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**PLANNING APPLICATION BY:
MR T HIGGINSON**

**RELATING TO:
GROUND AND LOWER GROUND FLOOR
34 HIGH STREET SEAL KENT, TN15 0AP**

PLANNING, DESIGN AND ACCESS STATEMENT

SEPTEMBER 2021

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1. INTRODUCTION

1.1. I am instructed by Mr T Higginson to prepare this Planning, Design and Access Statement in support of an application for planning permission for the following development on the ground and lower ground floor of 34 High Street, Seal:

“Change of use from offices to 1no. bedroom dwelling with associated works”.



Figure 1: Application site.

1.2. I am familiar with the site and the surrounding area and have studied carefully the planning policy associated with the site and have then advised on the preparation of this application for planning permission.

2. THE APPLICATION SITE AND SURROUNDING AREA:

2.1. The site is situated on the southern side of Seal High Street, approximately 25m east of Park Lane within the village confines of Seal.

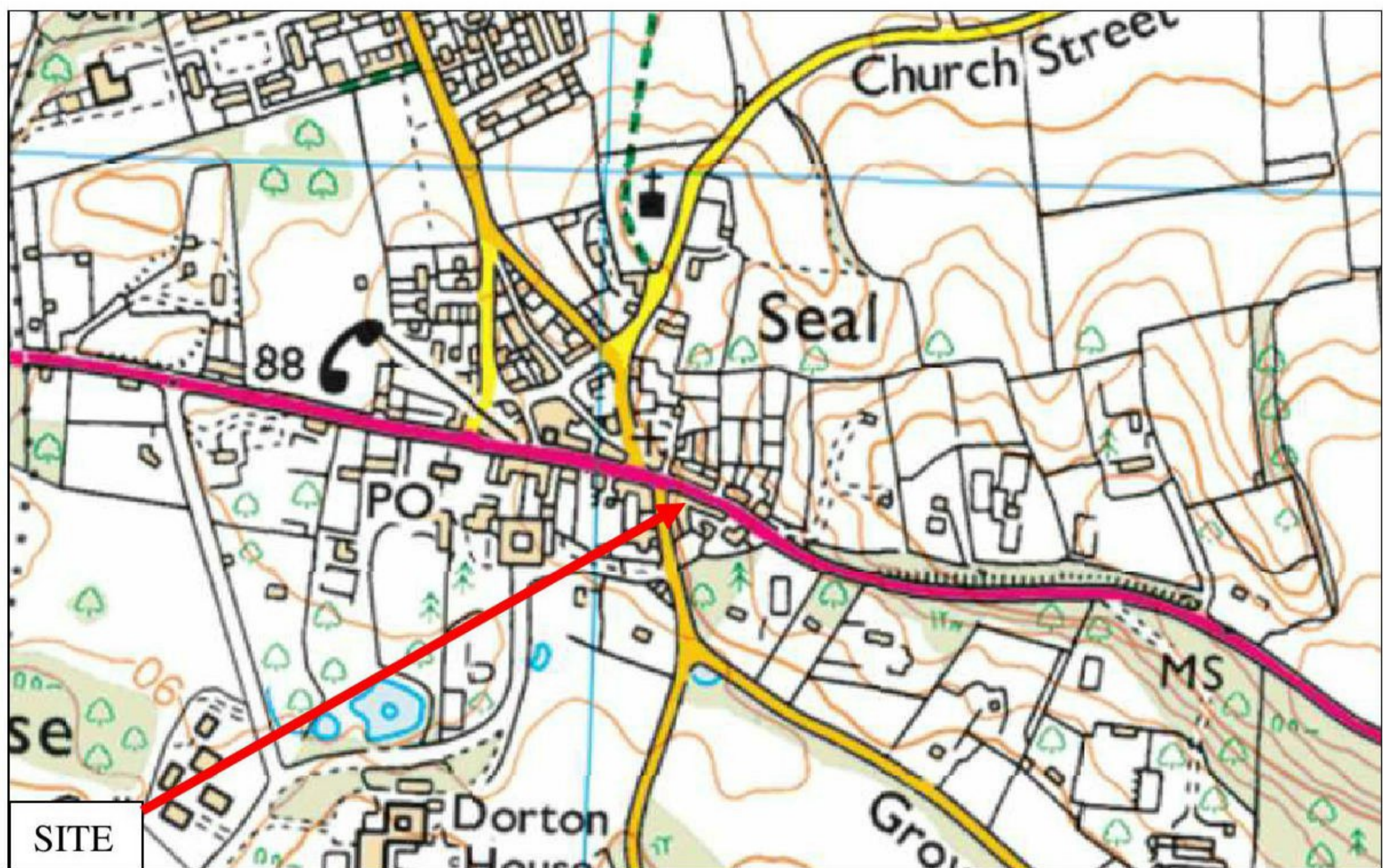


Figure 2: OS Map.

2.2. The site comprises the ground and lower ground floor of No.34 High Street which has been previously used as offices. The site forms part of a detached 2 ½ storey building set close to the road. The building comprises brick facades with front facing gable end roof form. The upper floors of the building comprise residential use.

2.3. There is a vehicular access along the western side of the building which provides access to Nos.28 and 30 High Street.

2.4. In terms of planning designations, the property is not listed or locally listed. However, the site is situated within the Seal Conservation Area and Kent Downs AONB. The site is not situated within the Seal village centre.



Figure 3: Extract from Proposals Map.

3. PLANNING HISTORY:

3.1. The following a review of the Council's online database, the following relevant history is outlined below:

- 03/01724/FUL - Proposed change of use from residential and part commercial to full residential use. GRANT 02/09/2003
- 06/02114/FUL Separation of existing commercial/residential premises to provide shop, studio and 2 bed flat. WDN 30/11/2006
- 21/00325/LDCPR Proposed change of use from commercial to full residential use. REFUSE 07/04/2021

3.2. The 2003 planning application approved the use of the application site to residential use, but this was never implemented.

