



**Late Observations Sheet
DEVELOPMENT CONTROL COMMITTEE
9 September 2021 at 7.00 pm**

Late Observations

This page is intentionally left blank

DEVELOPMENT CONTROL COMMITTEE

Thursday 9th September 2021

LATE OBSERVATION SHEET

4.1 - 21/02502/PAC - 160 London Road, Sevenoaks, KENT TN13 2JA

1.1 Highways England have provided consultee comments on the application as follows:-

“We have reviewed the information submitted in support of this application and there appears to be a discrepancy relating to the existing B1 Office Use gross internal area (GIA) figures quoted within the application documents. The covering letter from the applicant’s agent states that the existing site is 28,959sqm GIA, whereas the Transport Statement (TS) notes 16,176sqm GIA.

It is assumed that the difference in GIA figures may be due to the TS not taking the basement floor area into account, however, it would be useful to clarify this.

We note the Kent County Council (KCC) parking standards quoted in the TS. The TS states that KCC parking standards specify up to 1 car parking space per 1-bed unit and up to 2 spaces per 2 or 3-bedroom units. However, we have reviewed the relevant standards on the Sevenoaks webpage https://www.sevenoaks.gov.uk/downloads/file/307/appendix_2_-_guidance_table_for_residential_parking and note that guidance states that a maximum of 1 car parking space per unit be applied.

Depending on the answers to 1 & 2, the case appears to be vastly over-providing on parking with up to 400 spaces, or thereabouts, not required for residential purposes.

Whilst a residential use, compared to B1a, will reduce the traffic generation from the site, without knowledge of the future use of the “spare” 400 odd spaces - or preclusion thereof - it cannot be determined whether there would be an unacceptable transport impact on the operation of the SRN.

Consequently, Highways England recommends that the planning authority for this application refrains from determining the prior approval application (other than a refusal) for the reason of insufficient information being provided and, thus, the inability to accurately assess the impact of the over provision of 400 car parking spaces at the proposed development on the safety, reliability and/or operational efficiency of the SRN (the tests set out in DfT C2/13 paras 8 to 11 and MHCLG NPPF2021 paras 110 to 113). Once we have received the requested information and had sufficient time to assess its implications on the operation of the SRN we will provide our full final

substantive response to this application. In the event that you wish to determine the application ahead of Highways England receiving the requested information and assessing it accordingly, we will be required to make a formal objection to the proposals.”

1.2 The applicants have provided a response to these comments as follows:

“The basement is not usable floorspace and was therefore not included within the transport assessment. If it was included, then the trip generation would be higher for the existing site and therefore there would be a greater net-reduction in trips as a result of the proposed change of use.

The KCC Parking standard was applied for the purposes of the application. Should the SDC standards be applied, there would be a surplus of circa 416 spaces.

They acknowledge that this is in excess of the car parking standards. However, from previous experience believe that this can be dealt with either through an informative or condition. For example, Runnymede Borough Council attached an informative to the Decision Notice for a similar Class O Prior Approval application (LPA Ref: RU.21/0704) which stated: “Proposal provides significant number of car parking spaces, such over provision of facilities could result in sustainable transport choices being adversely affected and be detrimental to the sustainable nature of the site, as such the applicant is encouraged to consider the provision of amenity space in lieu of some of the existing car parking spaces.” As such, would be willing to accept a similar informative or condition for this application. We could also agree to a unilateral undertaking to restrict a proportion of the spaces from being used.

The Transport assessment suggests that there would be circa 134/135 two-way fewer vehicle movements in the peak periods. Therefore, if some of the spare spaces could be converted into public realm, this is likely to lessen concerns even further. Again, we could also agree to a unilateral undertaking to restrict a proportion of the spaces from being used if this was considered more appropriate.”

1.3 Highways England provided the following comments on this response:

“We are currently taking a holding position on this application due to the lack of sufficient information around the parking. I have reviewed the details passed through and to be honest it takes me no further forwards. There isn’t much to review to be fair, the bullet points they have included were all included in the original info.

