

## **Planning Statement**

Full Application for the Conversion of vacant first floor accommodation (Class E) to 2no. 1 bedroom flats (Class C3) and associated external alterations.

**Unit 53, Swanley Centre, Kent, BR8 7TQ.**

On behalf of Sheet Anchor Evolve (London) Ltd.

March 2023

P22-2861\_RO01v1\_CAM\_PL\_PA/LW

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## Document Management.

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# 1. Introduction

1.1. This Planning Statement has been prepared by Pegasus Group on behalf of Sheet Anchor Evolve (London) Ltd. in support of a full application for conversion of vacant first floor space above Unit 53 in the Swanley Centre, Swanley into 2no. 1-bedroom flats (C3 use).

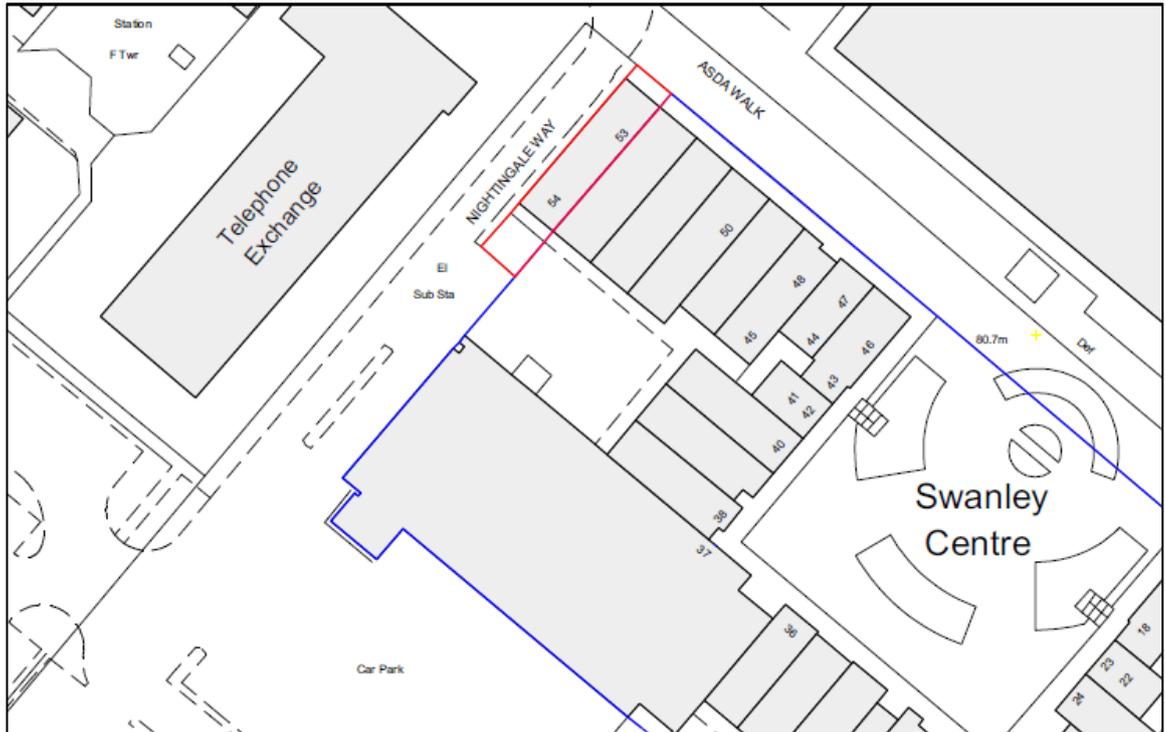
1.2. This Planning Statement is structured as follows:

- **Section 2** –describes the application site in relation to its surroundings, outlines relevant background and discusses the planning history of the site.
- **Section 3** –briefly outlines the planning policy context in the local area
- **Section 4** –details the proposals and assesses the scheme against the relevant planning policy
- **Section 5** –brings together the discussion and concludes – with reference to the prior sections – that permission should be granted for the application.

