

4.3 19/02065/FUL

Date expired 11 September 2019

Proposal: Redevelopment of the former Horton Kirby Fire Station to construct a two storey building, with additional accommodation in the roof space, to provide 4 x 2 bedroom and 2 x 1 bedroom apartments, with ancillary access and bin storage facilities as amplified by Technical Note received 20.9.19.

Location: Former South Darenth Fire Station, New Road, South Darenth KENT DA4 9AT

Ward(s): Farningham, Horton Kirby & South Darenth

Item for decision

This application has been called to the Development Control Committee by Councillor McGarvey so that the impact of the proposals on parking can be considered.

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) For the avoidance of doubt the information to which this decision relates is as follows: Drawing nos.: 4490-PD-01 Rev. B, 4490-PD-02 Rev. F, 4490-PD-03 Rev. B, BHD Architects Design and Access Statement, Bellamy Roberts Technical Note dated September 2019.

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

3) No development shall take place until details of existing and proposed finished site levels, finished floor and ridge levels of the buildings to be erected, and finished external surface levels have been submitted to and approved in writing by the District Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

In order to safeguard the visual amenities of the area and the amenities of the occupiers Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

4) No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by the LPA. The Statement shall include details of: (a) Routing of construction and delivery vehicles to / from site (b) Parking and turning areas for construction and

delivery vehicles and site personnel(c) Timing of deliveries (d) Provision of wheel washing facilities (e) Temporary traffic management / signage. The Construction Management Plan shall be implemented in accordance with the approved details.

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 adjacent to the site in accordance with Policy T1 of the Sevenoaks Allocations and Development Management Plan.

5) No development shall be carried out on the land until the applicant, or their agents or successor in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable, which has been submitted to and approved in writing by the Council.

To investigate and record archaeological features as supported by Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

6) Prior to the construction of any of the approved buildings, details and samples of the external materials to be used for the development 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 secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

7) Prior to construction of any of the approved buildings on site full details of the hard and soft landscaping, means of enclosure and refuse enclosures shall be submitted to and approved in writing by the Council. Those details shall include:- Details of all hardsurface materials; - Planting plans, (identifying existing planting, plants to be retained and new planting); - Written specifications, (including cultivation and other operations associated with plant and grass establishment); - Schedules of new plants, (noting species, size of stock at time of planting and proposed number/densities where appropriate); - all means of boundary treatment and other means of enclosure within the site; - details of ecological enhancements to the site, and; - A programme of implementation. Unless otherwise agreed in writing by the Local Planning Authority prior to commencement of construction as part of the programme of implementation, all planting, seeding and turfing comprising the approved details of landscaping and ecological enhancement measures shall be carried out in the first planting and seeding season following first occupation of any of the approved buildings. The means of enclosure and refuse storage shall be implemented in accordance with the approved details prior to first occupation of any of the approved buildings. If within a period of five years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To safeguard the visual appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

8) Prior to first occupation of the approved building the parking spaces indicated on the approved plan 4490-PD-02 Rev.F shall be provided and thereafter kept available for use at all times on a communal basis and shall not be allocated or reserved for individual properties.

To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

9) Prior to commencement of above ground works a scheme to show the provision of electric vehicle charging points, including their proposed locations, type and specifications shall be submitted to and approved by the Local Planning Authority. The charging points shall be installed in accordance with the approved details prior to first occupation of the development.

To ensure the sustainability of the site in accordance with policy T3 of the Allocations and Development Management 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.

2) New build developments or converted properties may require street naming and property numbering. You are advised, prior to commencement, to contact the Council's Building Control team on 01732 227376 or visit www.sevenoaks.gov.uk for further details.

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 site

- 1 The site comprises a roughly rectangular parcel of land approximately 29m in depth by 18m in width. The site accommodates an unassuming, single storey brick built, pitched roof building, with a further outbuilding adjacent to the southern boundary. To the front, is an open hardsurfaced area. The site was formerly used as Horton Kirby Fire Station. The site is largely

bounded by a low fencing, with existing low retaining wall to the eastern and southern boundaries (to be retained).

