

4.2 21/03546/CONVAR Date expired 24 January 2022

Proposal: Variation of condition 10 of permission 19/02951/HYB to allow for a temporary car park layout using part of the existing car park, until the old leisure centre is demolished for the new car park.

Location: White Oak Leisure Centre, Hilda May Avenue, Swanley
KENT BR8 7BT

Ward(s): Swanley White Oak

Item for decision

The reason that the application is before the Development Control Committee is because Sevenoaks District Council is the applicant for the application.

RECOMMENDATION: That planning permission be **GRANTED** for the variation of Condition 10 of planning permission 19/02951/HYB as follows:

“Prior to the first use of the leisure centre, the temporary parking spaces shown on 169-SBA-XX-XX-DR-A-0535 Rev C2 shall be made available to users of the leisure centre for a temporary period until such time as the vehicle parking spaces shown on the approved plan 1689 SBA-XX-XX-DR-A-0501N (as amended under non-material amendment 21/00635/NMA and 21/03208/NMA) shall be provided. The latter shall be permanently retained thereafter unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a permanent retention of vehicle parking for the development as supported by Policy T2 of the Sevenoaks Allocations and Development Management Plan.”

Grant Planning Permission subject to the following conditions:

1) The levels for the leisure centre development shall be in accordance with those shown on the approved plans drawing numbers 1689 SBA-XX-XX-DR-A-101D, 1689 SBA-XX-XX-DR-A-0202B, 1689 SBA-XX-XX-DR-A-0203E, 1689 SBA-XX-XX-DR-A-0204D and 1689 SBA-XX-XX-DR-A-511A or alternative levels details of which shall be submitted to and approved in writing by the local planning authority.

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

2) Details of the residential development relating to the layout, scale and appearance of the proposed buildings, and the landscaping of the site (hereinafter

called the "reserved matters") shall be submitted to and approved in writing by the local planning authority before any development is commenced.

No such details have been submitted.

3) The application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of planning permission 19/02951/HYB. The development hereby permitted shall be begun no later than the expiration of two years from the date of approval of the last of the reserved matters.

In Pursuance of section 92(2) of the Town and Country Planning Act 1990.

4) The development hereby permitted shall be carried out in accordance with the following approved plans: 1689 SBA-XX-BO-DR-A-009A, 1689 SBA-XX-00-DR-A-010K, 1689 SBA-XX-01-DR-A-011E, 1689 SBA-XX-02-DR-A-012F, 1689 SBA-XX-XX-DR-A-101D, 1689 SBA-XX-XX-DR-A-0202B, 1689 SBA-XX-XX-DR-A-0203E, 1689 SBA-XX-XX-DR-A-0204D, 1689 SBA-XX-XX-DR-A-0501N (as amended by the non-material amendments approved by the local planning authority under references 21/00635/NMA and 21/03208/NMA), 1689 SBA-XX-XX-DR-A-502C, 1689 SBA-XX-XX-DR-A-508E, 1689 SBA-XX-XX-DR-A-0510B, 1689 SBA-XX-XX-DR-A-511A and SK21957-001.

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

5) Unless carried out in accordance with the materials approved by the local planning authority on 11.01.2021 under decision reference 20/03351/DETAIL, samples of the materials to be used in the construction of the external surfaces of the new leisure centre building shall be submitted to and approved in writing by the local planning authority prior to installation. The development shall be carried out using the approved materials.

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.

6) No development shall be carried out relating to the new residential development until full details of the materials to be used in the construction of the external surfaces of the new residential development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out using the approved materials.

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) Unless carried out in accordance with the details of landscaping works approved by the local planning authority on 30.09.2020 under decision reference 20/02417/DETAIL, full details of landscape works shall be submitted to and

approved in writing by the local planning authority prior to first use of the new leisure centre building. Those details shall include:- hard landscaping plans (identifying any existing hard standing, new hard standing and details of surfacing materials);- existing boundary treatment to be retained and all proposed boundary treatment; - planting plans (identifying existing planting, plants to be retained and new planting);- a schedule of new plants (noting species, size of stock at time of planting and proposed number/densities);- appropriate pruning works to retained trees;- tree protection measures to be installed during construction; and- a programme of implementation. The development shall be carried out in accordance with the approved details.

