

4.1 21/01333/FUL

Revised expiry date 9 August 2021

Proposal: Conversion of existing Working Mens club to four flats

Location: Edenbridge Working Mens Club, 67 High Street,  
Edenbridge KENT TN8 5AL

Ward(s): Edenbridge North & East

#### Item for decision

Councillor McGregor has referred the application to Development Control Committee on grounds of no parking provisions and inadequate bicycle storage.

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 and details: 211C, 212B, 215B, 220B

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

3) 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) hours of operation.

In the interest of highway safety.

4) Prior to the commencement of development, details of all windows and doors (including head, cill and window reveal details) 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 that the appearance of the development enhances the character and appearance of the conservation area as supported by Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

5) Prior to occupation further details of the secure bicycle storage 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 provide secure storage for alternative means of transport in accordance with policy T1 of the ADMP.

6) Further details of the proposed balcony and its privacy screen shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the proposed flats. The development shall be carried out in accordance with the approved details.

To ensure no loss of amenity for neighbouring properties in accordance with policy EN2 of the Sevenoaks Allocations and Development Management Plan.

7) No development shall be carried out on the land until full details of soft landscaping and proposed boundary details have been submitted to and approved in writing by the local planning authority. Those details shall include:

- planting plans (identifying existing planting, plants to be retained and new planting);
- details of boundary heights and materials.

All soft landscaping shall be implemented not later than the first planting season following the first occupation of any part of the development.

To preserve the visual appearance of the area as supported by EN1 and EN4 of the Sevenoaks Allocations and Development Management Plan.

8) Within six months of works commencing, details of how the development will enhance biodiversity will be submitted to, and approved in writing by, the local planning authority. This will include a native species-only landscape scheme. The approved details will be implemented and thereafter retained.

To ensure the development results in a net gain in biodiversity in accordance with paragraph 180 of the National Planning Policy Framework and policy SP11 of the Core Strategy.

### **Informatives**

1) Given that the proposed works will be undertaken on or close to a boundary with the neighbouring properties, the applicant is reminded of the requirements of The Party Wall Act 1996 which amongst other things requires adjoining owners to be notified of the proposals, and their agreement sought to the proposed works.

2) It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway. Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

3) The applicant is reminded to ensure no damage to the trees during removal

of the store to the northern side of the application 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 site**

- 1 The application site is 67 High Street, Edenbridge known as the Working Men's Club. The site is set back from the east side of the High Street with restricted views of the building between numbers 59 and 67 A & B (1 to 9 Meade Court). The building is two storeys in height and is constructed from brick, with a tiled roof, UPVC windows and white bargeboards to the eaves. Other buildings in the area feature a similar material palette to the application site, though render, hanging tiles and stonework are also present, resulting in a varied and characterful high street.
- 2 The principle elevation is gable fronted with a two storey side extension, part of which features a flat roof. To the rear sits a single storey extension creating an L-shape footprint for the building. The current use of the building is a club, with no off road parking available. It is understood that the current use is becoming financially unviable.
- 3 The application site is within the Edenbridge Conservation Area and sits within an important grouping of buildings as outlined in the Conservation Area Appraisal. This grouping includes the Grade I (highest level) listed church of St Peter and St Paul to the east of the application site, the Grade II listed library and 1 to 9 Church Street to the south and 1 to 9 Meade Court adjacent to the site. The Conservation Area Appraisal does not refer specifically to this site.

### **Description of proposal**

- 4 The proposal is to convert the Working Men's Club into four flats, the proposal has been amended from five flats and a ground floor (commercial) office following a review of the internal floorspace of the individual flats. The proposal will not involve any extension of the building's footprint as the proposal completely utilises the existing floorspace.
- 5 In terms of external alterations, to the front these involve replacement windows, a new door serving flat 3 in place of the existing electrical cupboard and toilets, a larger sash window in place of the former entrance to the building, removal of a store behind the front wall and creation of a communal entrance. To the north side a balcony and French doors for flat 1

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are proposed along with new windows and doors on the exposed side wall courtesy of the removal of the single storey store building that wraps around this elevation from the front.

### Relevant planning history

- 6 93/01313/HIST - Demolition of single storey addition. Granted.
- 7 93/00856/HIST - Single Storey additions to form covered storage area. Granted.
- 8 84/00071/HIST - Erection of single storey extension to form licensed bar and construction of 2m. high (approx.) boundary wall. Granted.