For a city / town centre location, KCC parking standards is 1 space per dwelling, no matter what the size. This would mean the site could have a maximum of 116 parking spaces. The site is providing 516 parking spaces, hence the over provision of 400 spaces, not exactly a small amount of

additional parking! The Runnymede informative is too relaxed for my liking because it only 'encourages' the applicant to reduce the number of spaces.

Therefore I personally do not consider that sufficient info regarding how the 400 extra parking spaces will be used has been provided. I am therefore not prepared to remove our holding position to allow permission to be granted."

Officer Response:

- 1.4 It is acknowledged by Highways England that a residential use in this location as opposed to an office use is likely to generate less vehicle movements within the area. However there remains concerns about the use of the 400 parking spaces which are in excess of the adopted parking standard. The condition or informative proposed by the applicant would not address this concern, primarily because the spaces are located within the basement level and so could not easily be transferred to amenity space as they were in the example referred to.
- 1.5 In light of the objection from Highways England and the uncertainty surrounding the parking spaces, it is considered that there is not sufficient information to conclude that the highways impacts of the development are acceptable.
- 1.6 **The Recommendation should be changed to- Prior Approval Refused, for the following reason:**

"In the absence of adequate information surrounding the use of the parking spaces, the applicant has not satisfactorily demonstrated that the highways impacts of the development are acceptable."

4.2 - 20/03660/FUL - Chevening House, Chevening Road, Chevening KENT TN14 6HG

Consultations

Highways England (in summary):

A further consultation response has been received from Highways England, following further discussion regarding potential planning conditions.

"Since our response in April 2021, we have been in contact with yourself as the Case Officer, the applicant (via yourself) and RPS, regarding the pre-commencement condition. We are now in a position to recommend that the following condition is applied to the above planning application, if you are minded to grant consent.

"The development shall not be carried out other than in accordance with the Site Management, Site Hours and Operation, HGV Routeing, Routine Monitoring, Breaches and Complaints Procedure details set out within the Chevening Estate

HGV Management Strategy contained within the RGP Transport Assessment (ref: Appendix E - RUAR/15/2943/TN02. In addition, HGV movements shall be limited to a maximum 200 two-way movements from Polhill (A224 (north)). There shall be no requested by Hmore than a maximum 25 two-way trips in any one hour across the construction period.”

This condition is to mitigate any adverse impact from construction of the development on the M25 and to ensure that the M25 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

We recognise that our condition will be combined with a condition set by the LPA, that as one condition will cover the SRN, and the local road network. We understand that the applicant is amenable to this condition.

Accordingly, we formally offer no objection to the proposed development, based on the inclusion of the above, agreed planning condition.”

Officer Response:

Condition 13 contains the wording requested by Highways England.

Representations:

A letter of representation has been received from Cllr Firth. In summary, the following objections are raised:

- Proposals represent inappropriate development in the Green Belt and no very special circumstances have been established.
- Visual impact would be enormous with the mounds unnatural in appearance and totally out of character with visual setting protected by AONB designation.
- The No benefit to the community, with no improved access to the parkland.
- Flooding not an issue and therefore improvement of no benefit.
- No significant biodiversity enhancements or enhancements to the rights of way to outweigh harm.
- No evidence lesser measure would achieve suitable screening.
- Unacceptable traffic impact and associated noise and pollution.

A letter has been received from an interested party in Dunton Green, raising the following concerns, in summary.

- The stream from Chevening House, which runs through the site, continues to properties in Mill Road, Dunton Green. Concern is raised regarding their Riparian Rights to an established and uninterrupted flow of water. They query whether the proposals will interrupt the flow of water.
- They raise concern that the proposals may adversely impact water quality, thus impacting White Clawed Crayfish in the river at Dunton Green.
- The proposals will create HGV traffic and pollution which will have a widespread impact.