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

8) If within a period of 5 years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die for both the new leisure centre and the residential development 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.

9) The development shall be implemented in accordance with the (i) archaeological field evaluation approved by the local planning authority on 16.06.2020 under reference 20/00933/DETAIL and (ii) the further archaeological investigation approved by the local planning authority on 26.10.2020 under reference 20/02560/DETAIL.

To ensure that features of archaeological interest are properly examined and recorded in accordance with the National Planning Policy Framework.

10) Prior to the first use of the leisure centre, the temporary parking spaces shown on 169-SBA-XX-XX-DR-A-0535 Rev C2 shall be made available to users of the leisure centre for a temporary period until such time as the vehicle parking spaces shown on the approved plan 1689 SBA-XX-XX-DR-A-0501N (as amended under non-material amendment 21/00635/NMA and 21/03208/NMA) shall be provided. The latter shall be permanently retained thereafter unless otherwise agreed in writing by the local planning authority.

To ensure a permanent retention of vehicle parking for the development as supported by Policy T2 of the Sevenoaks Allocations and Development Management Plan.

11) The provision of parking spaces for the proposed residential development shall be in accordance with the Kent Residential Parking Standards (IGN3) and permanently retained thereafter unless otherwise agreed in writing by the local planning authority.

To ensure a permanent retention of vehicle parking for the development as supported by Policy T2 of the Sevenoaks Allocations and Development Management Plan.

12) Unless carried out in accordance with the details approved by the local planning authority on 29.04.2020 under decision reference 20/00934/DETAIL, prior to the first occupation of the new leisure centre building, details of the secure, covered cycle parking facilities for the development shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved cycle parking facilities shall be maintained thereafter.

To ensure a permanent retention of cycle parking for the development as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

13) Prior to the first occupation of the new residential development, details of secure, covered cycle parking facilities for the development shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved cycle parking facilities and shall be maintained thereafter.

To ensure a permanent retention of cycle parking for the development as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

14) Prior to the first use of the permanent car park to serve the new leisure centre, visibility splays of 33m x 2.4m x 33m shall be provided and maintained thereafter at the vehicular access to serve the development, with no obstructions over 1.05m above carriageway level within the splays. These shall be carried out in accordance with the details approved by the local planning authority on 29.04.2020 under decision reference 20/00935/DETAIL.

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

15) Prior to the first use of the new residential development, visibility splays of 33m x 2.4m x 33m shall be provided and maintained thereafter at both respective vehicular access to serve the development, with no obstructions over 1.05m above carriageway level within the splays.

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

16) Unless carried out in accordance with the Travel Plan approved by the local planning authority on 5.10.2020 under decision reference 20/02206/DETAIL, the leisure centre shall not be brought into use until a Travel Plan to reduce dependency on the private car has been submitted to and approved in writing by the local planning authority. The Travel Plan shall include objectives and modal-

split targets, a programme of implementation and provision for monitoring, review and improvement. Thereafter, the Travel Plan shall be put into action and adhered to throughout the life of the development, or that of the Travel Plan itself, whichever is the shorter.

To reduce dependency on the private car as supported by the National Planning Policy Framework.

17) The construction of the new leisure centre shall be carried out in accordance with the details approved by the local planning authority on 29.04.2020 under reference 20/00936/DETAIL, unless an alternative Construction Management Plan has been submitted to and approved in writing by the local planning authority. The Plan shall include the following:(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 fully adhered to during the course of the construction phase.

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

18) Prior to the commencement of residential development on the site a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Plan shall include the following:(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 fully adhered to during the course of the construction phase.

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

19) Unless carried out in accordance with the details approved by the local planning authority on 22.03.2021 under decision reference 21/00292/DETAIL, prior to the first occupation of the new leisure centre development details of the electric charging points to be provided 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 and maintained thereafter.

To encourage the use of low emission vehicles, in accordance with Policy T3 of the Sevenoaks Allocations and Development Management Plan.

20) Prior to the first occupation of the new residential development details of the electric charging points to be provided 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 and maintained thereafter.

To encourage the use of low emission vehicles, in accordance with Policy T3 of the Sevenoaks Allocations and Development Management Plan.