- 2 The site is located on the corner of Horton Road and New Road, directly opposite the former Horton Kirby Paper Mill buildings. These have been converted (largely) into residential dwellings, with nos. 43 (and 43a) and 45 Esparto Way located directly opposite the application site. The closest face to this building, which has windows looking towards the site, would be sited approximately between 16-17m across the road. The Esparto Way buildings are identified in the South Darenth Conservation Area appraisal as contributing to the character of the area.

Description of proposal

- 3 The proposals seek the demolition of all buildings on site and erection of a roughly “L” shaped, two-storey building with accommodation within the roof. Accommodation would comprise 6 apartments (2no. 1 bed flats and 4no. 2 bed flats).
- 4 The main entrance would face north with the building set back approximately 1.5m from the footway edge, in line with no.2a. The eastern elevation would be set approximately 4m from the flank of no. 2a New Road. Main vehicular access would be taken from Horton Road. The western face of the building would be set back approximately 9m from Horton Road with the forecourt accommodating 6 off street parking spaces. There would be 3 apartments at ground floor level with the 3 apartments above each having internal access to additional second bedroom accommodation within the roof space.
- 5 It is proposed that the ground floor would be finished in yellow stock bricks with plain clay tile hanging above, under a plain clay tile crown roof. Modestly sized dormers are proposed to the north and west facing roof slopes.
- 6 A modest amenity area would be provided to the south of the building (adjacent to the garden with no.1 Mill Cottages), with bin and cycle stores provided. Some new planting/hedging is proposed to the northern and western boundary of the site.

Relevant planning history

- 7 93/00026/HIST - Demolition of existing store room and W.C. and the building of a single store extension to side elevation - proposed meeting room - Granted - 10/03/1993
- 8 17/01772/FUL - Change of use of Horton Kirby Fire Station into a children’s day nursery. Removal of the old temporary outbuilding and erection of a wood cabin - Granted - 25/10/17
- 9 18/03708/FUL - Redevelopment of the former Horton Kirby Fire Station to construct a three storey building to accommodate 5 x 1 bedroom apartment

and 4 x 2 bedroom apartments, together with ancillary access and bin storage facilities - Refused - 22/03/19 on the grounds of unacceptable scale and design and adverse impact on neighbouring amenity and highway conditions.

10 National Planning Policy Framework (NPPF)

11 Core Strategy (CS)

- L01 Distribution of Development
- L07 Development in Rural Settlements
- SP1 Design of New Development and Conservation
- SP2 Sustainable Development
- SP5 Housing Size and Type
- SP7 Density of Housing Development

12 Allocations and Development Management Plan (ADMP)

- EN1 Design Principles
- EN2 Amenity Protection
- EN4 Heritage Assets
- T1 Mitigating Travel Impact
- T2 Vehicle Parking
- T3 Provision of Electric Vehicle Charging Points

13 Other:

- South Darenth Conservation Area Appraisal

Constraints

14 The following constraints apply:

- Within built confines of South Darenth.
- Area of Archaeological Potential.
- Flood Zone 2 (extreme frontage of site only).
- Adjacent to South Darenth Conservation Area (includes Mill Road and buildings opposite).

Consultations

15 Horton Kirby Parish Council: No objection/no comment.

16 Kent Highways: (In summary) - Car parking spaces should measure 2.5m wide by 5m in depth. 6 parking spaces are proposed for the flats with no visitor parking. The parking in the vicinity of the site is predominantly on street and there is pressure of parking in the locality. Visitor parking on site is insufficient.

- 17 K.C.C. Archaeology: (Previous application) - The site of the application has potential for general prehistoric and later archaeology and also remains associated a building identifiable on the 2nd Ed OS map. In view of the archaeological potential, I recommend a condition requiring a programme of archaeological work in the event that consent is granted.

Representations

- 18 Representations have been received from 24 local residents raising the following objections:

- Insufficient parking provided on site.
- Out of character with existing properties.
- Overdevelopment of site.
- Development erodes character of the village.
- No indication of materials to be used.
- The impact on the Conservation Area should be considered.
- Should be two houses.
- Proposals should include affordable housing.
- Loss of light.
- Overlooking and loss of privacy to gardens.
- Smells from bins.

- 19 Letters have been received from 1 local resident raising following support:

- Would provide affordable properties for first time buyers.
- Ideally suited for commuters to London.
- Fits well with local area.
- Sufficient parking.