## 2. Background

- 2.1. The application relates to the first floor of Unit 53, which currently comprises inaccessible former storage space ancillary to the retail uses below. Whilst the space is currently vacant, it's previous use confirms it's use as within Class E.

Figure 1: Extract from the Site Location Plan



- 2.2. Unit 53 of the Swanley Centre is comprised of a two-storey end-terrace which fronts onto Asda Supermarket. The ground floor of the unit is currently occupied by Ladbrokes Bookmakers.

Figure 2: Extract from Existing Elevations showing the front (left) and rear (right) of the unit.



- 2.3. The first floor space is not currently accessible, except via a temporary scaffolding staircase which has been erected to the rear.
- 2.4. The Centre itself is serviced by an expansive area of surface car parking located in two clusters to the south-west and south-east of the site. In total, the site provides circa 331 parking spaces.
- 2.5. The Centre was constructed in the early 1970s and consists of low-density two storey terraced units, with ground floor retail and ancillary office and storage above, with some more recent residential conversions to a number of the first floor units.
- 2.6. Given its location within the prime retail and service centre of Swanley, the site benefits from being in walking distance to an excellent range of shops and services. This includes supermarkets, pharmacies, a GP Surgery, dentist, Post Office, restaurants, and takeaways.
- 2.7. Additionally, the site is well served by public transport, and is within 1km of Swanley Railway Station, which provides onward connections throughout Kent and the Southeast, and onward to London.

**Planning History**

- 2.8. The Planning History of Unit 53 is complex, however most applications relate exclusively to the ground floor retail unit and not the first floor ancillary space. Relevant applications have been summarised below:

*Table 1 – Applications relating to Unit 53*

Application Reference No.	Description of Development	Decision and Date	Comment
11/O3154/FUL	Alterations to a number of units including a new first floor walkway to the rear of units 49-54	Refused 19 <sup>th</sup> April 2012	The application was refused on the basis of a lack of information relating to car parking at the site.
03/O1880/FUL	Removal of stair to first floor, brick up windows, new shopfront, shopfit	Approved 8 <sup>th</sup> September 2003	Upon occupation of the Unit, Ladbrokes made a number of changes including removal of the stairs to the first floor which was surplus to their requirements. This confirms the most recent use of the first floor space was ancillary storage relating to the retail unit below.

- 2.9. The above approvals confirm that the last use of the first floor space ceased in tandem with the occupation by Ladbrokes. The last established use being ancillary space associated with the previous retail uses on the ground floor. From this point onwards, the site has been inaccessible.

2.10. Elsewhere in the centre, there are a number of applications which are of relevance to the proposals. Notable planning applications are shown below:

*Table 2 – Relevant applications elsewhere within the Swanley Centre.*

Application Reference No.	Description of Development	Decision and Date	Comments
21/00923/PAD	Prior notification of one additional storey of new dwellinghouses immediately above the topmost storey on a terrace building in commercial or mixed use at Units 29-40 Swanley Centre.	Prior Approval Not Required – 18 May 2021	Submitted under Schedule 2, Pt. 20, Class AB of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
21/01836/FUL	Change of use from Class E to Class C3 to create 1no. residential unit and associated external alterations at Unit 40 Swanley Centre.	Approved – 28 July 2021	See below.
21/00924/PAC	Prior notification for a change of use from Class B1a (offices) to Class C3 (dwellinghouses). This application is made under Class O of The Town and Country Planning (General Permitted Development) (England) Order 2015 at Units 32-37 Swanley Centre	Prior Approval Not Required – 18 May 2021	

2.11. Of particular note is the application relating to the conversion of Unit 40, which was undertaken by the applicant and was approved in July 2021 (Ref: 21/01836/FUL). This approval establishes a precedent for similar conversions of redundant first floor Class E space within the centre to create new dwellings. It is this successful application which this submission is seeking to emulate to continue adding new residential accommodation to the Centre.