21) From the commencement of the development, all measures will be carried out as detailed within section 6.1.2 of the Preliminary Ecological Appraisal & Bat Emergence Survey (Ecologic September 2019).

To ensure the long term retention of bats on the site and in the local area in accordance with policy SP11 of the Sevenoaks Core Strategy.

22) Unless an alternative scheme is submitted to and approved in writing by the local planning authority, the development shall be carried out in accordance with details of how the development will enhance biodiversity approved by the local planning authority on 30.09.2020 under decision reference 20/01653/DETAIL. The submitted details shall include integrated bird nesting bricks and the planting of native species. The approved details shall be implemented and thereafter retained.

To ensure the development provides a net gain to biodiversity enhancements as supported by the National Planning Policy Framework.

23) If emptying the swimming pools into a public sewer the pools shall be emptied overnight in dry periods and the discharge rate shall not exceed a flow rate of 5 litres/second into the public sewer network.

To avoid overloading the drainage system in accordance with the National Planning Policy Framework.

24) Unless carried out in accordance with the details approved by the local planning authority on 04.06.2020 under decision reference 20/00937/DETAIL, a detailed sustainable surface water drainage scheme for the site shall be submitted to and approved in writing by the local planning authority prior to the commencement of works on the drainage scheme. The detailed drainage scheme shall be based upon the Drainage Strategy dated October 2019 by Furness Partnership and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. The drainage scheme shall also demonstrate (with reference to published guidance):- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters. - appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker. The drainage scheme shall be implemented in accordance with the approved details.

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk

of on/off site flooding as supported by the National Planning Policy Framework.

25) Prior to the commencement of the works to erect the new residential development, a detailed sustainable surface water drainage scheme for the site shall be submitted to and approved in writing by the local planning authority. The detailed drainage scheme shall be based upon the Drainage Strategy dated October 2019 by Furness Partnership and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. The drainage scheme shall also demonstrate (with reference to published guidance):- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker. The drainage scheme shall be implemented in accordance with the approved details.

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding as supported by the National Planning Policy Framework.

26) No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the local planning authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of the National Planning Policy Framework.

27) Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is submitted to demonstrate to the local planning authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details.

To protect vulnerable groundwater resources and ensure compliance with the

National Planning Policy Framework.

28) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

To avoid the potential risks associated with the use of piling where contamination is an issue as supported by the National Planning Policy Framework.

29) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the local planning authority.

To avoid the potential for unexpected contamination impacting the development in accordance with the National Planning Policy Framework.

30) On completion of the works to construct the permanent car park (part 2 of the leisure centre site), a contamination validation report, demonstrating that all remedial and precautionary measures have been taken during the course of construction, shall be submitted to and approved in writing by the local planning authority. [The contamination validation report relating to the works to construct the new leisure centre (part 1 of the leisure centre site) was approved by the local planning authority on the 08.10.2021 under decision reference 21/02060/DETAIL].

To demonstrate that the development has not caused contamination to the site in accordance with the National Planning Policy Framework.

31) On completion of the works to construct the new residential development a ground contamination validation report, demonstrating that all remedial and precautionary measures have been taken during the course of construction, shall be submitted to and approved in writing by the local planning authority.

To demonstrate that the development has not caused contamination to the site in accordance with the National Planning Policy Framework.

32) During the operation of the leisure centre building, the level of music emitted from the site measured as an LAeq,T shall not be less than 10 dB below the background sound level (measured as LA90,T) at any time. In addition, the music emitted measured as Leq,T in the 63 Hz and 125 Hz octave bands, shall not be less than 10 dB below the corresponding background sound level (measured as L90,T) in these octave bands. All measurements shall be made at the nearest residential receptor to the site.

To safeguard the residential amenity of the occupiers of existing and proposed nearby properties as supported by the National Planning Policy Framework.

33) During the operation of the leisure centre building, the Rating Level (determined as defined in BS 4142:2014 Methods for rating and assessing industrial and commercial sound, at the nearest residential receptor) of noise from all plant, operating at its maximum design duty shall not exceed the Background Sound Level at any time.

To safeguard the residential amenity of the occupiers of existing and proposed nearby properties as supported by the National Planning Policy Framework.

