

2.4 REFERENCE NO - 17/506496/FULL			
APPLICATION PROPOSAL Proposed office building and associated parking and landscaping as amended by drawings P01 Revision B and P02 Revision A.			
ADDRESS Waterham Business Park Highstreet Road Hernhill Faversham Kent ME13 9EJ			
RECOMMENDATION Grant subject to conditions			
REASON FOR REFERRAL TO COMMITTEE Parish Council Objection			
WARD Boughton And Courtenay	PARISH/TOWN COUNCIL Hernhill	APPLICANT Waterham Industrial Park Ltd AGENT Blink Architecture	
DECISION DUE DATE 14/02/18	PUBLICITY EXPIRY DATE 25/01/18		
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
15/502346/FULL	Construction of new storage units and associated vehicle access with canopy over	Approved	07/07/2015
SW/07/0965	New building works for warehouse - storage & B8 uses	Approved	18/10/2007
SW/05/0315	New industrial storage building (Phase 2)	Approved	13/05/2005
SW/05/0314	New entrance porch/reception. (Windows at first floor).	Approved	13/05/2005
SW/03/1054	Approval of reserved matters of design and external appearance for new building works for warehouse storage and B1 office use (Phase 1).	Approved	17/11/2003
SW/03/0670	Outline Application for use of land for warehousing and storage and B1 office.	Approved	22/07/2003

1.0 DESCRIPTION OF SITE

- 1.01 The site lies within the designated countryside but within an established business/commercial site, consisting mainly of storage facilities. The Swale SSSI lies directly to the north of the site beyond commercial greenhouses at a distance of approximately 0.5km. The wider site has been re-developed from former agricultural buildings in line with previous supportive site specific planning policies to become a successful self-storage site in which the applicant has invested heavily, and the site now presents itself as a neat and tidy premises.
- 1.02 The site of the new building is at the front of the business and self-storage park, adjacent to the main entrance and alongside a private bungalow fronting Highstreet Road. The site is currently a vacant grassed area, enclosed by palisade fencing and hedgerow. On the opposite side of the site access is an industrial building set close to the road.

- 1.03 The position of the proposed building was shown as the position of a proposed two storey office building as long ago as 2003 under outline planning application SW/03/0670, of which only parts of the separate storage building have ever been built.

2.0 PROPOSAL

- 2.01 The application seeks planning permission for the construction of a new building offering both B1 (Business) office space including meeting room and welfare facilities (448sq m), an artist's studio (104sq m), and a small D2 (Assembly and leisure) gym space (118sq m) housed in a single storey rear extension element. The design, colours and materials of the building are to match those found elsewhere on the site using composite panels and profiled metal sheet roofing.
- 2.02 The proposed building would offer a new reception area for the applicant's self-storage business, as well as leased office space at ground and first floor level, and a private leased gym area at ground floor level to the rear of the building. The agent has explained that the proposed gym is intended to be for use by personal trainers and that this business already operates within the site. The new gym will allow more room for storage within other buildings on the site.
- 2.03 An additional 20 parking spaces are proposed for the building including 2no. disabled spaces and 2no. electric charging point spaces.
- 2.04 The entrance to the site has been moved further into the site during consideration of the application as per the advice of Kent Highways and Transportation.

3.0 SUMMARY INFORMATION

	Proposed
Overall height (m)	7.2
Approximate Depth (m)	22
Approximate Width (m)	23.6
No. of Storeys	2
Net Floor Area	671m ²
Parking Spaces	20 including 2no. Disabled and 2no. electric charging points

4.0 PLANNING CONSTRAINTS

Potential Archaeological Importance

5.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF):

- 5.01 Paragraph 11 states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.02 At paragraph 56 it states the Government attaches great importance to the design of the built environments. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Swale Borough Local Plan Bearing Fruits 2031 policies:

- 5.03 ST1 (Delivering sustainable development in Swale)
 ST2 (Development targets for jobs and homes 2014-2031)
 ST3 (Swale settlement strategy)
 ST7 (The Faversham area and Kent Downs strategy)
 CP4 (Design)
 DM3 (The rural economy)
 DM7 (Parking)
 DM14 (General development criteria)
 DM26 (Rural lanes)