### Policies

- 9 National Planning Policy Framework (NPPF)
- 10 Para 11 of the NPPF confirms that there is a presumption in favour of sustainable development, and that development proposals that accord with an up-to-date development plan should be approved without delay.
- 11 Para 11 of the NPPF also states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:
  - application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (footnote 7); or
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 12 Footnote 7 relates to a variety of designations, including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.
- 13 Core Strategy (CS)
  - LO1 Distribution of Development
  - LO6 Development in Edenbridge
  - SP1 Design of New Development and Conservation
  - SP11 Biodiversity
- 14 Allocations and Development Management Plan (ADMP)
  - SC1 Sustainable Development
  - EN1 Design Principles
  - EN2 Amenity Protection
  - EN3 Demolition in Conservation Areas
  - EN4 Heritage Assets

- EMP5 Non-allocated Employment sites
- G11 Biodiversity
- T2 Parking

15 Other:

- Edenbridge Conservation Area Appraisal SPD
- Sevenoaks District Conservation Areas: Design Guidance SPD.

## Constraints

16 The following constraints apply:

- Edenbridge Urban Confines
- Edenbridge Conservation Area
- Setting of listed buildings
- Edenbridge Town Centre location

## Consultations

17 Edenbridge Town Council:

18 *The latest consultation response is set out in full with a summary of any previous responses received noting that some plans have been superseded:*

19 The Town Council maintain their previous observations and reasons for objection, including:

- No evidence of a party wall consultation and would ask the officer would this application require one.
- Cycle storage is inadequate.
- There is no provision for parking.
- Members again refer to Kent County Council comment on 12 August 2021.

20 Summary of previous comments

- There is little or no parking provision for the five flats.
- Considered that the application is an overdevelopment.
- No evidence of a party wall consultation.
- Flats do not meet minimum floor space standards
- Lawful access through church gate to the rear?
- Bicycle storage insufficient.

21 KCC Highways:

22 *February 2022:*

23 No objection subject to conditions:

- 24 Further to my previous response, this application has been revised to the conversion of the existing building to four flats only, and the ground floor office space has been removed from the proposal altogether.
- 25 The proposals do not include any parking provision. Given that the Working Men's Club had no parking, and this is a town centre location with parking restrictions in the vicinity, this would not be a reason to object to this application.
- 26 Secure, enclosed bicycle storage for the four flats will be accessed direct from the highway at the front of the building. One space per flat is required and whilst no details have been supplied on the type of storage system to be used, I am content to condition this.
- 27 I refer to the above planning application and confirm that provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority:-
- Submission of a Construction Management Plan before the commencement of any development on site.
  - Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.
- 28 Request for informatives regarding works to the highway and required permission from KCC Highways.
- 29 KCC Archaeology:  
No comments.
- 30 SDC Arboriculture:  
No comments.
- 31 Southern Water:  
Requires a formal application for connections to the public foul water system to be made by the applicant/developer.
- 32 SDC Conservation and Urban Design:
- 33 June 2021 response summary:
- 34 *Quality of design*
- 35 The NPPF states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve, and we have some concerns in regards to the quality of homes that this development would provide. Well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation (NDG: para. 126). The proposed flats show

double bedrooms but are all under the minimum gross internal floor area for a 1bed, 2person, 1storey dwelling at 50m<sup>2</sup>.

36 Some cycle storage has been included for some of the flats, however across the scheme as a whole, the provision is inadequate (amount) or functional (covered and convenience to access) as per the KCC officer's comments.

37 No information has been provided on sunlight, daylight or ventilation. Three of the five flats are single aspect and the bedroom of flat five which is one of the flats that has dual aspect faces out to a 2.7m high brick wall which is set back 1.4m from the window (due to the lack of information showing the location and size of the window on the elevation we are unable to assess the impact on daylight or sunlight). Proposed amenity spaces are encouraged however no detail has been submitted on the proposed approach for effective landscaping (NPPF, para. 127b). We would request that further information on both hard, soft landscaping and boundary treatments is submitted as development should contribute to an improvement to create safe, inclusive and attractive environments (Core Strategy SP1).

38 *Conservation*

39 Glimpses of the building can be viewed as a back land development from the High Street, which is characteristic of the conservation area. Details on the frontage, such as the symmetrical position of the windows on the upper floors and the brick lintel details, are reflective of the building's age and architectural style. The arch lintel would have historically served as the entrance to the building and intended to be seen in views from the High Street. The proposed fenestration to the front and rear, especially at the ground level under the arch lintel (which will presumably be obscured as this is a toilet) is not considered a sensitive adaptation to the historic part of the building, which can be viewed from the High Street. The use of a glazed balcony is not considered sympathetic to the historic context and would appear incongruous, particularly as it will be visible from the church yard. The building sits in a sensitive location in a conservation area and setting of numerous listed buildings and the cumulative impact of the proposed changes detracts from the historic character of the locality. There is an opportunity with redevelopment of this building to improve previous unsympathetic alterations and enhance its appearance in the conservation area.

