assessment concludes the following:
- *The proposals sit well with local and national policies relating to matters of parking and sustainability;*
  - *The proposals would support local transport strategies (Sevenoaks District Strategy for transport 2010 -2026) in that they would facilitate wider commuting journeys by rail from Sevenoaks station;*

- *The site is well located with respect to both Sevenoaks rail station and the town centre;*
- *The existing long stay car parks near the rail station in Sevenoaks are subject to very high demands, in excess of 90%. These demands are set to increase over the coming years as a result of planned local growth and continued increases in rail patronage;*
- *The proposals will assist in supporting local shops and other businesses, in accordance with the social and economic sustainability criteria of the NPPF; and*
- *The proposals would not increase the level of car usage, with those cars using the car park likely to be travelling on the local, or wider, highway network in any event as confirmed by the Highway Authority.*

34 At the Economic & Community Development Advisory Committee held on Wednesday, 26th February 2014 a Sevenoaks Town Centre Parking Review was considered by members of that that committee. This report included an independent parking survey that clearly showed very high utilisation rates for the Sevenoaks Town (Buckhurst 2) long stay car park. The outcome of the assessment concluded that between 170 and 221 additional parking spaces were required in the town centre area.

35 Notwithstanding this, with soon to be completed Sevenoaks Town Car Park (formerly known as Buckhurst 2), this new car park only adds an additional 185 spaces to the existing stock. This together with the results of the Sevenoaks Town Centre Parking Review suggests that there is a continuing need for car parking provision within this location and at this time, as there still is an identified shortfall. This is also partially evidenced in the Parking Assessment submitted by the applicant.

36 It is therefore clear that this application is fundamental in providing sufficient parking to meet current and future demand for long-term spaces and to help to alleviate parking stress within Sevenoaks. The proposal will provide 78 extra parking spaces and address some of the concerns raised by the Economic & Community Development Advisory Committee about the lack of parking facilities within the town centre in the short-term.

37 It is acknowledged that this provision would not relate to a sustainable form of transport, it would support and contain growth within an urban area rather than displacing car use into less sustainable locations. As such, the proposal would accord with elements of the NPPF.

38 On balance, and having regard to the above considerations, it is considered that the use as a temporary long-stay public pay and display car park to support the town centre would be appropriate at this time, as a meanwhile use. Whilst comprehensive re-development is the only long-term solution for the site, in the short-term it will avoid the stagnation of this vacant site and enable further time for a comprehensive redevelopment to be progressed. The proposed development would be acceptable in principle subject to other considerations.

- 39 This scheme is to use the site for three years as a car park. As mentioned previously National Guidance states that temporary permission may be appropriate on vacant land, but that it will be rarely justifiable to grant a second temporary planning permission. In the consideration of a temporary planning permission for this scheme, the economic benefits of the viability and vitality of Sevenoaks Town Centre weighs in favour subject to further consideration of other issues.

### **Impact upon character and appearance of area**

- 40 The site is located on a main approach road to Sevenoaks. Whilst not within a conservation area, it is sandwiched between the High Street Conservation Area and The Vine Conservation Area. As such, it has the potential to affect the setting of these areas.
- 41 The surrounding area is characterised by a mixture of building styles and uses. Buildings are generally of attractive period character, the main exceptions being the application site and other buildings immediately to the south, which fall outside of either conservation area.
- 42 The site is currently boarded up with hoarding to its frontage, which has been up for many years, which is not an attractive setting to the adjacent Conservation Areas.
- 43 By allowing the temporary planning permission, this site would be brought back into an appropriate short-term viable use that supports the functioning of the town centre. The built form within the site will be kept to a minimum and the site used for the parking of cars. As such, its visual impact would be a transient one and limited, as no views in or out of the Conservation Areas would be unduly compromised and therefore their special character and significance are conserved. Furthermore, with the removal of the hoarding and bring back an 'active' use to the site, would, enhance the character and appearance of the area.
- 44 Overall, it's considered that the use of the site is appropriate for a location between two conservation areas, and would preserve the special character and appearance of these areas. In the short-term, it would add to the diversity of uses within the Town Centre and would not be harmful to the mixed character of the area.
- 45 Taking the above factors into account, the application would accord with policies EN1 and EN4 of the ADMP.

### **Residential Amenity**

- 46 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the developments, while ensuring it would not result in excessive overlooking, visual intrusion, vibration, odour, air pollution, vehicle movements, or a loss of privacy and light enjoyed by the occupiers of nearby properties.
- 47 The building to the north of the site is the old police station, which has been converted into flats. The sidewall of the police station flats contains 4

ground floor windows that would face onto the site. The ground floor windows would face blank sidewall, as they do at present and in this respect there would be no change in outlook.