2.12. The Officers Report for 21/01836/FUL confirms that the wider Swanley Centre site is unconstrained, received no objections from statutory consultees, and represented sustainable development. The Decision Notice included a number of conditions pertaining to implementation of the proposed ventilation system which was required to mitigate noise concerns.

### 3. Policy Context

3.1. The current Development Plan is comprised of the following documents:

- Core Strategy Development Plan (Adopted February 2011)
- Allocations and Development Management Plan (Adopted February 2015)

3.2. The following section will briefly summarise relevant key policies and the criteria for compliance which will then be assessed against the proposals in Section 4.

#### Core Strategy

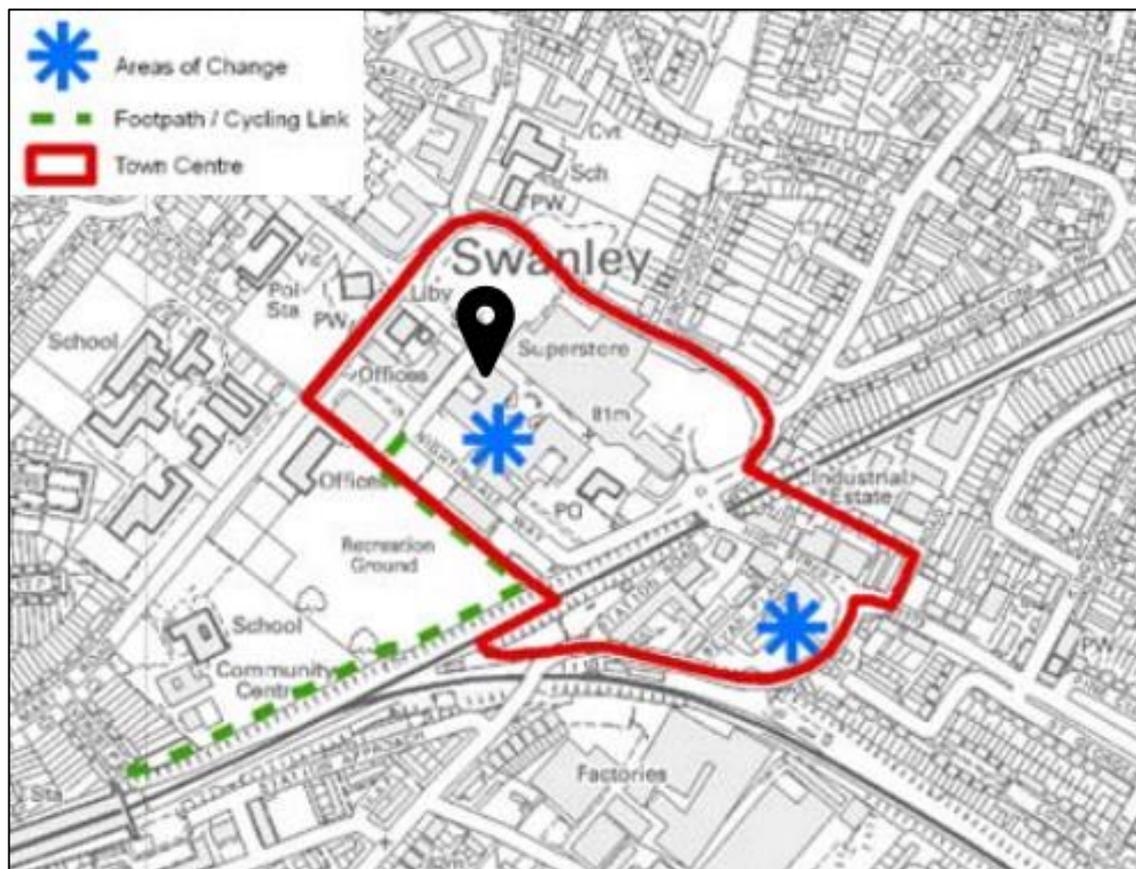
3.3. Sevenoaks' Core Strategy (adopted February 2011) sets out the number, type and location of development across the district over the period to 2026.