6.0 LOCAL REPRESENTATIONS

- 6.01 One letter of objection has been received from residents of a property located approximately 100m to the west of the site which can be summarised as follows:
- Concern over opening hours and potential impact on residential amenity from traffic and noise outside business hours
 - Highway safety could be affected by an increase in traffic
 - The road has no lighting or pedestrian path so the road might become more dangerous if the premises is open in the evenings
 - The structure will overshadow our property and affect levels of light
 - There are limited windows on this side of the building which will go some way to mitigating being overlooked, but any windows will have an effect on the perceived privacy and feeling of being overlooked
 - Obscured glazing would help here
 - Security lighting at night would cause light pollution
 - Avoidance of intruder alarms as there have been previous issues of ongoing alarms at the site

7.0 CONSULTATIONS

- 7.01 Hernhill Parish Council responded as follows:

“The Parish Council does not support the application for the following reasons:

1. *The proposed location is not considered to be a suitable or sustainable location for a commercial business of a gym or artist studio. The proposed location is not served by public transport services, which would also limit the target audience for the proposed commercial businesses of gym and artist studio. The proposed site does not provide enough parking spaces for the commercial businesses of gym and artist studio. The Parish Council would look favourably on the proposed location applying solely for permission for office space.*
2. *The proposed location of the building is too close to the road and detrimental to the amenity of the area. It is noted that whilst there are other large commercial building in the area, they are set well back from the road and much less visible.*
3. *The access to the proposed location is of concern, on the corner of an existing junction/access to the site behind. Vehicles seeking to exit the proposed site and turn right towards Monkshill would have very little sight-line into oncoming traffic from both the exit access to the existing Business Park and the main road”.*

7.02 Kent Highways and Transportation initially raised concern in relation to the position of the access too close to Highstreet Road, and in respect of parking provision including a desire to see disabled and electric charging bays and cycle parking provision.

7.03 Amended drawings were received in response to the comments from Kent Highways and they then commented as follows;

1. That with the exception of the palisade fencing in situ, no other obstructions over 0.9 metres in height shall be found within the visibility splay as taken from a 2.4 metre setback in the proposed access to the point on the carriageway edge where the access road meets Highstreet Road, and such shall be maintained thereafter.

2. That the proposed gym be kept restricted in its use as a private gym and not opened to the public or fee-paying members.

3. That the proposed parking areas also include 2 disabled parking spaces and a covered and secure cycle rack offering parking for 4 cycles. We also request that 2 of the vehicle spaces be equipped with charging ports."

7.04 The Environmental Health Manager has no objection, but requests conditions minimising noise and dust during construction, hours of construction, and dealing with potential land contamination.

7.05 Natural England has no objection to the application.

8.0 BACKGROUND PAPERS AND PLANS

8.01 All plans and documents relating to 17/506496/FULL.

9.0 APPRAISAL

9.01 The site lies within an existing business park used predominantly as storage space by the applicants, although there are other commercial uses on or adjacent to the site. The site is industrial in its appearance with buildings constructed of composite cladding panels, steel roof sheets and powder coated aluminium windows, with low pitch roofs. The building will occupy a prominent position on the site frontage but will be seen between development on this side of Highstreet Road comprising commercial and residential buildings. I do not consider that it will look out of place in that context.

9.02 Policy DM3 of the Local Plan aims to allow for the expansion and growth of businesses within the rural area subject to new buildings being of a design and layout sympathetic to the rural location and appropriate to their context. As mentioned above the design of the proposed building is in the same colour scheme and design as the existing buildings within the business park and the siting of this building is a logical use of the site for its expansion. It follows on from the 2003 outline planning permission and will effectively complete the site frontage as originally intended, partially screening the storage buildings within the site. I see this is the logical completion of the long term redevelopment of this site within its boundaries and with no implications for land beyond those boundaries which remain in use for agricultural purposes, commercial greenhouses and isolated dwellings.