Amendments

- 20 At the request of the Highway Authority, the applicants have undertaken a parking survey, which has been submitted in the form of a technical note.

Re-consultation

- 21 The additional parking survey has been subject to full re-consultation with the following responses having been received:

- 22 Horton Kirby Parish Council:

As a result of the Technical Note members object on the grounds of insufficient parking. The Technical Note is flawed as the survey was conducted when Holmesdale Road was closed and does not reflect the common usage of the road and therefore useless. This opinion supersedes the no objection comment returned to Sevenoaks District Council on 7/8/19.

- 23 Kent Highways (In summary):
Have considered the Technical Note and parking survey which has been undertaken.

The findings of the survey outlines that there was ample parking available in the vicinity of the site. The parking survey utilised the Lambeth Methodology, which takes the overall length of the given road (excluding dropped kerbs) and divides it by 5 (metres) to establish the number of available parking spaces. The number of parked cars are subtracted from the total number of spaces. It is acknowledged that whilst there may be flaws in the methodology of the parking survey, site visits have outlined that there are limited additional spaces available.

The parking on site is in line with parking standards and as such visitor parking could be accommodated on nearby streets, even if constrained.

Therefore no objection is raised subject to conditions.

Representations

- 24 Further representations have been received from 19 local residents reiterating objections on the grounds of inadequate parking proposed on site and the lack of available on-street parking space.

Chief Officer Planning & Regulatory Services' appraisal

- 25 The main planning consideration are:
- Introduction
 - Principle of Development
 - Layout, design and impact on character of conservation area
 - highway considerations
 - Impact on residential amenity
 - Affordable Housing
 - Other matters

Introduction

- 26 Key Government guidance is provided in the form of the National Planning Policy Framework (NPPF), which forms part of the material considerations relevant to the present application. Paragraph 11 introduces a presumption in favour of sustainable development. The guidance continues that, development proposals that accord with the development plan should be approved and where the development plan is absent, silent or out of date, permission should be granted unless:

“- any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or-specific policies in this framework indicate development should be restricted.”

- 27 Significant weight must be given to the Councils adopted Core Strategy Development Plan and the adopted Allocations and Development Management Plan (ADMP). The policies most pertinent to the current application are listed above.

Principle of the development

- 28 The application site is within the built confines of South Darent.
- 29 Policy L01 of the Council's Core Strategy seeks to focus development within the built confines of existing settlements. South Darent is designated a Rural Settlement and is thus covered by policy L07. As such, the policy states that redevelopment on a small scale only will be permitted. Paragraph 4.5.8 of the supporting text explains that the settlement has restricted scope for further development, which will be limited to infilling and re-development, where the scale and nature of development is consistent with the local village character.
- 30 Policy SP7 relates to the density of housing development, which should be consistent with achieving good design and does not compromise the distinctive character of the area in which it is located. Policy SP5 expects housing to contribute to a mix of different housing types, taking into account the existing pattern of housing in the area and will seek inclusion of small units.
- 31 The key strategic planning policy issue is considered to be whether the proposals would be compatible with the prevailing character of the area and if not whether there may be other policy justifications for the proposals. This also needs to be considered in the context that the site comprises previously developed land and that there is clear encouragement for the redevelopment of such land. Furthermore, with the majority of the District designated Green Belt, it is desirable to maximise the potential of existing urban sites.
- 32 The site is a brownfield one and in the circumstances, I consider there to be scope for some form of residential development, subject to the proposals representing an acceptable balance between the requirement to make efficient use of this site whilst preserving the character of the area, the amenities of neighbouring occupiers and highway conditions.

Layout, design and impact on character of area

- 33 Policy SP1 of the Sevenoaks District Core Strategy Development Plan Document (CS) 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. Policy SP2 of the CS seeks Sustainable Construction and Low-Carbon Energy Generation.
- 34 Policy EN1 of the ADMP sets out the general Design Principles, which should apply to all development. In summary, this policy states that proposals which would create high quality design and meet the following criteria will

be permitted where the form of the proposed development would respond to the scale, height, materials and site coverage of the area, respect the topography and character of the site and preserve the character of the area. The design of new development should ensure satisfactory means of access for vehicles and pedestrians and provide adequate parking.

