

PLANNING COMMITTEE – 12 October 2017**PART 2**

Report of the Head of Planning

PART 2Applications for which **PERMISSION** is recommended

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| 2.1 REFERENCE NO - 17/503458/FULL | | | |
| APPLICATION PROPOSAL Change of use from storage to MOT testing and the servicing and repairs of cars and light commercial vehicles. | | | |
| ADDRESS Unit 2 Stickfast Farm, Sheppey Way, Bobbing, Sittingbourne, Kent, ME9 8QP. | | | |
| RECOMMENDATION Grant subject to conditions | | | |
| SUMMARY OF REASONS FOR RECOMMENDATION Proposed MOT use would provide an employment use at an existing light industrial complex within the rural area without giving rise to any serious amenity considerations. | | | |
| REASON FOR REFERRAL TO COMMITTEE Parish Council objection. | | | |
| WARD Bobbing, Iwade And Lower Halstow | PARISH/TOWN Bobbing | COUNCIL | APPLICANT Mr Harry Stockwell AGENT |
| DECISION DUE DATE 20/09/17 | PUBLICITY EXPIRY DATE 27/09/17 | | |
| RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites): | | | |
| App No | Proposal | Decision | Date |
| SW/08/0148 | (Frontage block) Demolition of existing storage building for improved internal access, and erection of replacement storage building. | Granted | 07.04.2008 |
| This application extended the frontage building to form the T-shaped plan form as exists today. | | | |
| SW/04/0038 | (Frontage block) Replacement of redundant agricultural building. | Granted | 09.03.2004 |
| The permission granted consent for removal of the existing redundant frontage building, closest to Sheppey Way, and erection of a larger replacement structure to be used for production of “monumental masonry” (Mid Kent Memorials) and storage and maintenance of drilling machinery (Axminster Tools). | | | |
| SW/01/1282 | (Rear block) Extension to redundant agricultural building for expansion of commercial enterprise. | Granted | 05.04.2002 |
| This application allowed for an extension to the rear building (to which this application relates) to | | | |

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| enable use for commercial purposes, and sets the point at which the Council accepts that it would no longer be used for agricultural purposes. | | | |
| SW/01/0283 | (Frontage block) Extension to general purpose agricultural building (including livestock) to provide farm office, workshop and secure store. | Granted | 25.05.2001 |
| SW/99/0785 | (Rear block) Extension to barn and hardstanding. | Granted | 17.09.1999 |
| SW/96/0290 | (Frontage block) Replacement of existing dutch barn and other unsuitable buildings with general purpose agricultural building (including livestock). | Granted | 31.03.1998 |
| SW/94/0002 | (Rear block) Temporary change of use of redundant barns to (a) storage of classic cars and ancillary uses (retrospective) and (b) manufacture of canvas coverings (new use). | Granted | 31.03.1998 |

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 Application site comprises a unit set within an existing light industrial complex at Stickfast Farm, Bobbing. It is typical of such units with a large roller door, personnel door, and window to the front elevation. The wider complex comprises two terraces of such units set around a concrete apron. Unit 2 is set within the rear block, screened from the road by the frontage block.
- 1.02 The wider area, Howt Green, is partly characterised by light industrial and agricultural uses, with a number of businesses occupying units within the complex (including Axminster Tools, Mid Kent Memorials, and a company providing industrial doors), storage buildings for Howt Green Farm immediately to the east, Floplast further to the east, the crematorium to the west beyond Stickfast Farmhouse, and the Dancing Dog pub roughly opposite. To the rear of the site is open farmland / orchards.
- 1.03 There is a small concentration of residential properties on the southern side of the road, opposite the application site, and a number of residential properties scattered along the road between Bobbing and Iwade.

2.0 PROPOSAL

- 2.01 The application seeks planning permission for change of use of the unit from storage to MOT testing, servicing, and repair of cars and light commercial vehicles.
- 2.02 The submitted drawing shows that the internal space will be fitted out with hydraulic vehicle lifts and a "rolling road." No external changes are proposed.
- 2.03 The site will employ 6 full time staff and 2 part time staff. Hours of use have not been specified but can be conditioned (as discussed below).
- 2.04 I believe that the applicant, Grovehurst Cars, requires new premises following closure of their previous premises (near to the Grovehurst Road / A249 roundabout) as part of preparatory works for the development of the north-west Sittingbourne housing allocation as shown in the Local Plan.

3.0 SUMMARY INFORMATION

| | Existing | Proposed |
|--------------|------------|------------|
| Site area | 2000sqm | 2000sqm |
| No. of staff | 5 FT, 1 PT | 6 FT, 2 PT |

4.0 PLANNING CONSTRAINTS

- 4.01 The site lies within the high pressure gas pipeline consultation zone.

5.0 POLICY AND OTHER CONSIDERATIONS

- 5.01 The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) encourage economic development within the rural area.
- 5.02 Policies ST1 (sustainable development), ST2 (targets for jobs and homes), CP1 (strong, competitive economy), DM3 (rural economy), DM7 (parking), and DM14 (general criteria) of the adopted Swale Borough Local Plan 2017 are relevant.
- 5.03 Policy DM3, in particular, comments that *“planning permission will be granted for the sustainable growth and expansion of business and enterprise in the rural area”* subject to appropriate re-use of existing buildings, and not giving rise to significant harm to character, appearance, or local amenity.