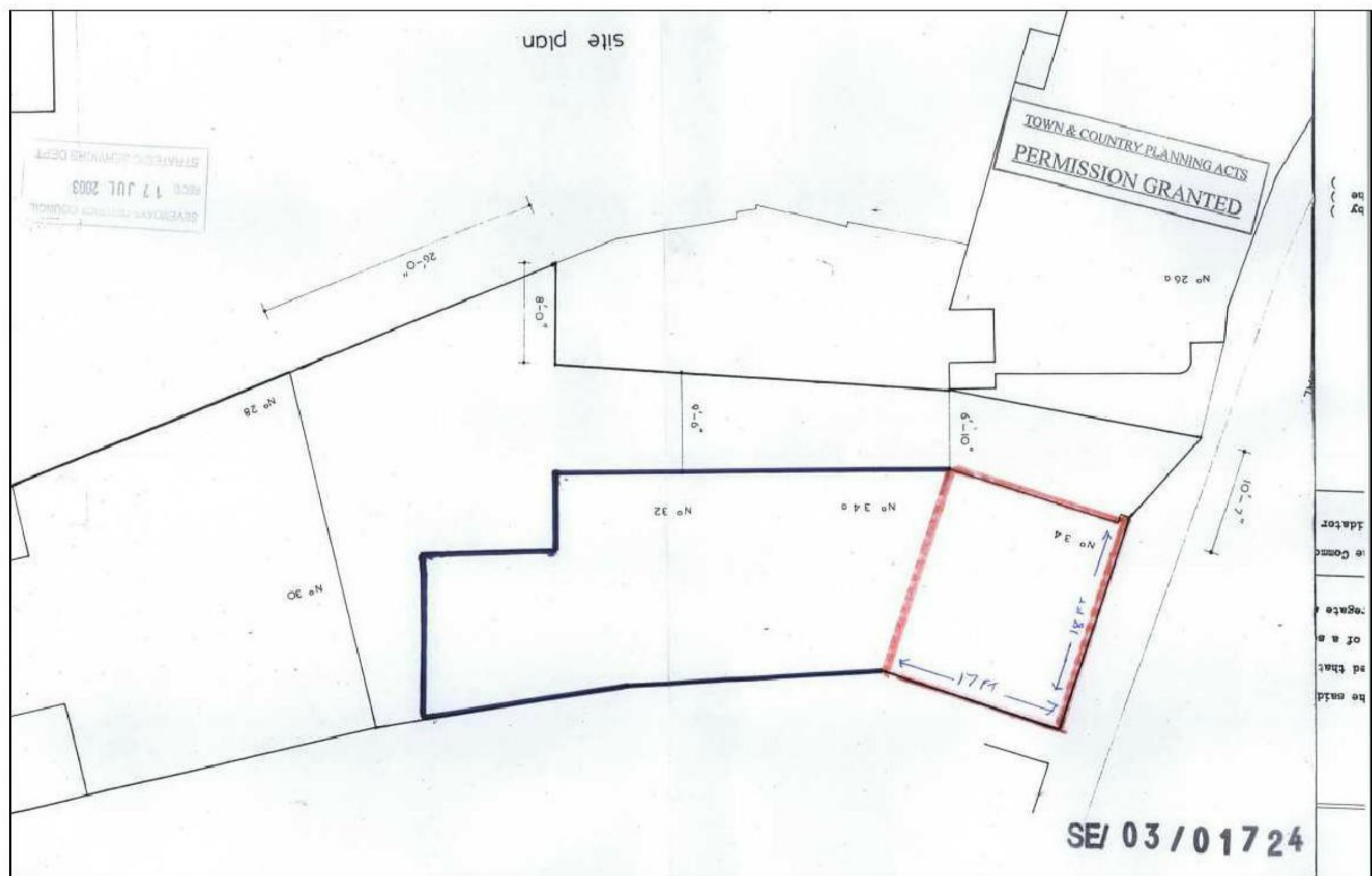


Figure 4: Extract from 2003 application.

3.3. The 2021 lawful development certificate was refused on the following ground:

“The developer is required to make application to the local planning authority for a determination as to whether the prior approval of the authority will be required. No such application for prior approval has been received. Accordingly the development is not considered to be lawful.”

3.4. It was therefore refused on a technicality rather the principle of changing the use of the building from office to residential.

3.5. The offices have been vacant for since the Covid-19 pandemic.

4. THE APPLICATION PROPOSAL:

- 4.1. Planning permission is sought to change the lower ground and ground floor of the building into residential use.
- 4.2. The ground floor will consist of an open plan kitchen/dining and living room and will be served by the windows facing onto the High Street. Minor internal alterations are proposed to the staircase.