40 With the information submitted, we are unable to support the proposed development in line with Policy SP1: 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.

41 *September 2021 response summary:*

42 The internal layout for the open plan offices has been altered, whereby the toilets now run along the party wall and are not located in front of the windows. It is noted that the entrance to the office has now changed and is located under the arch lintel. The elevation gives little indication on how this has been detailed and we would require more information in order to make an assessment. Has the window been blocked and bars removed, if so

how has this infill been addressed? We would request information on the proposed windows and doors, as they can be viewed from the high street and conservation area.

43 The applicant has clarified that the floor to ceiling heights on the upper floor are over 1.5m so they would contribute to the GIA. The remaining comments are still applicable.

44 *December 2021 and February 2022 response summary:*

45 Amended plans now acceptable, no conservation objections remaining.

## **Representations**

46 3 letters of objection have been received relating to the following issues:

- Existing air conditioning units should be removed, they overhang View School property.
- New window to the rear and the existing will overlook The View School grounds. Obscured glazing is needed.
- Construction vehicles would have to reverse onto high street.
- The site does not benefit from a car park.
- Site plan states garden to the front - this is a carpark for Dominos.
- Balcony will result in overlooking.
- Internal space for the flats is too low.
- Works to remove store along boundary wall - we have not been consulted on this.
- Removal of store will damage trees.

47 1 letter of support has also been received:

- Ample local support for development, shame such support has not been submitted.

## **Planning Officer's appraisal**

48 The main planning consideration are:

- Principle of development
- Design and impact on heritage assets
- Residential amenity
- Parking and highway safety
- Other issues

## **Housing Delivery Test and Policy Context**

49 Para 2 of the NPPF states that, as set out in planning law, applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. For

those policies that are out of date, they should be given less weight, to the extent that they are out of date (in accordance with para 210 of the NPPF).

50 Where there are key local policies that are not fully up to date, these are referred to in the report.

51 In the absence of a five year supply of land for housing in Sevenoaks District, the ‘tilted balance’ required by the NPPF can be engaged to give weight in favour of granting planning permission.

52 For this proposal, some of the policies are partially out of date and these are referred to later in this report.

53 In this case, the site is within a Conservation Area which is one of the constraints referred to above in the footnote to para 11 of the NPPF.

54 Paragraph 124 of the NPPF (in part) states that planning policies and decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an areas prevailing character and setting (including residential gardens) or of promoting regeneration and change.

55 Further detail on the planning balance will be set out in more detail later in this report.

56 *Loss of existing use and conversion of building*

57 The site falls within the built confines of Edenbridge and therefore Policy LO1 and LO6 of the Core Strategy apply. Policy LO1 outlines how development should be focused within the built confines of existing settlements. With regard to Edenbridge it states “*Edenbridge will be a location for development of a scale and nature consistent with the needs of the town and the surrounding rural area it serves in accordance with Policy LO6*”. Given that the site is within an area comprising a mix of commercial and residential uses, and that it is located close to the services offered within Edenbridge town, it is considered to be a sustainable site for residential development.

58 Policies LO1 and LO6 are partially out of date. They are generally in accordance with the NPPF as they support sustainable development but they do not allow for the more up to date requirements of the NPPF to make efficient use of land and to this extent these policies are inconsistent with the requirements of the more up to date NPPF.

59 An assessment as to whether the proposed conversion would protect the setting of the urban area and the distinctive character of the local environment is carried out later in the report, however, provided that the scheme complies with all other relevant development plan policies, the proposal complies with Policy LO1 and LO6.

60 As outlined above the residential use in the location can be acceptable in principle, however, the loss of the existing commercial use must also be assessed as part of this application. The site is currently used as a Working

Men's Club which would fall under the Sui Generis Use Class, the proposed flats would be Use Class C3 under the Town and Country Planning (Use Classes) Order 1987 (as amended).

