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**156 London Road and St Botolph's Road
Sevenoaks
Kent
TN13 1DJ**

**PLANNING STATEMENT SUPPORTING THE APPLICATION FOR A REGENERATION
PROJECT AND NEW BUILD TO CREATE TWO NEW FLATS, TWO MODERNISED FLATS
AND A NEW COMMERCIAL UNIT WITH RETENTION OF THE EXISTING GROUND
FLOOR EMPLOYMENT USE ON LONDON ROAD**

1.0 INTRODUCTION

1.1 The Application

The proposal is for the partial redevelopment of the site by the construction of two new flats with retention of the existing commercial floor space and residential floor space on 156 London Road. In addition, a new ground floor commercial unit is proposed on St Botolph's Road.

1.2 The Application Site

The site of about 0.07 hectare (.17 acres), is located at the intersection of St Botolph's Road and Tubs Hill. It is just outside the centre of Sevenoaks in a mixed-use area. Currently the site is occupied by a building originally partly used by a well-known Dairy company but now in a mixed residential and commercial use.

2.0 **PLANNING POLICY FRAMEWORK**

2.1 This and following sections analyse the appropriate policy background for the consideration of this application. In general terms it is argued that as the Development Plan is now dated the presumption in favour of development applies under the National Planning Policy Framework. The emerging replacement plan was found to be unsound. The issue has been challenged in the courts but without success.

2.2 The Development Plan

The statutory Development Plan is the Sevenoaks District Council Core Strategy adopted in February 2011 along with the Sevenoaks District Council Allocations and Development Management Plan (ADMP) of February 2015.

2.3 In July 2018 the Council published a consultation version of the Draft Local Plan for Sevenoaks and it was considered by the Inspectorate in 2019/2020. It was the intention that this plan with changes would carry forward some of the policies of the previous documents.

2.4 The site is within the Sevenoaks Urban Area the key location for growth. Core Strategy Policy LO1 in the now rather dated Plan confirms that development will be focused within the built confines of the existing settlements and that Sevenoaks Urban Area will be a main centre for development in the district. This is continued in Policy 1 of the more recent plan that was intended to replace the former document.

2.5 Higher Densities and Concentration in the Sevenoaks Urban Area

Policy LO2 in the 2011 Plan proposed new housing development particularly 'in locations within the town centre or within easy walking distance of the town centre or mainline railway stations'. Significantly this site is ideally located for access to the local shopping and railway station. In the now abandoned plan there is discussion of higher densities at appropriate locations and a specific policy was proposed at Policy 12. The proposal is consistent with this approach to provide additional housing close to the station and local shops.

3.0 **THE NATIONAL PLANNING POLICY FRAMEWORK (2021) – PROMOTING SUSTAINABLE DEVELOPMENT**

3.1 The overriding objective of the Framework is to promote sustainable development and to achieve this it records that the planning system has three overarching objectives.

3.2 The Objectives – generally to contribute to the achievement of sustainable development

The three overarching objectives are set out in paragraph 8 of the revised NPPF: -

- a) An economic objective - building a strong economy, ensuring sufficient land is available in the right places to support growth.
- b) A social objective - providing a sufficient number and range of homes and a good environment fostering beautiful places.
- c) An environmental objective including significantly making effective use of land, and improving biodiversity, using natural resources prudently, mitigating and adapting to climate change including moving to a low carbon economy.

This scheme contributes to all three objectives.

3.3 The housing policies in the Development Plan are clearly out of date.

Originally it proposed 3,300 homes over the period 2006 – 2026. A need was acknowledged in the aborted Local Plan for 13,960 new homes in the Sevenoaks district area in the period up to 2035. On the basis of this assessment land supply is modest. The land supply calculation on the best evidence available as at 2018/2019 indicates a less than 1 year's land supply as at the time of its submission of the new plan. The relevant figures are as follows: -

Requirement 2015 – 2035 (see page 2 of DLP)	13,960
Completions 2015 – 2018 (see page 32 of DLP)	1,104
The homes required 13,960 – 1,104 =	12,856
Sites with p.p and under construction 2018	1,784
Requirement	12,856 – 1,784
“ =	11,072 over 18 years
=	615 p.a plus 123
=	738 p.a

Land currently available for 681 homes (See SHELAA) July 2018, this gives less than 1 year supply of housing land.

3.4 Housing Delivery Test – Action Plan for Sevenoaks District

The Housing Delivery Test Action Plan of July 2021 confirms that due to the under delivery of housing in the District, the presumption in favour of development applies under the NPPF. In addition, a buffer of 20% must be included in land supply calculations.