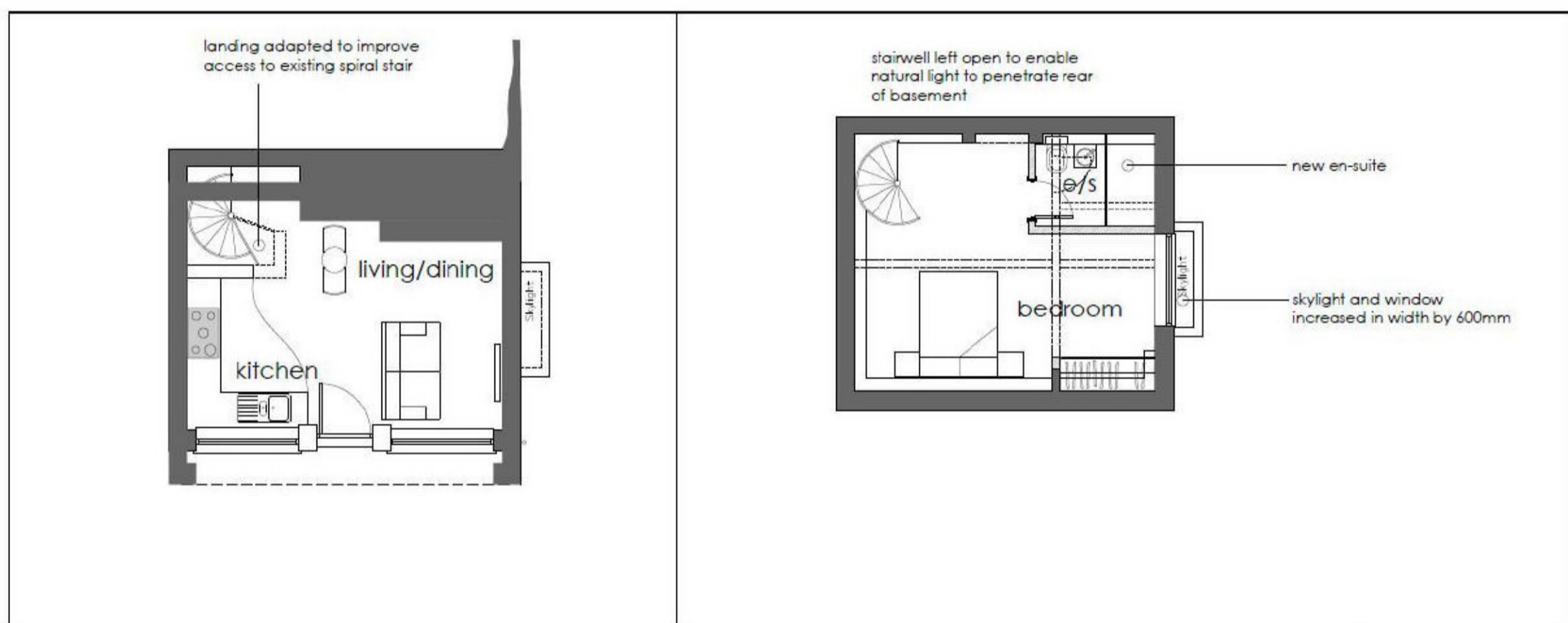


Figure 5: Proposed plans.

- 4.3. The basement will provide a bedroom and ensuite. Minor external alterations are proposed to the existing light well.
- 4.4. The proposal will be car free.

5. PLANNING POLICY:

- 5.1. Of relevance to this application are the strategic policies in the Sevenoaks District Core Strategy and the detailed policies within the Sevenoaks Allocations and Development Management Plan. The Seal Village Design Statement and Seal Conservation Area Management Appraisal are also reviewed.
- 5.2. It is also necessary to consider the Government's planning policy objectives as set out in the National Planning Policy Framework.

National Planning Policy Framework (2021):

Section 2 – Achieving Sustainable Development

- 5.3. Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development.
- 5.4. Paragraph 8 outlines that the planning system has three overarching objectives to achieve sustainable development:
- a) an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - b) a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

- c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy
- 5.5. So that sustainable development is pursued in a positive way, paragraph 10 states that at the heart of the Framework is a presumption in favour of sustainable development.
- 5.6. Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date ⁷, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed ⁶; or
 - ii. 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.
- 5.7. Footnote 7 to paragraph 11 states that out of date policies involving the provision of housing will include where a Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 73) or where the housing delivery test indicates that the delivery of housing was substantially below less than 75% of the housing requirement over the previous three years.

- 5.8. Footnote 6 to paragraph 11 sets out a list of areas or assets of particular importance referred to in 11 (d) i.

Section 5 - Delivering a sufficient supply of homes

- 5.9. To support the Government's objective of significantly boosting the supply of homes, Paragraph 60 advises that it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 5.10. Paragraph 64 states that the provision of affordable housing should not be sought for residential developments that are not major developments.
- 5.11. Paragraph 69 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.

Section 7 - Ensuring the vitality of town centres

- 5.12. Paragraph 86 states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.