- 61 The site is not an Allocated Employment Site and it is within the Urban Confines of Edenbridge, as such policy EMP5 of the Allocations and Development Management Plan applies. This states: *“When considering proposals for the creation or loss of business uses on unallocated sites, the Council will assess the impact of the proposals on the environment, local economy and the local community. For new proposals the Council will also consider the impact on the transport network and ensure there is no harm to surrounding uses, including nature conservation areas”*.
- 62 The loss of the Working Men's club is not considered to detrimentally impact the economy of the area, there are numerous other establishments in the vicinity providing similar services, resulting in continued use of this part of the High Street. As part of this application the applicant/developer has confirmed the use of the site is becoming financially unviable and will close irrespective of the current planning application. It is considered that the loss of employment and commercial use are acceptable in accordance with policy EMP5
- 63 In light of the above guidance, the proposed change of use would be acceptable in principle.

#### **Design and impact on heritage assets**

- 64 Policy SP1 of the Core Strategy and EN1 of the Allocations and Development Management Plan state 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 EN1 of the ADMP also states that the form of proposed development should be compatible in terms of scale, height, density and site coverage with other buildings in the locality. The design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard.
- 65 Paragraph 199 of the National Planning Policy Framework outlines that local authorities should conserve heritage assets in a manner appropriate to their significance. Any harm, which is less than substantial, must be weighed against the public benefit of the proposal (para 200-202). Furthermore, section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 66 Policy EN4 of the ADMP relates to proposals that affect a heritage asset or its setting, it supports proposals where the character, appearance and setting of the asset is conserved or enhanced.
- 67 The Edenbridge Conservation Area Appraisal describes the High Street as the main dominant feature in the Conservation Area. The appraisal splits the High Street in two with Hever Road separating the north and south sections, the application site falls within the northern section. The site is not specially referred to in the appraisal though other similar small gaps where

buildings can be seen through are noted and here the importance of preserving the views and the character of the buildings which can be seen is highlighted.

68 The proposal would result in the creation of four flats within the existing building of the 67 High Street (Working Men's Club). No extensions are proposed only a number of fenestration changes and openings. The proposed flats following amendments to the proposals are of a modest scale, ranging from 52sqm to over 90sqm. Three of the flats are proposed to be two-bedroom units and one is proposed to be a one-bedroom unit.

69 *Removal of the store*

70 The most significant external alteration is the removal of the store which wraps around the front and north side elevation. This is proposed to be removed and a number of external changes in the exposed walls will be made. Policy EN3 of the Allocations and Development Management Plan outlines how the architectural or historic interest of said building must be assessed. It continues to say "*Buildings that make a positive contribution to the character and appearance of the Conservation Area should be conserved. Where a building makes no significant contribution to the area, consent for demolition will be given subject to submission and approval of a detailed plan for redevelopment or after use of the site*".

71 The store does not hold any architectural merit and could be considered a detracting factor of the application site, its removal therefore will enhance the character of the conservation area in accordance with policy EN4. This part of the site will be better developed by allowing for a communal access/entrance to the building, a discrete bin store area (behind the boundary wall to the front) and new openings in the single storey projection to the rear to allow for natural light into that part of flat 4.

72 Furthermore, the NPPF outlines how local authorities should seek opportunities to enhance the significance and character of a designated heritage asset (paragraph 206). The removal of the store will better reveal the original or older elements of the building and its significance and will enhance its character. The development therefore accords with this section of the NPPF.

73 *Principle elevation alterations*

74 A number of changes to the front (principle) elevation are proposed as part of this conversion. Firstly, the external electrical cupboard and the existing female toilets will be removed to create the entrance to flat 3. This entrance will sit below an existing arched brick lintel and so it is likely that an entrance was formerly located here. The existing entrance, left of the proposed, along with the small window serving a w/c in the male toilets will be changed to a large sash window. As part of this the metal bars covering the glazing below the brick lintels will be removed. A new communal door and two new windows will be installed on the ground floor where part of the front elevation will be exposed post removal of the store. These will, however, not be easily visible from the street as they will reside behind the boundary wall. Other changes include the replacement of the casement

windows to the first floor with sash windows. These would be welcomed replacements as the sash design is more traditional and more sympathetic to the character of the area than the current windows, which do not appear to be the original windows of the building but rather poor replacements that detract from the character. Further details of the proposed windows can be required through condition to ensure the materials, design, colour and glazing thickness are all sympathetic to the character of the conservation area.

75 The above changes to the principle elevation will enhance the design and character of the building and by extension the character of the conservation area. The changes will not impact the relationship with other buildings forming the important grouping. Consequently, it is considered these changes will accord with policy EN4 of the Allocations and Development Management Plan and paragraph 197(c) of the NPPF.