34) Unless carried out in accordance with the details approved by the local planning authority on 14.09.2020 under decision reference 20/02108/DETAIL, prior to the first use of the new leisure centre building, details of mitigation measures to minimise the impact of vehicle emission on the nearby Air Quality Management Area shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained thereafter.

To avoid increasing vehicle emissions within the Air Quality Management Area as supported by the National Planning Policy Framework.

35) Unless carried out in accordance with the details approved by the local planning authority on 19.02.2021 under decision reference 21/00064/DETAIL, prior to the first occupation of the new leisure centre development, full details of a lighting scheme for the site 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 safeguard the character and appearance of the area and the residential amenity of the occupiers of existing and proposed nearby properties as supported by policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

36) Prior to the first occupation of the new residential development full details of a lighting scheme for the site 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 safeguard the character and appearance of the area and the residential amenity of the occupiers of existing and proposed nearby properties as supported by policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

37) Unless carried out in accordance with the details approved by the local planning authority on 08.06.2021 under decision reference 21/00114/DETAIL, prior to the first occupation of the new leisure centre building, a scheme for crime prevention 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.

In order to design out crime within the development and the surrounding area as supported by the National Planning Policy Framework.

38) Prior to the first occupation of the new residential development a scheme for crime prevention 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.

In order to design out crime within the development and the surrounding area as supported by the National Planning Policy Framework.

39) No development shall be carried out in relation to the new residential development until full details of the required alterations to the White Oak Indoor Bowls Centre building have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

To safeguard the character and appearance of the area and the residential amenity of the occupiers of existing and proposed nearby properties as supported by policies EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

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 the site of the White Oak Leisure Centre, which is currently under redevelopment. It is sited on a large irregular shaped plot at the junction of Hilda May Avenue and Garrolds Close in Swanley. The site lies to the northeast of London Road, approximately 400m to the north-west of Swanley Town Centre.

Description of Proposal

2 The application seeks approval for the variation of Condition 10 of Hybrid Planning Permission 19/02951/HYB, which granted approval for a new leisure centre (approved in detail) and residential development (approved in outline), as described in the planning history below.

3 Condition 10 of the hybrid planning permission requires that:

“Prior to the first use of the leisure centre the vehicle parking spaces shown on the approved plan 1689 SBA-XX-XX-DR-A-0501N shall be provided and permanently retained thereafter unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a permanent retention of vehicle parking for the development as supported by Policy T2 of the Sevenoaks Allocations and Development Management Plan.”

4 The plan referred to in the Condition is the approved Proposed Site Plan, which shows the new leisure centre (currently nearing completion) in the southern part of the site with the permanent car park to the north east, accessed via Hilda May Avenue. The permanent car park is in the location of the existing White Oak Leisure Centre that is to be closed and demolished as part of the proposals. The demolition of the existing Centre to make way for the car park will not, however, happen until the new leisure centre is open. This phasing of the build programme means that the vehicle car parking spaces shown on the approved plan cannot practically be provided before the intended date of the opening of the new leisure centre in early 2022.

5 The applicant is therefore seeking an amendment to Condition 10 to allow for a temporary car parking arrangement until the existing leisure centre can be demolished and the permanent car park laid out. The temporary parking arrangement would make use of existing spaces serving the leisure centre and adjoining Bowls Club (broadly to the west /northwest of the new leisure centre), as well as the new car parking area on the west side of the new leisure centre building and two spaces at the north eastern corner of the site. These spaces are within the ownership of Sevenoaks District Council. The applicant has confirmed that agreement has been made with the Bowls Club over shared use of their spaces on the southern side of the Bowls Club.

6 While there was some discrepancy in the parking numbers submitted with the application, the applicant has clarified that the temporary car park would provide a total of 106 spaces, comprising nine accessible parking spaces and 97 standard spaces. This compares to the 144 spaces to be provided as part of the permanent layout, including 12 accessible spaces.

7 With the exception of the two spaces at the northeast corner of the site, access to the car park would be via Garrolds Close (past the Bowls Centre frontage) from Hilda May Avenue. Pedestrian access to the leisure centre

from the car park areas would utilise footpaths along Garrolds Close and Hilda May Avenue.