Section 11 – Making effective use of land

- 5.13. Paragraph 124 states that planning policies and decisions should support development that makes efficient use of land, taking into account:
- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places.

5.14. Paragraph 125 states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

- a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;
- b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and
- c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

Section 12 – Achieving well designed places

- 5.15. Paragraph 126 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.
- 5.16. Section 130 outlines that planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks;
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience

Sevenoaks Core Strategy:

- 5.17. Policy LO7 states that existing suitable employment sites will be retained with the opportunity for regeneration and redevelopment to better meet the needs of business.
- 5.18. Policy LO8 states that the countryside will be conserved and the distinctive features that contribute to the special character of its landscape and its biodiversity will be protected and enhanced where possible. The distinctive character of the Kent Downs Area of Outstanding Natural Beauty and its setting will be conserved and enhanced.
- 5.19. Policy SP1 outlines 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.
- 5.20. Policy SP8 sets out that sites used for business purposes will be retained in business use unless it can be demonstrated that there is no reasonable prospect of their take up or continued use for business purposes during the Core Strategy period.

Sevenoaks Allocations and Development Management Plan (ADMP):

- 5.21. Policy SC1 advises that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in the Local Plan will be approved without delay, unless material considerations indicate otherwise.
- 5.22. Policy EN1 outlines general development criteria for development in the District.

- 5.23. Policy EN2 states that proposals will be permitted where they would provide adequate residential amenities for existing and future occupiers of the development and would safeguard the amenities of existing and future occupants of nearby properties by ensuring that development does not result in, and is not located in areas where occupiers of the development would be subject to, excessive noise, vibration, odour, air pollution, activity or vehicle movements, overlooking or visual intrusion.
- 5.24. Policy EN4 states that proposals that affect a heritage asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset.
- 5.25. Policy EN5 outlines that proposal's within the Area of Outstanding Natural Beauty (AONB) will be permitted where the form, scale, materials and design would conserve and enhance the character of the landscape and have regard to the Kent Downs AONB Management Plan and guidance.
- 5.26. Policy EMP5 states that 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. The Council will permit the loss of non-allocated lawful business premises and sites to other uses provided it can be demonstrated, to the satisfaction of the Council, that the site has been unsuccessfully marketed for re-use in employment for a period of at least 6 months and that there is no reasonable prospect of their take up or continued use for business use at the site/premises in the longer term.
- 5.27. Policy T1 states that new development will be required to mitigate any adverse travel impacts including impact on congestion and safety.
- 5.28. Policy T2 outlines that Council's approach to parking standards.

Seal Village Design Statement (VDS)

5.29. Paragraph 2.2 of the VDS states that there does not seem much scope for further expansion of this local economy. The Local Development Framework makes no allocation of large sites for business development here (or elsewhere in Seal parish). It does provide for small-scale development or conversion of sites, subject to fairly rigorous tests, and provided no housing is lost in the process. In any case, there seems little commercial demand for this and although more local employment might be welcome, the local population is strongly against it, mainly because it would add to the parking and congestion problem in the centre of the village.

5.30. The VDS also set out design criteria and expectations within the village.

Seal Conservation Area Management Appraisal 2019

5.31. This appraisal for Seal Conservation Area supports the duty of Sevenoaks District Council to prepare proposals for the preservation and enhancement of conservation areas.

6. PLANNING MERITS:

6.1. In light of the foregoing policy assessment and description of the proposed development, the following main issues will be considered:

- Principle of Development
- Design/Impact on Street Scene
- Residential Amenity
- Standard of Accommodation
- Highways/Parking

Principle of Development

6.2. Policy as set out in the NPPF states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. Weight is given to small and medium development sites to deliver housing. The importance of making best and most efficient use of land has been strengthened within Section 11 of the NPPF 2021. In addition, residential use in town and villages centres are recognised as contributing to the vitality and viability of settlements.

6.3. Recent appeal decisions have determined that the Council cannot demonstrate a 5-year housing land supply and that smaller sites should be given substantial weight as a benefit of the scheme.