6.0 LOCAL REPRESENTATIONS

- 6.01 Two letters of objection have been received from local residents, raising the following summarised concerns:
- No parking arrangements;
 - Additional vehicle movements and impact on highway safety;
 - Will the premises be open to the public;
 - No details of waste storage;
 - Noise and disturbance, and no noise survey submitted;
 - No details of hours of use;
 - Semi-rural location and no need for another commercial business;
 - Conversion works have already started within the building; and
 - Pollution from running / testing vehicles.
- 6.02 Two follow-up letters have been submitted by one of the original objectors, questioning the validity of the EHO manager’s response if he has not visited the site, stating that there is no building separating the application site from the dwellings on Sheppey Way, and suggesting that an acoustic survey should be submitted.

7.0 CONSULTATIONS

- 7.01 Bobbing Parish Council object on the following summarised grounds:
- Increase in traffic;
 - No details of hours of use;
 - *“Concern that vehicles using the shared access, which is also used by 40 tonne trailers, would affect the tarpaulin repair company that uses the turning space for visiting large vehicles;”*
 - Field to rear could be used for storage, with environmental implications;
 - Where will cars be parked;

- Will it be open to the public; and
- Lack of local consultation.

7.02 The HSE “do not advise against” granting permission.

7.03 The Council’s Environmental Health Manager has no objection, commenting:

“This is a routine change of use, which although it has the potential to cause some noise from the activities to be carried out, will not affect many, if any people due to its location. There are very few residential properties near enough to this site to be adversely affected by this change. The building also is screened by adjacent buildings and also has the busy Sheppey Way in between itself and other properties on the other side of the road.”

8.0 BACKGROUND PAPERS AND PLANS

8.01 The above-noted historic applications are relevant.

9.0 APPRAISAL

Principle

- 9.01 Change of use of the rear building (the subject of this application) from agricultural to commercial was accepted under application ref. SW/01/1282. The above-noted applications then granted consent for commercial use of the frontage building, changing the nature of the site in its entirety from agricultural to commercial. It is therefore accepted that commercial use of the unit in question is acceptable in principle subject to amenity considerations.
- 9.02 I note the objections received from the Parish Council and local residents, but do not share their concerns and consider this to be a good site for the proposed use. Furthermore the above-noted policies encourage economic and commercial activities within the countryside as a matter of principle.

Amenity

- 9.03 The proposed unit is situated within the rear block, and is thus largely screened from the road and the houses opposite by the existing frontage block. This will help to minimise the potential for any significant noise, disturbance, or loss of residential amenity from operations carried out within the building. Furthermore there is also a minimum of 100m between the unit and the nearest residential property (Stickfast Farmhouse), which will significantly reduce the potential for amenity impacts. I also note the comments from the Council’s Environmental Health Manager, and therefore have no serious concerns in regards to potential amenity impacts.
- 9.04 Given the location of the unit I do not consider that the development would give rise to any additional harm to the character, appearance, or wider amenity value of the countryside.

Highways and parking

- 9.05 The site benefits from an existing access with a wide mouth (13.5m across, including the area to the front of the adjacent access for Howt Green Farm), a wide access road (roughly 7.5m wide) and good visibility along the access road for drivers to see other vehicles. Furthermore there are good sightlines in both directions at the junction with

Sheppey Way (extending over 100m in both directions). I therefore do not have any serious concerns in regards vehicle access to or egress from the site.

- 9.06 I also have no serious concerns in regards parking within the site. There is an extensive concrete apron stretching between the front and rear buildings, with ample space for the parking of vehicles in association with the proposed use. The fact that parking has not been specifically allocated is not a major concern, and I consider it very unlikely that visitors to the site would park on the road, given the intervening distance and availability of space within the site.

Other matters

- 9.07 Conditions can be imposed to restrict hours of use and external storage so I do not have any serious concerns in that respect. Use of the field to the rear for storage would require planning permission in its own right and would be addressed if or when it occurred.
- 9.08 Storage of waste would need to be done in accordance with relevant environmental legislation and isn't a planning consideration as such. Noise and pollution from heavy revving of vehicles during testing could be dealt with by the Council's environmental response team if or when complaints are received, and do not constitute a justified reason for refusal at this stage.
- 9.09 Two listed buildings (Nether Toes and The White House) sit opposite the site entrance, approximately 130m from the rear block in which this unit is located. However, due to the intervening distance and the physical presence of the frontage building I do not consider that this development would have any impact upon the special architectural or historic interest of those listed properties.

10.0 CONCLUSION

- 10.01 The application proposes an acceptable commercial use of this building within an existing commercial complex. I consider that the proposed garage and MOT station would be unlikely to give rise to any serious amenity concerns or cause serious harm to the character or appearance of the countryside.
- 10.02 Taking the above into account I recommend that planning permission should be granted.

11.0 RECOMMENDATION – GRANT Subject to the following conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) The use of the premises hereby permitted shall be restricted to the hours of 7 am to 7 pm on weekdays and Saturdays, and shall not take place at any time on Sundays or Bank Holidays.

Reason: In the interests of the amenities of the area.

- 3) No external storage of parts, equipment, raw materials or products shall take place within the site.

Reason: In the interests of visual amenity.

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance the application was acceptable as submitted and no further assistance was required.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