Relevant planning history

- 8 The principal decisions of relevance to the current application are:
- 9 19/02591/HYB Hybrid application comprising, in outline: residential development of between 35 and 40 residential units - residential mix to be either 2 or 3 bed units with integral or on-street parking. Units to be either 2 or 3 storeys high. In detail: demolition of existing leisure centre building and erection of replacement leisure centre and associated car park.
GRANTED 14.02.2020
- 10 21/00635/NMA Non-material amendment to 19/02951/HYB. APPROVED 30.04.2021
- 11 21/03208/NMA Non-material amendment to 19/02951/HYB. APPROVED 19.11.2021

Legislation / Policies

- 12 Town and Country Planning Act 1990 (as amended):
- Section 73: Determination of applications to develop land without compliance with conditions previously attached.
- 13 National Planning Policy Framework (NPPF):
- NPPF, Chapter 9: Promoting Sustainable Transport
- 14 Allocations and Development Management Plan (2015):
- Policy T1 - Mitigating Travel Impact
 - Policy T2 - Vehicle Parking
- 15 Other:
- Planning Practice Guidance (PPG): Flexible Options for Planning Permission - Amending the conditions attached to a permission including seeking minor material amendments (application under Section 73 TCPA 1990)

Consultations

- 16 Overall expiry date: 29 November 2021
- 17 Swanley Town Council: No response.
- 18 KCC Highways and Transportation: No objection raised.
- 19 SDC Environmental Protection: No objection raised.
- 20 Public Realm Commissioner: No comment received.

Representations

- 21 213 consultees. No public comments received on the amendments.

Chief Planning Officer's appraisal

- 22 Section 73 of the Town and Country Planning Act 1990 (as amended) allows applicants to seek planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted; in effect, to vary or remove a condition. The PPG confirms that a planning permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. Applicants are then at liberty to choose which permission is implemented.
- 23 Section 73(2) confirms that, in determining an application to vary or remove a condition, the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted. It can then decide either that:
 - a. planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, or
 - b. if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, refuse the application.
- 24 In this case, the principle of the redevelopment of the White Oak Leisure Centre is established and conditions were attached to the planning permission to regulate or mitigate the impacts of development.
- 25 The main planning consideration relates, therefore, to the purpose of Condition 10 and whether amending the Condition to allow for a temporary car parking arrangement would be acceptable in relation to parking provision and traffic and travel impacts.

- 26 Paragraph 111 of the NPPF confirms that 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.

Parking provision

- 27 Policy T2 of the ADMP confirms that vehicle parking in connection with non-residential developments should be made in accordance with advice by Kent County Council as Local Highway Authority.
- 28 The number of car parking spaces provided over the temporary construction period would be reduced from a total of 144 to 106 (-38 spaces), with accessible spaces also reduced from 12 to 9 (-3 spaces). There would be also be some sharing of spaces with the neighbouring Bowls Club.
- 29 The Transport Assessment (SK Transport Planning, 2019) submitted with the hybrid planning application included a survey of parking demand within the existing leisure centre car park. This survey showed that the maximum demand for parking during the core leisure centre opening hours was for 91 spaces between 18:00 and 19:00; the next highest being 73 between the hours of 17:00 and 18:00; followed by 47 between 16:00 and 17:00 hours. Using this data as a benchmark for future car parking usage, whilst there would be a reduction in available car parking for a temporary period, the provision would be adequate to accommodate the parking demand generated by the leisure centre.
- 30 Having regard Policy T2, KCC Highways and Transportation has raised no objection, stating that; ... *“I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority.”*
- 31 The site is sustainably located, close to Swanley town centre and the transport links associated with it. It therefore provides a good opportunity to access the development by means other than the private car. I also note that the Hybrid Planning Permission was granted subject to a condition (no.16) that required:
- “The leisure centre shall not be brought into use until a Travel Plan, to reduce dependency on the private car, has been submitted to and approved in writing by the local planning authority. The Travel Plan shall include objectives and modal-split targets, a programme of implementation and provision for monitoring, review and improvement. Thereafter, the Travel Plan shall be put into action and adhered to throughout the life of the development, or that of the Travel Plan itself, whichever is the shorter.”*
- 32 The Travel Plan was submitted by the applicant pursuant to Condition 16 and approved by Sevenoaks District Council on 5 October 2020 (reference 20/02206/DETAIL). It provides a comprehensive set of measures intended to

reduce the number of single-occupancy car journeys and support sustainable transport choices. The Travel Plan further commits the leisure centre management and Travel Co-ordinator to monitoring the use of the car park through regular observations at various times to ensure that the car park is being used appropriately. In operation, it is hoped that this will further suppress demand for parking spaces and ensure efficient operation of the parking arrangements.