3.4. The Core Strategy outlines the development needs of Swanley. In summary, the Strategy identifies that Swanley is a highly desirable location, particularly for connections to London and elsewhere in the South East. The Strategy does, however, acknowledge that Swanley does not possess the full range of services that Sevenoaks does and so will be the focus of many regeneration projects over the Plan period.

3.5. **Policy LO4 – Development in Swanley**, outlines that Swanley will provide approximately 660 dwellings in the 20 years to 2026. In addition, regeneration and redevelopment of existing and town-centre sites will be prioritised, as well as developments which increase the attractiveness of sustainable transport modes.

3.6. The site is within Swanley's principal retail area (red boundary) as shown in Figure 3 below. The approximate location of the Site within the Town Centre boundary is marked with a black location pin.

Figure 3: Swanley Proposals Map Extract



- 3.7. **Policy LO 5 – Swanley Town Centre**, confirms that the Council will seek to regenerate the area to better meet the needs of local residents and the community. The Policy also outlines that improvements to pedestrian and public transport infrastructure are to be delivered to enhance the Town Centre environment.

## Development Management Plan

- 3.8. **Policy EN2 – Amenity Protection** requires developments to provide adequate residential amenity for existing and future occupiers with regards to, amongst other things, noise, vibration and air pollution.
- 3.9. **Policy EN7 – Noise Pollution** requires that proposals meet strict criteria with regards to noise pollution. Of relevance is the requirement for development not to result in unacceptable noise levels from existing noise sources which cannot be adequately mitigated.
- 3.10. **Section 3.22 and 3.23 on ‘Housing within Urban Confines’** outlines the Council’s aim to increase residential density in the centres of the primary settlements (including Swanley). Particular effort should be given to maximise the efficient use of previously developed land to create an attractive and functional environment within the town centres.

3.11. **Policy TLC2 – Swanley Town Centre** states that residential development will be permitted where they are consistent with the following:

- Outside the Primary Retail Frontages, and
- On the upper floors of units within Swanley Primary Retail Frontages where there will be no adverse impact upon ground floor uses.
- Where at least 70% of the ground floor frontage is maintained as A1 use
- Where they do not lead to 'dead' town centre frontage on secondary frontages.

## **Local Plan 2040**

3.12. Sevenoaks is currently preparing a new Local Plan. Regulation 18 consultations took place in Winter 2022 and the submitted responses are currently under review. Further Regulation 18 consultation is expected in Q3 of 2023 with submission currently expected in Q2 of 2024.

3.13. Due to the early stage of preparation the plan does not yet attract any weight in decision-making.

## **Neighbourhood Plan**

3.14. In January 2023 Swanley Town Council consulted on a Draft Swanley Neighbourhood Plan. Feedback from this consultation will be considered before submission to Sevenoaks District Council later in 2023. Examination by an independent examiner will then take place before a referendum on implementation.

3.15. Similarly, the relatively early stage of preparation means the draft Neighbourhood Plan does not yet attract any weight in decision-making.

## 4. Proposal & Planning Assessment

4.1. This application seeks full planning permission for the following:

*"Conversion of vacant first floor accommodation to form 2no. 1-bedroom flats with associated external alterations"*

4.2. The external alterations primarily comprise changes to windows to introduce openable double glazing and to increase the size of the existing rear windows. To secure access to the first floor, an external staircase and first floor doorway are proposed, avoiding any need to make internal changes to the ground floor which would potentially affect the continued retail uses.