- 35 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 36 Policy EN4 of the ADMP states that proposals that affect a Heritage Asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset.
- 37 Whilst not within the South Darent Conservation Area, the western boundary of the site fronting Horton Road abuts it. The former Mill building is a significant feature of the Conservation Area and forms part of the street scene, particularly viewed from the east. Indeed the height and scale of former mill buildings on the western side of Horton Road represent a highly prominent and dominant features. The grand scale and imposing nature of these former commercial buildings results in fundamental contrast to the far more modest scale of buildings to the east and this, in my view, is a key component of the Conservation Area. Properties in the immediate vicinity of the application site and along New Road, which rises to the east, comprise modest, traditional, 2 storey cottages which are visually subservient to the 'Mill' buildings. The contrast between the buildings is highly apparent at the point of the application site, which happens to be set within the immediate context to the site of the Mill buildings. This relationship is readily visible from Horton Road, but also looking westwards along New Road. From this vantage point the Mill buildings form a distinct physical and visual barrier between the residential scale of the houses and the former industrial scale development beyond.
- 38 Whilst this development is clearly a larger building in comparison to the neighbouring houses in terms of footprint and overall scale, I do not consider this in itself to weigh against the proposals. The proposed building would be set back from the Horton Road frontage, retaining a clear visual break to the imposing Mill buildings to the west of the proposed development. The ridge level would be below that of nos.2A and 2B New Road, reflecting the drop in ground and ridge levels from east to west along New Road. The building would be set in from the boundaries.
- 39 The height of the development would reflect that of the neighbouring houses and the proposed block would be visually interpreted as a two-storey building. Whilst the ridge level may be slightly higher than that of Mill Cottages to the south, this would be mitigated by the fact that the building would be set back from this frontage.

- 40 When viewed from the street, it is considered that the height and appearance of the proposed building reflects the character of the street scene in the immediate locality and to be subservient to the dominant form of the Mill buildings to the west.
- 41 The Conservation Area Appraisal describes the palette of materials characteristic in the area. This includes slate or clay tiles, sloping roofs and the use of yellow and red stock bricks, with some tile hanging. Whilst materials for the building would be subject to condition, the drawings indicate use of such materials.
- 42 To the west of the building, accessed from Horton Road, it is proposed to provide hardsurfaced parking for six vehicles. This area is already hardsurfaced and utilised for this purpose, albeit informally. The proposals introduce a modest amount of planting along the north-western and western boundaries, where there is none at present. A modest amenity area would be provided to the south of the building, adjacent to the boundary with no.1 Mill Cottages.
- 43 In light of the above, the proposed building would sit reasonably comfortably within the site and the height, appearance, scale and design would be compatible with the locality. In the circumstances, the proposals would represent an acceptable balance between seeking to maximise the potential of this brownfield site whilst preserving the character of the area and the amenities of the street scene and the character and appearance of the adjacent Conservation Area.

Highway implications

- 44 Policies T1 and T2 explain that new development would mitigate any adverse travel impacts and should meet the required parking standards, with the NPPF stating that development should only be refused or prevented on transport grounds if residual impacts are severe.
- 45 The parking standards require the provision of one space per unit for one and two bed flats in a village location. This is provided on site in the form of the forecourt parking. In addition, the six flats would require one visitor parking space to be accommodated on street.
- 46 In response to concerns raised by third parties and Kent Highways, a parking survey was undertaken to ascertain levels of on-street parking. The survey has shown that there is sufficient capacity in the locality to accommodate this additional space. This is reinforced by an independent site visit during the evening.
- 47 Whilst there is no question that there is a clear perception that there is insufficient capacity to accommodate any visitor parking resulting from the proposals on the adjacent streets, evidence shows that there is capacity to cater for the proposals. Whilst it may be desirable to seek further parking on the site itself, there is no highway policy justification for this.

- 48 In light of the above the proposal would be policy compliant and that there is no other material consideration to justify otherwise.