- 9.03 I acknowledge the comments received from the Parish Council regarding highway safety, but the scheme has since been amended in line with advice from Kent Highways, who have deemed that the development is now acceptable on highways grounds as per the amended drawings. Relevant conditions have also been recommended including provision for a visibility splay at the point referred to by the Parish Council.
- 9.04 As the agent has confirmed that the gym space would be leased to personal trainers who use the space with their clients, and that this is already happening elsewhere on the site and will be relocated to this new location, I do not believe that this will generate any new traffic or a large influx of people to the site at any one time. Nor do I consider that the artist's studio would generate a significant amount of vehicular traffic. The studio is to be leased to artists who have already declared an interest in the space. Kent Highways have stated that they are happy with the amount of car parking spaces now proposed.

10.0 CONCLUSION

- 10.01 The application complies with the NPPF and Local Plan policies in approving development that would enable sustainable growth and expansion of businesses in the rural area. The site is an existing business park and its expansion to accommodate a building for B1 and D2 uses would not have any significant negative impacts on residential and visual amenities.

11.0 RECOMMENDATION – GRANT Subject to the following conditions

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 development hereby permitted shall not be carried out otherwise than in complete accordance with approved drawings P01 B and P02 A.

Reason: For the avoidance of doubt, and in the interests of proper planning,

- (3) The vehicle parking areas and turning areas shown on Drawing No. P01 Revision B shall be used for or be available for such use at all times when the premises are in use and no development whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 or not, shall be carried out on these areas of land or in such a position as to preclude vehicular access to these reserved areas; such land and access thereto shall be provided prior to the occupation of the building hereby permitted.

Reason: Development without adequate provision for the parking of cars is likely to lead to car parking inconvenient to other road users and in a manner detrimental to highway safety and amenity.

- (4) The area of the site between the site boundary and a line drawn from a point set 2.4m back from the site entrance and in the centre of the site entrance to the point where the overall site access meets the highway boundary shall permanently be kept clear of any obstruction over 0.9m high (apart from the existing palisade fence).

Reason: In the interests of highway safety.

- (5) The building hereby permitted shall not be occupied until covered and secure provision for parking at least four bicycles has been made in accordance with details that shall first be submitted to and approved by the Local Planning Authority

Reason: In the interests of promoting alternative means of travel.

- (6) All activity associated with the B1 (Business) use hereby permitted (including in the area shown as STUDIO on drawing P02 Revision A) shall take place only between the hours of 7.30am to 7.00pm on Mondays to Fridays, 7.30am to 7.00pm on Saturdays and at no time on Sundays or public holidays.

Reason: In the interests of residential amenity.

- (7) All activity associated with the D2 (Assembly and leisure) use in the area shown as GYM on drawing P02 Revision A use hereby permitted shall take place only between the hours of 6.30am to 10.00pm Mondays to Fridays, 6.30am to 6.00pm on Saturdays and at no time on Sundays or public holidays.

Reason: In the interests of residential amenity.

- (8) No floodlighting, security lighting or other external lighting shall be installed or operated at the site, other than in accordance with details that have first been submitted to and agreed in writing by the Local Planning Authority. These details shall include:

- A statement of why lighting is required, the proposed frequency of the use and the hours of illumination.
- A site plan showing the area to be lit relative to the surrounding area, indicating parking or access arrangements where appropriate, and highlighting any significant existing or proposed landscape or boundary features.
- Details of the number, location and height of the lighting columns or other fixtures.
- The type, number, mounting height and alignment of the luminaries.
- The beam angles and upwards waste light ratio for each light.
- An isolux diagram showing the predicted illuminance levels at critical locations on the boundary of the site and where the site abuts residential properties.

Reason: In the interests of visual amenity and the residential amenities of occupiers of nearby dwellings.

- (9) No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

1. Measures to minimise noise (including vibration) during construction, and
2. Measures to control the emission of dust and dirt during construction

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

- (10) No construction or demolition work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:

Monday to Friday 0800 – 1800 hours, Saturdays 0800 – 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- (11) If during construction/demolition works evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not re-commence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed.

Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of;

- a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.
- b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.
- c) If no contamination has been discovered during the build then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.

Reason: To ensure any land contamination is adequately dealt with.

- (12) The D2 (Assembly and leisure) use in the area shown as GYM on drawing P02 Revision A shall be restricted to use only as a private gym (and for no other use within Use Class D2) and there shall be no more than 6 clients using this area at any one time.

Reasons: In the interests of residential 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 considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

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.