### **Principle of Development**

- 4.3. The principle of development in this location is provided by the potential for a Class MA of conversion under the Permitted Development Order<sup>1</sup>. A Class MA conversion would allow for the vacant Class E space to be converted to Class C3 residential up to 1,500sqm in total.
- 4.4. The proposed dwelling is located in vacant 1<sup>st</sup> floor ancillary Class E space above an existing Sui Generis betting shop unit on the ground floor of the Swanley Centre. The total floorspace created by the conversion is below 1,500sqm and the unit has been vacant for in excess of 3 months. It is acknowledged that this application proposes external alterations to facilitate easier access which would not be possible through a Class MA conversion, however the principle of development remains the same.
- 4.5. In addition, the location is highly sustainable, with a full array of services within the Town Centre reachable within a few minutes' walk. In addition, further afield destinations can be reached with the frequent public transport services available within close proximity of the Centre.
- 4.6. Development within the centre is supported by Policy L04 which specifies that town-centre locations will be prioritised in order to encourage the use of public transport within Swanley.
- 4.7. The development proposed is consistent with TLC2 in that it safeguards the ground floor uses and does not lead to any 'dead frontage' on primary or secondary retail streets.
- 4.8. The introduction of additional residential units within the Swanley Centre is consistent with the broader aims of the Development Management Plan, helping to create a more vibrant and functional town centre by utilising surplus floorspace on the upper floors.
- 4.9. Residential conversions elsewhere in the centre also demonstrate the suitability of the centre for development. The multiple existing conversions within the centre, most recently at Unit 40, demonstrate that the conversions can co-exist with the continued retail uses on the ground level.

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<sup>1</sup> Town and Country Planning (General Permitted Development) (England) Order 2015

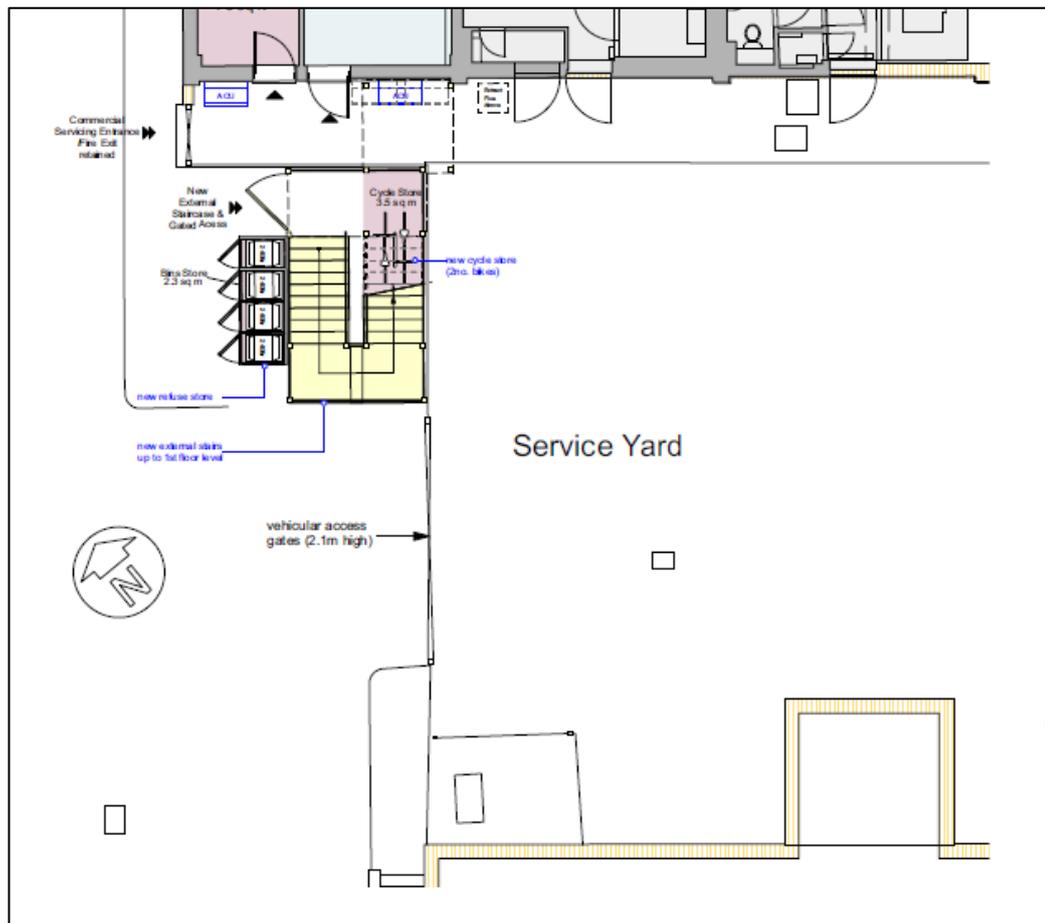
## External Alterations

Figure 4: Extract from Elevations as Proposed showing proposed front (left) and rear (right) elevations