76 *North elevation alterations*

77 To the north side of the building it is proposed to construct a balcony for flat 1, along with new doors and windows - particularly along the exposed ground floor post the removal of the store. Concerns have been raised regarding the impact of the balcony on the character and setting of the conservation area. Whilst the balcony could be considered a non-traditional feature in the conservation area, its siting ensures the impact will be limited. The Conservation Area Appraisal identifies important views up and down the high street and along Church Lane, the balcony will not be visible from any of these views. Moreover, due to the setback of the building and it being surrounded by other buildings, the application site is inconspicuous from the public realm and local vicinity - including the north elevation.

78 Overall, whilst the balcony does not enhance the character of the conservation area it is not considered to detract from it either. Additionally, when assessed as part of the wider development the design and character of the building will be enhanced overall. Therefore, the proposal will comply with policy EN4 of the ADMP.

79 *Setting of listed buildings*

80 As highlighted earlier in the report the application site is located near a number of listed buildings, these include the buildings fronting the high street, the View School (former Library) to the south and the Grade I listed church to the rear. The majority of the changes are the front elevation and away from the Grade I listed church, though they have the potential to impact the listed buildings fronting the street. However, for the reasons outlined above the alterations are considered to be an enhancement and therefore will conserve the character and setting of the listed buildings. To the rear of the application site the alterations are minimal, they comprise of replacement windows and a new window, there are no extensions proposed. There may be fleeting views of these changes from the churchyard, however, they are not considered to impact the setting.

81 *Summary*

82 The proposal is not considered to result in harm to the wider Conservation Area and will preserve and enhance its character and appearance and therefore complies with Policies EN1, EN4 of the ADMP and Policy SP1 of the Core Strategy along with the guidance of the Edenbridge Conservation Area Appraisal. It is also considered to preserve the setting and significance of the nearby listed buildings in accordance with policy EN4 of the ADMP and section 16 of the NPPF.

### **Residential amenity**

83 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development, 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.

84 Neighbouring properties/occupiers that could be impacted by development of the Working Men's Club site would be the View School (former library) to the south of the site and number 63 to the north.

85 In terms of the View School, it has an outdoor area to the rear of the application site which is delineated by a fence, to the western side of the fence is the car parking area which is accessed from Church road. Concerns have been raised regarding overlooking of the outdoor area from the first floor windows of the application site. This area is presumably used by children of the school. Comments received request that the existing windows and the proposed window (serving the kitchen of flat 2) should be obscure glazed. The windows are 10m away from the fenced off outdoor area of the school (not including the car parking area) at the closest point. Additionally, there are already windows present on the rear, serving an office and bedroom (for the existing flat). It is considered that the existing use would generate a similar level, and potentially more overlooking than the proposed uses. Noting this and the reasonable separation distance there would be perceived overlooking but the relationship would not cause significant harm as a result of actual overlooking or loss of privacy.

86 Regarding number 63, concerns have been raised regarding the balcony overlooking the garden area. Whilst views into the garden will be possible they will be fleeting and restricted due to the existing screening, courtesy of the mature trees. There will be no views into the property or the private amenity garden area. Moreover, it is noted that the balcony will feature a 1.7m high obscure glazing screen, further reducing the ability to overlook. Details of which will be requested through condition.

87 In terms of the amenity for the future occupiers of the flats. The initial proposals did not include sufficient internal space to accord with the Nationally Described Space Standards, all bar one of the five flats were below the 50sqm required for one bedroom flats. The proposal has been altered to four flats, two of which are two bedroom flats with two double bed sized rooms, the standards required here are 70sqm. Flats 2 and 4 meet these requirements. Flat 1 remains a single bedroom flat and still accords with the 50sqm. Lastly, flat 3 is a two bedroom three person flat and is required to provide 61sqm of internal space which is met.

- 88 All proposed dwellings and flats should have access to sufficient daylight and ventilation. The living rooms for three of the four flats have dual aspect. Flat 3 does not have dual aspect, however, the proposed large sash window to the front would provide an acceptable amount of daylight.
- 89 As for external amenity space, the application site does not benefit from land which could be used for amenity space other than the small garden area to the rear. Due to the arrangement of the flats this would serve flat 4 only. The other flats would not have external amenity space, irrespective of the plans labelling the area to the front as garden - it is noted that this is an area of hardstanding used for parking informally for Dominos Pizza and it is understood not to be within the ownership of the application site. This is therefore not counted as external amenity space. Nevertheless, it is noted that the flats are in a sustainable location in proximity to services, provisions and parks. Furthermore, there are no local policies that require a minimum outdoor amenity area, nor is this detailed in the nationally described space standards. Overall, it is therefore considered that the level of amenity for the proposed occupiers will be acceptable.
- 90 In light of the above it is considered that the proposed development will provide sufficient amenity for the proposed occupiers and will preserve amenity for neighbouring occupiers in accordance with policy EN2 of the ADMP.