- 48 Land levels drop significantly to the rear of the site and the dwelling to the rear (6 Warren Court) is approximately 2 metres lower than the rear of the application site. The side elevation of No. 6 faces the application site and contains a first floor window that looks into the site. However, this window is obscure glazed and appears to be to a bathroom. Vehicles using the site would pass close to the rear boundary, but historically this was the case when a building occupied the site as parking was provided to the rear of the existing building.
- 49 It is noted that a total of seven LED lighting columns, measuring approximately 5.5m in height would be erected on the site. An accompanying technical assessment has indicated that the lighting scheme would not lead to significant light spillage in relation to adjacent properties using appropriate control measures.
- 50 The other potential source of light pollution centres on car headlights. Whilst it is accepted that there are flank windows to the first floor flank elevation of No.6 Warren Court, these are not windows that serve habitable rooms. In any event, most vehicles would have their headlights dipped, rather than shining upwards into windows opposite site. To a large extent, the glare of car headlights would be shielded by intervening existing and proposed boundary treatments found within the site. The site is located within an urban area where a certain level of disturbance and activity is to be expected. The amount of disturbance caused by headlight glare is unlikely to be so significant as to cause substantial harm to the living conditions of nearby occupiers. Notwithstanding this, further reinforcement of the boundary treatments to the northern and eastern boundaries would provide a degree of mitigation for those residential properties facing opposite. This can be secured by planning condition.
- 51 In terms of noise, it is accepted that there would be a change in noise levels given the derelict/vacant nature of the existing site and would result in an increase in vehicle movements. The National Planning Policy Framework acknowledges that development should have regard to the need to seek to ensure a good standard of amenity and advise that noise should not give rise to 'significant adverse impact' on health and quality of life. In this respect it refers to the Noise Policy Statement for England (NPSE). The NPSE advises that it is not possible to define a single noise-base measure to define what would constitute a significant adverse impact. It is therefore up to the decision maker having regard to the circumstances of the case. However, the NPSE makes it clear that noise must be considered in the context of the wider benefits of the development, and not be taken in isolation.
- 52 In this case, the Council's Environment Health Officer has assessed the noise report and has raised no objection on this issue, as it is considered that the level of disturbance caused to the amenity of surrounding occupants is not significant to justify a reason to object. Furthermore, it is considered that the viability and vitality of the town centre would

benefit from the short-term of such a scheme. It would also enable the site to generate income while it is awaiting redevelopment. There is no evidence that the proposal would cause significant adverse impacts on health and the quality of life of nearby residents. It is considered that the limited harm caused by the development, as outlined above, would be outweighed by the identified benefits for a temporary period.

- 53 Taking the above factors into account, it is considered that the development would not cause undue harm to the amenities of occupants of surrounding properties; and does not contribute towards a significant increase in pollution from artificial light or noise in compliance with policies EN1, EN2, EN6, EN7 of the ADMP.

## Highways

- 54 Policy T1 is concerned with managing travel demand and focuses in particular on reducing the need to travel by car. It sets out a broad approach to managing travel demand, focusing on the location of new development. The policies do not deal specifically with the provision of public car parks, although the supporting text indicates a need to manage parking for shoppers and appropriate provision for long-stay parking. While there is plainly a general policy thrust of seeking to reduce car use, there is no specific policy of prohibiting car parking - long-stay or otherwise - in this location.
- 55 The site will utilise the existing accesses into and out of the site to which small amendments will be required, as mentioned by KCC Highways.
- 56 In terms of highway safety, access and egress to the site are close to Suffolk Way traffic signalled junction and the Seal Hollow Road junction to which there is known to be traffic queues in the locality at peak times. KCC Highways has considered that proposal and despite objections made by Town Council and third parties, it is considered that the vast majority of vehicles accessing the proposed car park will be vehicles already on the road network (passer-by traffic) or diverting from other car parks in the town centre (diverted traffic). It is therefore unlikely that any traffic generated by the proposed use would cause additional congestion on the network.
- 57 Third party representations express concerns that vehicle movements in and out of the site would create a hazard and hinder the free flow traffic on this route, both into and out of the town centre. However, taking in account the speed of the traffic and the nature of the entrances to the site, it is not considered that significant harm would be caused.
- 58 In normal traffic conditions, vehicles moving south and slowing to turn left would not significantly hinder traffic movements. At times of congestion, with slow moving traffic, vehicles would be able to make access or egress into the site with minimal interruption if 'Keep Clear' markings, as shown on the plans are implemented. The use of these markings would facilitate movement of vehicles at times of congestion into the town centre and give greater clarity to drivers and better identify the existing access and reduce any potential hazard. In addition, the car park is only providing an

additional 78 parking spaces. It is likely, that if users were parking on a long stay term, the only additional impact is the on the access and egress of vehicles to and from the car park at peak times. To mitigate this, it is proposed that 'Keep Clear' markings on the road in front of the site will allow vehicles to flow in and out of the site. As such, KCC Highways raise no objection. The off-site highway works for road markings and amendments to the pavement as mentioned by KCC Highways will be subject to a Section 278 highway agreement. This is a part of the Highways Act 1980 that allows developers to enter into a legal agreement with the County Council to make alterations or improvements to a public highway. These off-site highways works should be undertaken during the course of the development and completed to its first use and can be secured by planning condition.