Impact on residential amenity

- 49 Policy EN2 of the ADMP states that proposals will be permitted where they would safeguard the amenities of existing and future occupants of nearby properties. Of particular relevance here is the impact in terms of visual intrusion, potential overlooking and loss of privacy and the impact of associated vehicular movements.
- 50 The neighbouring properties most significantly affected by the proposals would be 43, 43A and 45 Esparto Way - these are contained within the Mill building directly opposite the site. The east elevation of the Mill building contains a number of large habitable windows sited in the west (front facing) façade of the proposed building.
- 51 The proposed apartment block would contain first and second floor windows, which would face west toward Esparto Way and could potentially be a degree of overlooking. However, the development would be set back from the frontage and with the intervening road, it would be sited approximately 16-17m away. Furthermore, the area is characterised by high density development with residential blocks close to each other and there are similar separation distances between houses across New Road, for example.
- 52 In the circumstances, it is not considered that the proposal would result in an unacceptable degree of overlooking upon properties within Esparto Way.
- 53 Southern facing windows in the proposed building have been kept away from the southern boundary of the site. Whilst it is acknowledged that there would be a degree of overlooking of gardens to the south (rear of 1-4 Mill Cottages in particular), neighbouring houses already overlook each other's gardens. The only western windows would be high level, thus there would be no overlooking to the west.
- 54 With regard to the visual impact, as previously mentioned, 2A New Road would be set at a slightly higher ground level and would be set slightly away from the boundary. Therefore, whilst it has first floor windows overlooking the site, these would look onto the hipped roof of the proposed development, and therefore the proposed development would not appear unduly dominant or overbearing.
- 55 Similarly, because of the footprint and layout of the proposed building, it is considered to be sufficient separation distance between properties, when viewed from the rear of properties to the south, it would not appear as an unduly overbearing form of development.
- 56 It is noted that the northern flank wall to 1 Mill Cottages contains a high-level window at ground floor level, which provides the main source of light to the dining/sitting area, although there is a secondary light source from

its rear extension. The southern flank of the proposed development would not obstruct light to this window.

- 57 The forecourt parking area would potentially result in a degree of noise and disturbance to the occupiers of no.1 Mill Cottages in particular. However, the forecourt has been available and used for parking for a considerable time and it is not considered that the proposal would significantly exacerbate the situation.
- 58 In light of the above, the proposals would not result in unacceptable overlooking or represent an overbearing or unneighbourly form of development. The proposals would have an acceptable impact on the amenities of neighbouring occupiers and to be policy compliant in this regard.

Affordable Housing

- 59 Policy SP3 of the Council's Core Strategy relates to the provision of affordable housing. In residential developments of less than 5 units that involve a net gain in the number of units, a financial contribution based on the equivalent of 10% affordable housing will be required towards improving affordable housing off-site.
- 60 However, advice in the National Planning Policy Framework (NPPF) amends the Government's approach. Paragraph 63 of the NPPF explicitly states that provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas such as an Area of Outstanding Natural Beauty where polices may set out a lower threshold of 5 units or fewer. Within the glossary of the NPPF, major development is defined as, 'for housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.
- 61 Since the development size is below the relevant thresholds, a strict adherence to the edicts of Policy SP3 is unlikely to be substantiated at appeal as such a contribution to affordable housing would not therefore be sought on a development of this size.

Other matters

- 62 The extreme frontage of the site adjacent to Horton Road is within a Flood Zone 2 and is liable to flooding (between 1:1000 and 1:100 year chance of flooding). However, the frontage is already hardsurfaced and the proposals would not change this, although they do introduce a small element of soft landscaping, which would potentially provide a minor improvement.
- 63 The site also falls within a Zone of Archaeological Potential. KCC Archaeology have previously considered the proposals and would raise no objection subject to an appropriate condition.

Community Infrastructure Levy (CIL)

64 The proposals would be liable to CIL and no exemption has been sought.

Conclusion

65 The site lies within the built confines and redevelopment of the site is considered acceptable in principle. The proposals are considered to represent an acceptable size and design and they would have an acceptable impact on the amenities of neighbouring occupiers and would meet the relevant parking standards.

66 In conclusion, the proposal represents as an acceptable balance between seeking to maximise the potential of this brownfield site whilst preserving the character of the area and the amenities of the street scene and the character and appearance of the adjacent Conservation Area.

67 It is therefore recommended that the application is approved.

Background papers

Site and block plan

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Link to application details: <https://pa.sevenoaks.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

Link to associated documents: <https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PUJDMCBKJPO00>

BLOCK PLAN



SCALE 1:500