#### **Parking and highway safety**

- 91 Policy T1 of the Allocations and Development Management Plan states that new development will be required to mitigate any adverse impacts that could result from the proposal.
- 92 Policy EN1 states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking.
- 93 Policy T2 of the ADMP states that vehicle parking provision should be made in accordance with KCC vehicle parking standards. However, the policy does allow the Council to depart from established maximum standards in taking account of specific local circumstances.
- 94 Paragraph 111 of the National Planning Policy Framework states that:
- 95 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.
- 96 The application site does not benefit from off road parking spaces of its own. The maximum parking standards for new flats, in accordance with Appendix 2 of the Allocations and Development Management Plan is 1 space per unit when in a town centre. This is the maximum requirement, with para 108 of the NPPF also requiring that decisions take account of the need to optimize the density of development in town centres and other locations that well served by public transport. It is considered, in line with the comments received from KCC Highways (the Local Highway Authority) that given the Working Men's Club has no current parking provision in this town

centre location and as there are parking restrictions in the vicinity, this would not be a reason to withhold permission. The absence of parking spaces would not lead to an unacceptable impact on highway safety or the residual cumulative impacts on the road network that would be severe.

- 97 To the benefit of this application, some cycle storage is proposed. The proposed bicycle storage area will accommodate approximately five bikes which is considered sufficient for four flats. KCC Highways have requested further details and these will be conditioned.
- 98 In summary, the application site is in a sustainable location and the proposal encourages sustainable and low carbon transport, this is considered in line with national and local policy. The design and layout of the flats would make them less attractive to families and the sustainable location and lack of onsite parking provision is likely to be most appealing to residents who are not so reliant on their own car.
- 99 In terms of highway safety, several comments refer to the access being dangerous, particularly for larger vehicles which will not be able to turn and will therefore be forced to reverse onto the high street. Moreover, the access to the high street is narrow and has limited visibility. As no parking is proposed there will be no additional risk to highway safety. As for construction vehicles, a Construction Management Plan can be required through condition.
- 100 Policy T3 of the Allocations and Development Management Plan outlines how electric vehicle charging should be provided for new residential units. As the site does not have onsite parking provision, it would not be appropriate to require provision of a communal charging point. However, it is likely that there will be electric charging facilities in the area, notably in public car parks. Nevertheless, accordance with this policy is considered less key given the encouragement for alternative means of travel these flats would encourage.

#### **Other issues**

- 101 The Town Council have requested a Party Wall agreement is undertaken, as the application site adjoins the apartment block of 1 to 9 Meade Court to the south and the boundary wall with number 63. This is not a planning matter. A suitably worded informative reminding the applicant to undertake such agreements/discussions can be included in the decision notice.
- 102 For the gated access from the churchyard, the lawful use of the access has been brought into question. This is also not a planning matter as there is existing access to the site here.
- 103 The National Planning Policy Framework stresses the importance of achieving a net gain in biodiversity in all new developments. The application site has limited biodiversity at present and likely has a low potential. Nevertheless, a suitably worded condition will be included for the developer to provide details of how a net gain will be achieved, this can be through the inclusion of bat and bird boxes.

104 Concerns have been raised regarding the trees to the northern boundary of the site between it and number 63 High Street. These concerns relate to the works to remove the store damaging the trees, and an informative can be included.

### **Planning balance**

105 Para 2 of the NPPF states that, as set out in planning law, application for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. For those policies that are out of date, they should be given less weight, to the extent that they are out of date (in accordance with para 210 of the NPPF).

106 In the absence of a five year supply of land for housing in Sevenoaks District, the 'tilted balance' required by the NPPF can be engaged to give weight in favour of granting planning permission.

107 In this case, the site is within a Conservation Area which is one of the constraints referred to above in the footnote to para 11 of the NPPF.

108 As set out above, the proposal would comply with the relevant policies relating to the protection of heritage assets.

109 Benefits of the proposal include:

- Re-use of a building that may otherwise become vacant.
- Improvements to the building that would conserve and enhance the conservation area.
- Making efficient use of land with the delivery of new residential units.

110 There would be limited harm due to the lack of onsite parking due to the location in the town centre, with other forms of transport nearby and the provision of cycle storage on site. There would be limited harm if any, from the change of use and overlooking into land used by View School. There are no clear reasons for refusing planning permission.

111 There are no policies relating to the special areas of protection, including Conservation Areas, that provide a clear reason for refusal (para 11(d) (i) of the NPPF).