- 59 Upon considering the above, it is concluded that there is no basis in highway safety, planning policy or clear and specific harm to traffic management objectives such as to justify withholding planning permission for public car parking at this site. Paragraph 109 of the National Planning Policy Framework makes it clear that development should only be prevented or refused on highways grounds if there are unacceptable impact upon highway safety or the residual cumulative impacts on the road network would be severe to which cannot be demonstrated here, as KCC Highways raise no objection.

#### Other Issues

- 60 In terms air quality issues, an air quality assessment has been submitted with the proposal and has been determined that the use of the site would not add significantly to background air pollution given the scale of the proposal and its urban location.
- 61 It is accepted that any concentration of vehicles would be likely to generate exhaust fumes. But car engines would not be running for the duration of the cars parked on site. Only when entering, existing and manoeuvring on the site would generate exhaust fumes. There is no evidence that this would be such a degree that they would create air pollution problems in the vicinity of the site especially when the demand of the use of car will be created by the existing users of the highway network. The Environmental Health Officer has raised no objection on this ground.
- 62 Details of surface water drainage has been submitted with the application, only to suggest that permeable asphalt would be used together soakaways. KCC lead flood authority has not raised any concerns. Given that there is a change in ground levels, it would be reasonable to secure the surface water drainage scheme as proposed in order to protect surface water run-off into adjacent properties. Further to this, drainage would also be covered by building regulations.
- 63 The security of the site will be monitored 24/7 by CCTV by a third party operator. Static CCTV cameras will be sited upon the proposed lighting columns providing over 95% coverage of the site being monitored. The CCTV cameras are sited not to overlook into adjacent residential properties. In an event of incident occurring at the site, the third party operator will inform the relevant authorities/keyholder to ensure the

incident is quickly resolved. With the visible presence of CCTV on-site, this will act as a deterrent to anti-social behaviour.

- 64 With regard to trees within the site, the Council tree officer has considered proposal and has raised no objection to the loss of self-seeded trees and the impact of the development upon a tree located within the rear garden area of No. 6 Warren Court.
- 65 It is noted that this vacant site has self-seeded trees and overgrown nature of the site within and has the potential to harbour protected species. In light of this KCC Ecology has requested that an ecological mitigation strategy is undertaken prior to the commencement of development.
- 66 It is acknowledged the importance of the delivery of sustainable transport initiatives, the provision of electric vehicle charging points would encourage the use of low emission vehicles and other benefits, such as improving air quality and noise pollution. As, no provision has been made for such charging points, however this sought by the imposition of a planning condition in accordance with Policy T3 of the ADMP.
- 67 The concerns expressed by third parties relates to fears that the car park would generate noise and undesirable activity late at night. However, the opening hours of the car park restrict it to 2200 hours and CCTV is to be installed. This would avoid the potential for late night noise from customers returning from bars and restaurants nearby. Any noise and activity generated by customers returning from daytime shopping trip, or early evening drinks or meals, would unlikely to cause significant harm to the living conditions of nearby occupiers.
- 68 A condition requiring a management plan for the car park which would include details of opening, and parking control procedures will be necessary to ensure that there would not be an adverse effect on highway safety, the living conditions of neighbouring occupiers, and safety and security of the site.
- 69 A condition relating to access barrier would ensure no obstruction and denote when the car park is closed and is reasonable.
- 70 A condition restricting the planning permission to a three-year period only is reasonable, however it is recognised that the three year use time period should commence from the first use of the site, to allow the discharge of conditions/agreements to ensure the viability of the scheme.
- 71 Despite the representations made to limit the use of the car park to short-stay parking only, there is no clear planning policy justification for doing so.

## Conclusion

- 72 The principle of this form of development is acceptable in a sustainable town centre location. The proposal would not be harmful to highways safety or to the amenities of surrounding neighbouring dwellings. This is considered to be a suitable interim use for the site, which is not prejudicial to the aspiration for a mixed use redevelopment of this site. Overall, the need to

secure long-term regeneration of the site means that, irrespective of the question of car parking policy, it would not be appropriate to grant planning permission for a car parking use on a permanent basis on this site.