- 33 Taking into account the above considerations, the parking numbers proposed are considered appropriate.

Travel Impacts

- 34 Policy T1 of the ADMP requires new developments to mitigate any adverse travel impacts, including their impact on congestion and safety, environmental impact, such as noise and tranquillity, pollution and impact on amenity and health. The proposal would utilise the existing vehicular accesses to Garrolds Close from Hilda May Avenue, which currently serves the residential properties on Garrolds Close, the Bowls Club and provides a secondary access to the leisure centre. Appropriate visibility splays are already in place.
- 35 The access route to the south and west of the Bowls Club would meet the carriageway width requirement for a 'Major Access Route' under the Kent Design Guide. As such, it should provide a suitable arrangement for traffic to access and exit the car park without causing congestion.
- 36 An increase in traffic using Garrolds Close is to be expected, which would have some environmental impact on residents to the south west. Taking into account that this access already exists and measures are proposed to manage and reduce demand for parking through the Travel Plan, it is considered that this impact would be acceptable over a limited period of time.

Other issues

- 37 The requirement for the temporary car parking arrangement is the result of SDC's commitment to ensuring continuous provision of leisure facilities on the site to serve the Swanley community. The current requirement of Condition 10 as existing would mean that the new Leisure Centre would be unable to open until the existing Leisure Centre had been closed down, demolished, and the permanent car park laid out. This would result in a period of months when there would be no operational leisure facility. The proposed revision to the Condition to allow for a temporary car parking arrangement would ensure that the communities continue to benefit from leisure provision on the site.

Conditions

- 38 In light of the change to Condition 10, a related amendment is proposed to Condition 14 to require that visibility splays are provided prior to first use of the permanent car park, rather than the first use of the leisure centre.
- 39 The amended Planning Permission will retain amend conditions of Planning Permission 19/02951/HYB, updated only to reflect the details already discharged and the fact the original planning permission has already commenced.

Community Infrastructure Levy (CIL)

- 40 The leisure element of the Hybrid Planning Permission is not CIL liable. The current application would have no impact on any CIL charge arising from the proposals.

Conclusion

- 41 The temporary car parking arrangement is proposed in order to allow continuous operation of leisure facilities on the White Oak Leisure Centre site. Having taking into account the policies of the NPPF and SDC's development plan, it is considered that the temporary parking arrangement would provide appropriate parking arrangements over a limited period while the existing leisure centre is demolished and the permanent car park is laid out.
- 42 It is therefore recommended that this application is GRANTED.

Conditions

- 43 Alterations have been made to the conditions attached to the Hybrid Planning Permission to reflect those details already discharged. In light of the change to Condition 10, a related amendment is proposed to Condition 14 to require that visibility splays to the car park entrance are provided prior to first use of the permanent car park, rather than the first use of the leisure centre.