Officer response:

The issue of Riparian Rights is not a planning matter. However, I understand this is a matter which may be dealt with by Kent County Council and I am advised by them that they will respond to the writer directly.

With regard to the issue of White Clawed Crayfish, I have received a response from KCC Ecology, in summary advising that they consider this a matter for the Environment Agency, as they are the authority regarding rivers (and other aquatic environments) and issue of particulates, sediment and/or pollutants entering the watercourse. However, in the view of KCC Ecology, the surface run-off (and associated sediment/pollutant desposition) would be better once the landscaping is well established. Farmed arable/pasture entails a relatively high phosphate and nitrate run-off. If the landscaping takes place as proposed, runoff and pollutants should be reduced i.e. more standing water and more vegetation will lessen runoff and improve water quality downstream.

The Recommendation remains unchanged.

4. 3 - 21/01388/FUL - Land South Of 1 Singles Cross Cottages, Blueberry

Lane, Knockholt KENT TN14 7NH

Representations

A letter has been received from the Knockholt Society reiterating comments raised in their earlier correspondence.

A letter has also been received from the Countryside Charity raising the following objections:

- The building operations extend beyond the existing footprint and therefore are not lawful.
- The proposals include an access which cannot be justified.
- Application highlights the difficulty in upholding Green Belt policy in light of Class R.

A letter of representation has been received from a third party objecting on the following grounds:

- Proposals not viable.
- Note structural survey is resubmission from 2019.
- Proposed access road inappropriate and would result in loss of hedgerow, extensive hardsurfacing and loss of pasture land.

A letter of representation has been received from a third party noting as follows:

- Whilst the Public Right of Way takes a more northerly route, the footpath used by walkers, and marked by posts on site, cuts through the corner of the application site en-route to the adjacent stile.
- The proposals would prevent access to the existing stile.

Supplementary Information

- The position of the official footpath would traverse a steep bank and be dangerous.
- The access indicated does not allow access to serve the field which is grazed by sheep. Does this mean a second access to the road will be created?

A further representation has been received today from a local resident raising the following objections, in summary:

- Barns in poor/derelict condition and should be demolished.
- Original access from adjacent farm yard.
- Note previous refusal for conversion of these buildings.
- Sceptical of success of use - likely to be converted into residential.
- Poor location for any use other than agriculture.
- Unacceptable access, which will result in loss of hedgerow.

Officer response:

The objections raised by the Knockholt society are already summarised in the Officer's Report, as are the third party comments which raise similar issues.

With regard to comments regarding the Right of Way, KCC Public Rights of Way Officer advises that the route presently walked to a stile in the boundary is not on the correct legal line.

In the circumstances, the application site would not impinge on the Public Right of Way.

Whilst it appears that the extreme edge of turning head/associated landscaping may impinge upon the existing path used by walkers, the access does not form part of this application. The current application does not encroach onto the footpath and would not prevent access to the existing stile.

The Recommendation remains unchanged.

4.4 - 21/01214/FUL - Land Behind Barns East Of Winkhurst Green Road, Ide Hill

KENT TN14 6LD

Further Information Submitted

Further information has been submitted by the applicant relating to the financial benefits of the proposals. However, the agent advises that the details are confidential.

In summary, the applicant states that the containers provide affordable storage and work space for a variety of local businesses and the monthly rental for the containers makes a significant contribution to the farm's income. An accompanying table indicates a significant reduction in Direct Payment Support to the farm from 2020 onwards.

Officer response:

The information submitted is limited, has not been independently verified and is not clearly set out in the wider context to include any other income/loss from the farming operations and any other income.

RECOMMENDATION:

The recommendation remains unchanged.

4. 5 - 21/01756/FUL - Mobile Home At Robertsons Nursery, Goldsel Road,
Swanley, KENT BR8 8BF

No late observations.

4.6 - 21/01444/HOUSE - Cockerhurst House, Redmans Lane, Shoreham KENT TN14
7UB

No later observations.

This page is intentionally left blank