112 There would be no adverse impacts of granting planning permission that would significantly or demonstrably outweigh the benefits of the proposal when assessed against the policies of the NPPF as a whole (para 11(d) (ii) of the NPPF).

113 There is a presumption in favour of development and this is given significant weight and the need for housing adds weight to the recommendation for approval.

### **Community Infrastructure Levy (CIL)**

114 The proposal is CIL liable.

## **Conclusion**

115 The proposed development is considered acceptable in principle. It is also considered to conserve and enhance the character and significance of the conservation area and listed buildings. There will be no loss of highway safety or residential amenity. The proposal therefore accords with local and national policy.

116 It is therefore recommended that this application is GRANTED.

## **Background papers**

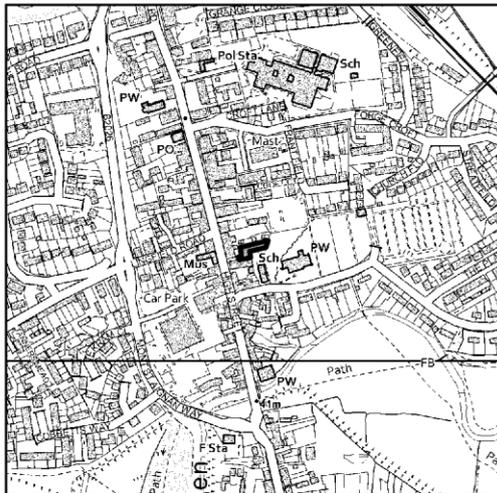
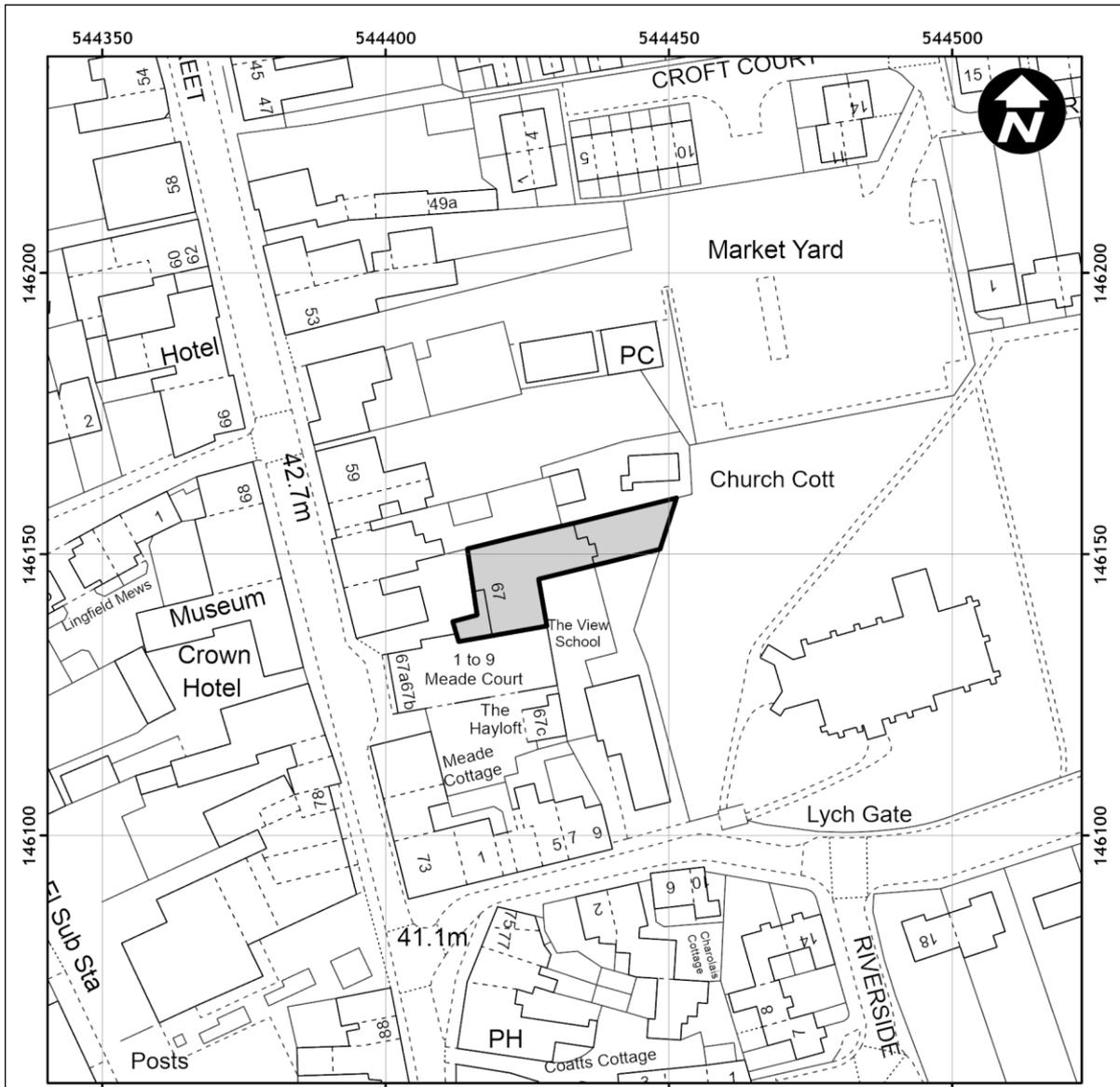
Site and block plan