Background papers

Site Plan and Temporary Car Park Layout

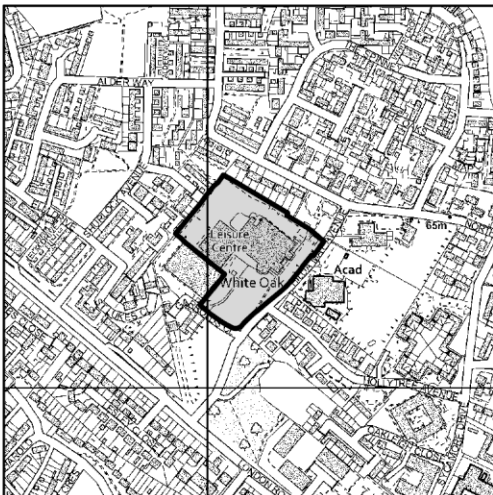
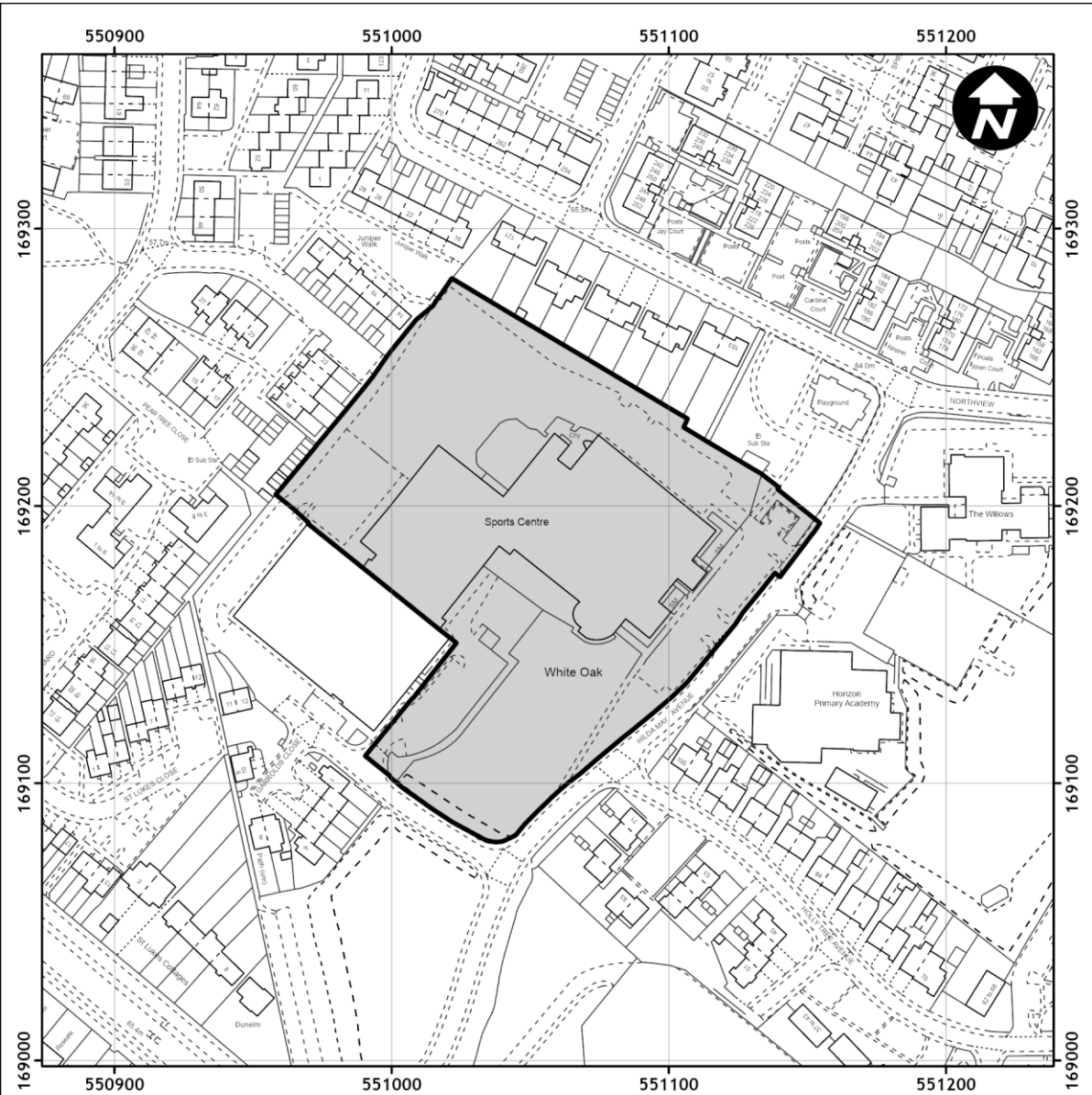
Contact Officer(s):

Nicola Furlonger: 01732 227000

Richard Morris
Chief Planning Officer

[Link to application details:](#)

[Link to associated Documents:](#)



Site Plan

Scale 1:2,500
Date 24/11/2021



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Ordnance Survey 100019428.

BLOCK PLAN