3.5 Presumption in favour of grant of permission due to the housing and land supply situation as is confirmed in the Council's own Action Plan (extract attached)

Therefore, paragraph 11 of the NPPF comes into full play and the presumption in favour of development applies. Whilst the words 'tilted balance' is sometimes applied they emerged from a series of court cases relating to the original NPPF. It is yet to be evident from court decisions whether this particular interpretation is appropriate to the revised NPPF.

3.6 In the appeal decisions for land at Broom Hill, Swanley (APP/A/13/2197478, 2197479, 2195874 and 2195875) the Inspector found inter alia: -

'The Core Strategy was formulated prior to the guidance in the Framework coming into the decision-making process. The emphasis has changed in the Framework and, in my view, this is an important material consideration'.

3.7 Given that the Council cannot meet the test of footnote 8 to paragraph 11 then the permission should be granted in accordance with NPPF paragraph 11, unless "any adverse impacts of doing so would significantly and demonstrably outweigh the benefits." The proposal conforms with the old plan and does not infringe or harm any of the footnote circumstances such as AONB or Green Belt.

4.0 **OTHER RELEVANT MATERIAL CONSIDERATIONS**

4.1 Smaller sites encouraged by NPPF

The NPPF at paragraph 69 encourages the development of smaller sites.

4.2 NPPF also encourages effective use of land. Section 11 of the Framework puts emphasis upon effective use of land particularly brownfield land. This proposal meets two of the tests of paragraph 120.

Para 120

(c) weight should be given to the value of using suitable brownfield land within settlements.

Comment – this is a prime case.

(d) 'promote and support use of under utilised land especially if this would help to meet identified needs for housing where land supply is constrained...'

Comment – the land supply is constrained by Green Belt; the housing need is acute.

4.3 Changes in demand

Paragraph 122 refers to the changes in demand for land and the need to move between allocations.

4.4 Achieving appropriate densities – as stressed in both the NPPF and the former Draft Plan for Sevenoaks Paragraph 124 of the NPPF points towards the need to increase densities particularly in areas of land shortages.

4.5 Variety of Housing in the District

The now abandoned emerging policy looked to a variety of sizes of dwellings (see Policy 8). The Strategic Housing Market assessment presented to the Council in 2015 found a particular need for 2 and 3 bed homes.

4.6 The Character of the Site

The corner building on the site is a well-known local feature. The prominent frontage building is therefore retained in the project along with the commercial use on the ground floor, but the more recent buildings on St Botolph's Road are not of this character or quality. The Council included the frontage building on the apex on the supplementary local list. The scheme will retain the interwar building but replaces the former commercial structure with a well-designed extension onto St Botolph's. It will link with the other structure with a connection in glass. This will strengthen the character of the main building and will also provide modern accommodation required within the urban area and particularly suitable for small households. A commercial office unit is provided on the ground floor.

4.7 In terms of impact on the heritage asset, the retention of the main building and the addition will be positive. Such new elements within the urban landscape are encouraged by the NPPF (see paragraph 190).

5.0 **OTHER MATERIAL CONSIDERATIONS CONTINUED – PREVIOUS DECISION REFUSAL REFERENCE 21/01104/FUL**

5.1 The first reason for refusal referred to the loss of commercial floor space 156 London Road and 2 St Botolph's Road – overcome commercial use retained at 156 and a new ground floor unit proposed on St Botolph's Road

The building at 2 St Botolph's Road is of poor quality and in disrepair. It has been offered in the market for well over six months. It had been used as a distribution depot and is so shown in the rating records. Despite advertising its availability, no serious occupiers have come forward. Therefore, to hopefully attract a user and overcome the Planning Officer's objections, a new commercial unit is proposed on the ground floor with two flats above.

5.2 Siting of parking resulting in safety hazard – second reason for refusal – 156 remains as now, four spaces plus cycle storage, bin storage and general utility storage provided

The parking arrangement for 156 London Road remains unchanged. However, the situation on St Botolph's Road has been rationalised with four dedicated spaces. The generation of traffic from the commercial unit on three floors on St Botolph's Road produced more traffic movements than the proposed small office suite and flats will. The situation on number 156 London Road has endured for many years and no changes are intended.

The disposition of the four spaces allows for egress with no backing onto St Botolph's Road. Vehicles can exit easily and similarly can drive into their parking spaces. The covered basement space will be used for cycle storage and bins for each home and for the commercial unit as well. Electric charging points will be installed.

5.3 Third reason for refusal – impact upon locally listed building

The external appearance of the locally listed building will remain largely unchanged. The report on the previous application supported the demolition of 2 St Botolph's Road. Dealing with each point in the relevant section of the Planning Officer's report:-

ObjectionResolution

- Objection to render cladding. No render – see drawing and model showing featured brickwork and zinc.
- Objection to loss of glazed windows and the access point. Glazed panes remain and entrance as now. The definition of the building will remain unchanged.
- Two balconies – loss of which would harm the building. Balconies remain.
- Doors were to be glazed resulting in a lack of definition of entrance points. Doors remain.