- 4.10. The external alterations proposed are functional in nature and necessary to provide access to the first floor without impacting the continued use of the retail unit on the ground floor. Alterations have been kept to a minimum, including the erection of a staircase to provide access and new windows and rooflights to ensure most windows can be opened (with exception to those outlined in the Noise Impact Assessment) and to provide adequate sunlight to all habitable rooms.
- 4.11. Swanley Town Centre is not subject to any designations which seek to conserve or alter the aesthetic character of the centre. With this in mind, the proposed changes have been designed to be in keeping with the context and the existing staircases to the first floor spaces elsewhere within the Centre. The most significant external alteration proposed are the staircases in an unused area adjacent to the footpath on Nightingale Way, outside of the shared service yard.

Figure 5: Extract from Proposed Ground Floor Plan showing the external alterations in relation to the Service Yard.



- 4.12. The external alterations have been designed to minimise impact upon surroundings through the use of designs and materials which are complementary to the existing fabric of the building. Similarly, windows are in keeping with the existing character whilst balancing the need to improve energy efficiency and function.

### Car Parking

- 4.13. In line with the Council's *Appendix 2: Guidance for Residential Parking*, 1no. parking space will be provided for each residential unit (2no. spaces total). Given the constraints of the site, it is not possible to deliver controlled access parking, however a single, unallocated space per flat will be delivered at the existing Car Park within the Centre. Additional visitor parking is already provided by way of the Town Centre Car Parks and there is good public transport provision to minimise the need to use a car and so additional provision above 1no. space per unit would not be justified.

### Noise

- 4.14. The application is accompanied by a Noise Impact Assessment prepared by ACA Acoustics.
- 4.15. The assessment details that the site is capable of residential conversion within the relevant guidance to protect the amenity of future occupiers. The mitigations which have been recommended include a sound insulation scheme and mechanical ventilation to the living

room area. These recommendations have been accepted and will be implemented in full in tandem with the conversion.

- 4.16. The report concludes that the site is suitable for residential development and that noise will not be detrimental to the amenity of future occupiers in line with Policy EN7.

#### **Other Matters**

- 4.17. Given the brownfield nature of the site and town-centre location there are relatively few constraints on the site. No heritage assets are recorded in close proximity and the minimal external alterations mean the overall impact upon the existing building and character of the centre is minor. There are no arboricultural or ecological concerns and the site is located within Flood Zone 1 (lowest probability of flooding) and would not affect the proposals on the upper floor of the building in any event.
- 4.18. Highways impact is considered to be minimal, given the existing Town Centre uses around the site. The addition of 2 additional cars is unlikely to impact significantly upon the local highways network.

## 5. Conclusion

- 5.1. This Planning Statement has been prepared in support of the full planning application for conversion of vacant first floor space above Unit 53 of the Swanley Centre to create 2no. 1-bedroom flats.
- 5.2. This submission, including its supporting material, demonstrates that the proposal is in accordance with the relevant policies of the adopted Sevenoaks Local Plan and relevant national policies contained within the Framework.
- 5.3. The conversion of the disused first floor space offers an opportunity to further enhance the sustainability of Swanley Town Centre. The scheme represents a logical conversion which will have a positive impact upon the vitality of the centre, continuing the trend established with the conversions at Unit 40.
- 5.4. The proposed development has demonstrated compliance with the relevant national and local policies and all relevant material considerations. It is therefore considered to represent sustainable development and should be approved without delay.

Town & Country Planning Act 1990 (as amended)  
Planning and Compulsory Purchase Act 2004

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