### **Recommendation**

73 That a temporary three-year planning permission is granted

### **Background Papers**

Site and Block Plan

Contact Officer: Sean Mitchell Extension: 7349

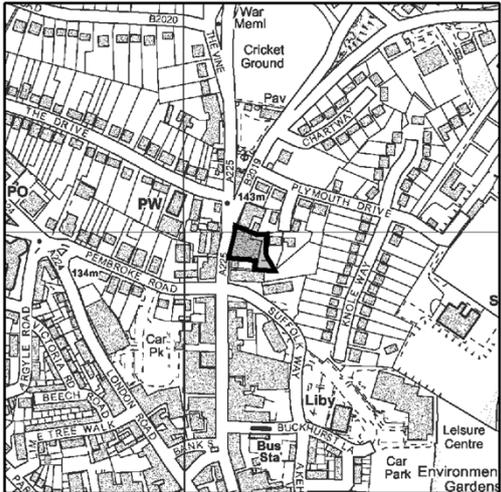
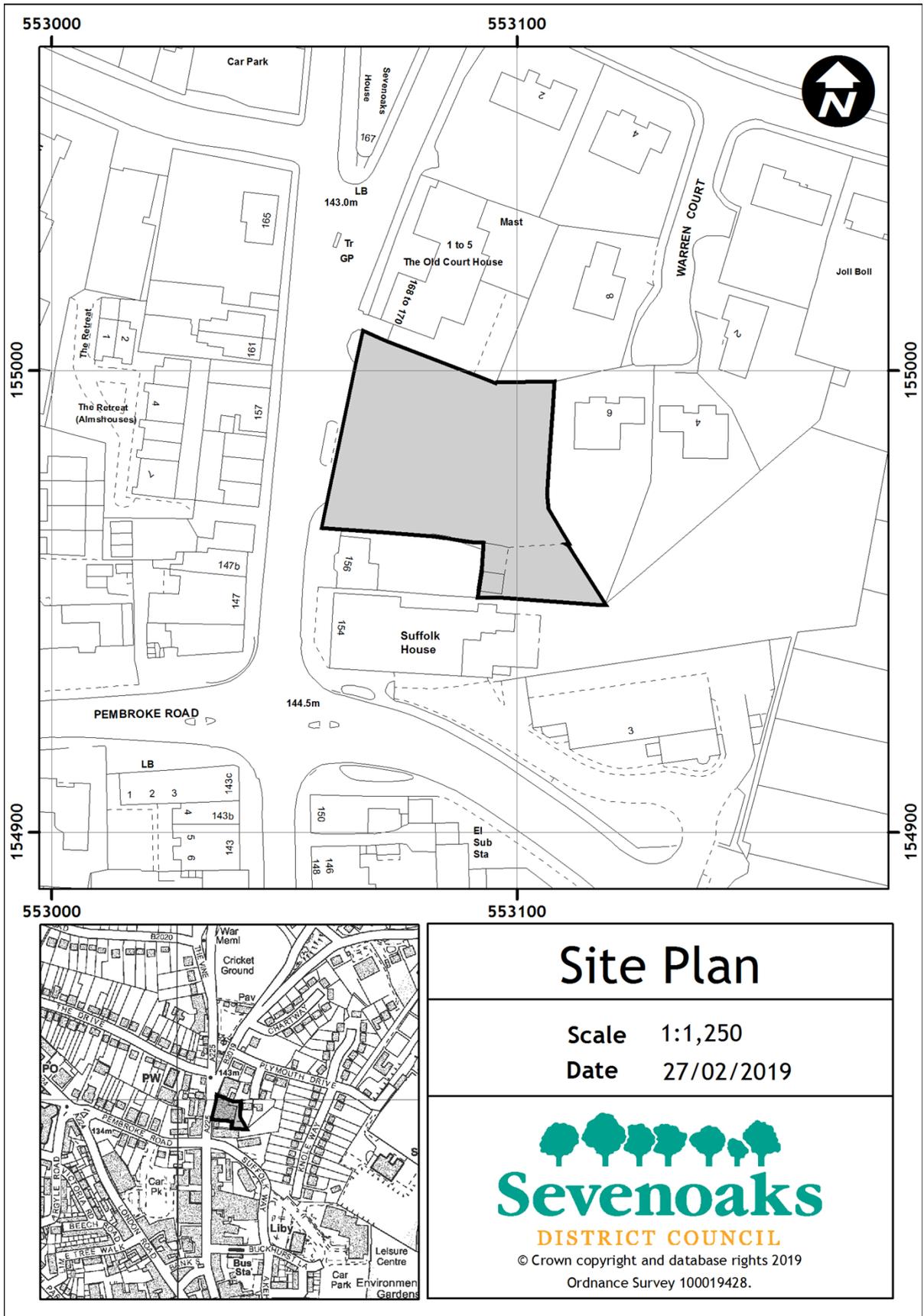
**Richard Morris**  
**Chief Planning Officer**

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PHS7CMBKM8K00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PHS7CMBKM8K00>



# Site Plan

Scale 1:1,250  
Date 27/02/2019



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Ordnance Survey 100019428.

Block Plan