As set out above the 'cumulative impacts' which were described as negative have been removed as an issue. The overall project improves the setting of the asset with a well-designed modern building created by a team of award-winning designers who have featured in the National Design Award for their Buckingham scheme.

5.4 The fourth reason for refusal raises design objections – these are considered seriatim below

The details analysed are taken from the Planning Officer's report:-

<u>Officer's Report</u>	<u>New Scheme Response</u>
a) The additional storey sits forward of the existing building line and obscures views of number 156 (see page 10, para 7).	The additional floor is on the existing building line.
b) Concern about the link building and obscuring number 156 – impact on the articulation and standing of number 156 (see page 10, para 8 of the Officer's report).	The link is set back from 156 and on the present building line number 156 will be clearly defined by the subservient new building.
c) 'The rendered covering is inappropriate ... materiality is brick which is textured ...' (see page 11, para 2).	Brick and textured brickwork is now proposed together with some zinc.
d) Loss of main access.	The access is retained.

e) Loss of attractive brick and stone wall.	Wall is retained and edging included to hard-standing to allow for some planting and the separation of the parking areas from the new build and indeed, the existing building.
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Conclusion

The Planning Officer accepted the removal of number 2 St Botolph's Road. The new building overcomes the detailed points raised. The model shows the link to be an attractive addition that will help to define number 156.

5.5 The fifth reason for refusal – loss of diffused daylight to 154A London Road – impact on amenity

The new scheme has been reduced in mass and on the ground floor the building has even been reduced from the existing structure.

6.0 **OVERALL PLANNING BALANCE**

This revised scheme illustrated with a full model shows how additional housing accommodation and employment floor space can be achieved on the site. The sensitive use of a variety of materials will improve the presentation of the locally listed building and add to the character and variety of design in this locality. The proposal is consistent with the out-of-date Plan and it is now accepted there is not a five year supply of land nor have housing production figures met the requirement. Therefore, on three counts there is a strong presumption in favour of the current application and permission should be granted in accordance with the advice of the NPPF at paragraph 11 which indicates that permission should be granted on the basis of a presumption in favour of development. The extract from the Action Plan is attached which confirms at paragraph 1.11 'The HDT measurement result for Sevenoaks District Council is 70% apply the presumption in favour of sustainable development including a 20% buffer on the five year land supply in line with paragraph 73 of the NPPF'.

There are no clear-cut objections. Therefore, consent should be granted on three counts first, it conforms with the Plan although the Plan is out-of-date. Secondly, the land supply is inadequate and lastly, the delivery rate as recorded in the Council's own Action Plan is well below the required level on any reasonable assessment.

Sevenoaks District Council – Housing Delivery Test Action Plan

July 2021

Contents

Section	Page	Description
1. Introduction	3	<p>The background of the Housing Delivery Test, national requirements and aims of the action plan.</p> <p>Local situation in regard to the Housing Delivery Test, adopted Local Plan and constraints.</p> <p>Describes the importance of delivering housing in the District.</p>
2. Root Cause Analysis	6	<p>Analysis of different aspects with potential to impact delivery of housing including:</p> <ul style="list-style-type: none">• Neighbouring Authorities• Adopted Local Plan• The New Local Plan• Five Year Housing Land Supply• Brownfield Register and Permission in Principle• Strategic Housing Economic Land Availability Assessment (SHELAA)• Size and Density of homes• Determination of Planning Applications• Proportion of planning applications approved• Planning Appeals• Conditions attached to Planning Permission• CIL and S.106 agreements• Housing Revenue Account, Joint Venture and Housing Company• Resourcing• Council Owned Land• Compulsory Purchase of sites• Developers Forum

- 1.11 The HDT measurement result for Sevenoaks District Council is 70%, this means that 70% of the required amount of housing has been delivered in the District. Therefore, the Council is required to produce an action plan, apply the presumption in favour of sustainable development and include a 20% buffer on the 5 year housing land supply in line with paragraph 73 of the NPPF.
- 1.12 The action plan set out below is considered proportionate to the level of delivery in the District. However, it should be noted that due to challenges presented by the Covid-19 pandemic it has been more difficult than usual to collate information for this action plan.

Significance of delivering housing in the District

- 1.13 Delivering sufficient housing in the District is important to meet the needs of its residents, this includes:
- Increased prospects of people being able to own their own home
 - Availability of suitable housing for an increasing ageing population
 - Avoid the out-migration of younger and economically active groups through delivery of suitable housing
 - Increase in adaptable housing stock to meet the changing needs of those who will live there
 - Availability of housing for local key workers
 - Increase in genuinely affordable homes