6.4. When considering Policy EMP5 of the Sevenoaks ADMP, it is confirmed that the office has not been used since the beginning of the Covid-19 pandemic. The office was previously used by a Graphic Design company, whose employees are now working from home. The size of the office use makes the building unattractive with a low demand

expected given the rise of home working and dedicated serviced office space. The office has no on site car parking and is outside the village centre.

- 6.5. The Council have previously approved residential use back in 2003. It is noted that No.22 High Street was converted from commercial use to residential use following a successful appeal under reference SE/16/02699/FUL. Factors which weighed in favour of this decision to change the use of the building to residential were the size of unit, lack of parking, location and lack of general facilities. This is a material consideration for this proposal.
- 6.6. On balance therefore, given the lack of a 5 year housing land supply and nature of the existing commercial unit, it is proposed that the change of use from commercial to residential is acceptable in this instance. The development therefore accords with Sections 7 and 11 of the NPPF, Policy SP8 of the Core Strategy and Policy EMP5 of the Sevenoaks ADMP.

Design / Impact on Street Scene

- 6.7. The proposal seeks to convert the existing building from an unused office into a residential unit. The proposal will create an active frontage onto the street and enhance the setting of the Conservation Area. The development includes minor cosmetic changes to the lightwell on the western elevation, but this is a minor alteration which will preserve the character and appearance of the building within the street scene.
- 6.8. Given the minor nature of the development which proposes no new additional built form, the proposal will conserve and enhance the setting of the Kent Downs AONB.
- 6.9. With reference to the above, the proposed change of use retains the character and appearance of the street scene and wider Conservation Area in line with Policies LO8 and SP1 of the Sevenoaks District Core Strategy, Policies EN1, EN4 and EN5 of the

Sevenoaks ADMP, the Seal VDS and the Seal Conservation Area Management Appraisal 2019.

Residential Amenity

- 6.10. The proposal does not add any new extension or mass to the building. For this reason, there will be no impact on the outlook or light on neighbouring properties. The minor change to the lightwell will also not have any impact on adjoining residents' privacy.
- 6.11. In light of the above discussion, the proposal is acceptable in terms of residential amenity and in accordance with Policy EN2 of the Sevenoaks ADMP.

Standard of Accommodation

- 6.12. The proposal will provide an open plan ground floor layout which will have large windows facing onto the High Street providing appropriate levels of light and outlook. The space will be private given the limited number of pedestrian movements outside the building.
- 6.13. The lower ground floor will have a larger light well which will increase the amount of light received to this space. As this area will be used as a bedroom and bathroom, the proposal will provide adequate amenity for future occupiers.

Highways

- 6.14. The existing building has a lawful office use. When operational, the office attracted vehicular movements to and from the village as well as associated parking demand. The proposal for a 1no. bedroom dwelling will result in a reduction in parking pressure and vehicular movements which will benefit highways safety and convenience.

6.15. Whilst car free, the site is in walking distance to local amenities and services within the village centre.

6.16. The proposal is therefore compliant with Policies T1 and T2 of the Sevenoaks ADMP.

7. CONCLUSION

- 7.1. This Planning, Design and Access Statement has demonstrated that given the lack of a 5 year housing land supply and nature of the existing commercial unit the change of use from commercial to residential is acceptable in this instance. The site has not been used for 18 months due to the Covid-19 pandemic and changing working patterns and has been previously approved for residential use by the Council.
- 7.2. The proposal will conserve and enhance the street scene, Conservation Area and wider AONB.
- 7.3. The development will not impact on neighbouring amenity and will provide an appropriate level of accommodation for future occupiers.
- 7.4. Given the nature of the site it is considered that a car free development in this location is acceptable in this instance.
- 7.5. In view of the above, it is concluded that the development proposed in this application is consistent with the aims and detailed requirements of the National Planning Policy Framework and the Development Plan and as such, should be given planning permission.