Contact Officer(s): Ashley Bidwell: 01732 227000

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

Link to application details:

Link to associated documents:



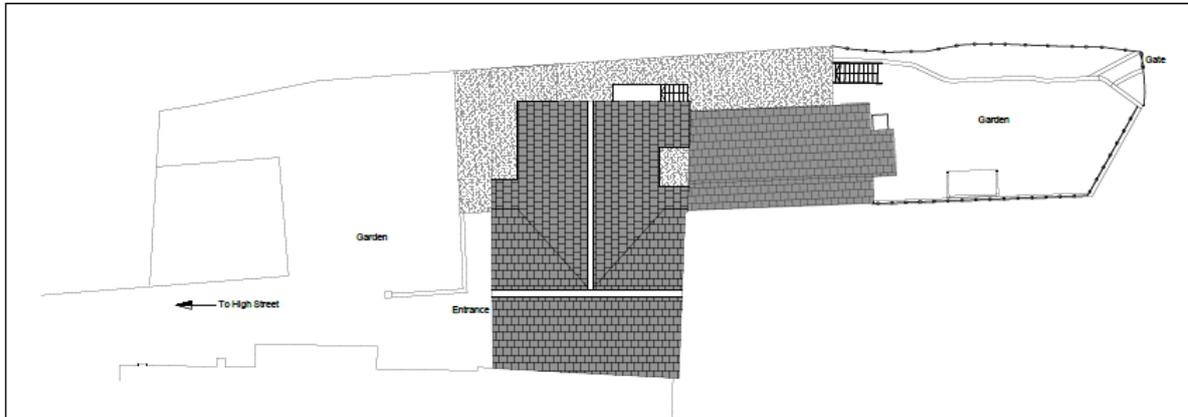
# Site Plan

Scale 1:1,250  
Date 18/02/2022



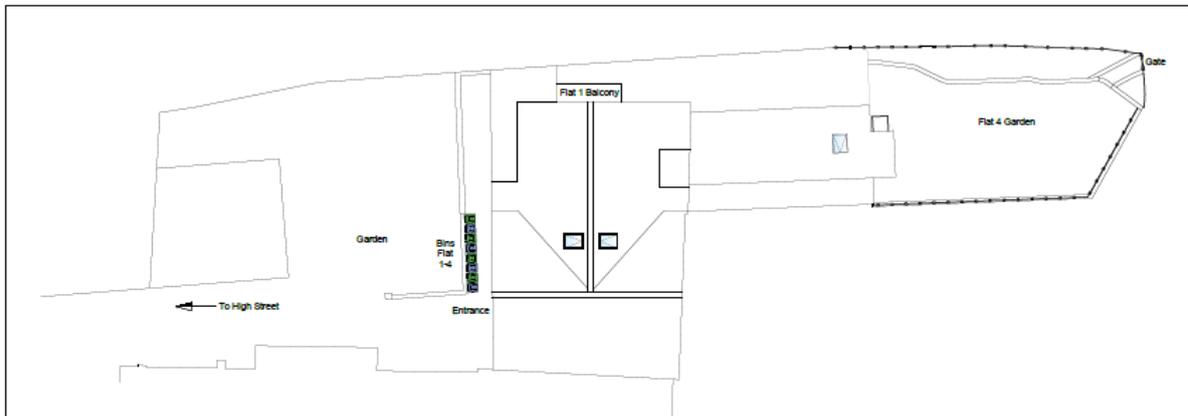
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Ordnance Survey 100019428.

# BLOCK PLAN



Existing Site Plan

Scale - 1:200@A3



Proposed Site Plan

Scale - 1:200@A3