

<b>2.3 REFERENCE NO - 19/504198/FULL</b>		
<b>APPLICATION PROPOSAL</b> Use of land for car parking (Retrospective)		
<b>ADDRESS</b> Former Depot St Michaels Road Sittingbourne Kent ME10 3DN		
<b>RECOMMENDATION</b> Grant subject to conditions		
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> The application will not cause significant harm to visual or residential amenities or the conservation area and nearby listed buildings, and will have an acceptable impact on highway safety and convenience.		
<b>REASON FOR REFERRAL TO COMMITTEE</b> Called in by Cllr Truelove		
<b>WARD</b> Chalkwell	<b>PARISH/TOWN COUNCIL</b>	<b>APPLICANT</b> Mr Mehtab Asghar <b>AGENT</b>
<b>DECISION DUE DATE</b> 10/10/19	<b>PUBLICITY EXPIRY DATE</b> 19/09/19	

**Planning History**

DN/06/0046

Notification for demolition of small garage building.

Prior Approval Not Required Decision Date: 26.05.2006

SW/02/0333

Externally illuminated fascia signs to building.

Grant Decision Date: 16.05.2002

SW/02/0332

Freestanding Internally illuminated static signs.

Grant Decision Date: 10.05.2002

SW/01/1072

Static internally - illuminated signs

Refused Decision Date: 07.12.2001

SW/01/0110

Demolish existing depot buildings and erection of new drive thru fast food restaurant (shell only)

Grant of Conditional PP Decision Date: 24.02.2003

SW/84/0665

Change of use to workshop store and office.

Grant of Conditional PP Decision Date: 20.08.1984

SW/83/0333

Change of use to decorators merchants trade depot shop showroom and warehouse.

Grant of Conditional PP Decision Date: 08.06.1983

## **1. DESCRIPTION OF SITE**

- 1.1 The site is located to the south of St. Michaels Road in the centre of Sittingbourne, and totals 0.2 hectares in size. It is accessed from St. Michaels Road and appears to provide access to some of the buildings along the northern section of the High Street to the south of the site. The site was previously used as a depot, however all industrial buildings on the site have since been removed and aerial photographs suggest that parts of the site have been used informally for parking in the last few years.
- 1.2 The submitted planning statement suggests the site was recently overgrown, but this has since been cleared and hardstanding has been laid for the use of the northern part of the site by a private parking company. This use commenced earlier this year and provides approximately 50 car parking spaces, which are enclosed by palisade fencing. The application form states the opening hours for the car park are 06:00-22:00 every day.
- 1.3 The site is bounded by the new multi-storey car park to the west, Sittingbourne Methodist Church to the east, No.s 36 – 48 High Street to the south and the train station car park to the north. No.s 42 – 48 High Street are Grade II listed buildings, and part of the site to the south is also located within Sittingbourne High Street Conservation Area.

## **2. PROPOSAL**

- 2.1 This application seeks retrospective planning permission for the use of the site for car parking. As mentioned at paragraph 1.2, the development provides roughly 50 spaces, which are accessed from the existing entrance to the site from St. Michaels Road. No further changes to the site are proposed as part of this application.

## **3. PLANNING CONSTRAINTS**

- 3.1 Potential Archaeological Importance
- 3.2 Conservation Area Sittingbourne High Street
- 3.3 Grade II listed buildings to the south of the site

## **4. POLICY AND CONSIDERATIONS**

- 4.1 The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG)
- 4.2 Development Plan: Policies CP4, DM7, DM14, DM32 and DM33 of Bearing Fruits 2031: The Swale Borough Local Plan 2017
- 4.3 Supplementary Planning Guidance (SPG): 'Conservation Areas' and 'Listed Buildings'

## **5. LOCAL REPRESENTATIONS**

- 5.1 Two comments in support of the application have been received. I will summarise their contents below:

- There is a severe shortage of parking spaces in Sittingbourne and we are happy for the application to be passed depending on certain conditions.
- This includes clearing the site of any debris, fly tipping and weeds and keeping the site in a good condition at all times. The site should also be levelled properly so it is suitable for cars to be parked. Appropriately sized parking bays should also be marked out together with security lighting and CCTV. Access should also be maintained at all times to the rear of No.s 34, 36 and 38 High Street.
- In granting planning permission, a special condition needs to be imposed so that the land immediately north of No. 38A High Street remains clear at all times for vehicular and pedestrian access.
- The owners of No. 38A have used the site to access the rear of their store for probably over 100 years. A condition should also be imposed ensuring the prescriptive rights of owners of properties No. 28 – 48 High Street to park in accordance with these rights.

5.2 One objection to the application has been received. Its contents is summarised below:

- Sittingbourne Methodist Church is opposed to any developments which may exacerbate the growth of urban motorised traffic, and the creation of another car parking area in the centre of the town must be viewed in this light.
- Noise and disturbance, atmospheric pollution and increased traffic flow outside the rear and alongside the church entrance are to be expected. The noise created by cars entering the western part of the site adjacent to the church together with noise pollution during worship activities and other gatherings could be very intrusive.
- Also due consideration needs to be taken with regard to the fact that this is a conservation area.

5.3 Cllr Truelove called the application in to be determined at Planning Committee, stating *"I object strongly to this unsightly development adjacent to our own multi storey car park and for the retrospective nature of this application."*

## 6. CONSULTATIONS

6.1 KCC Highways – *"I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority."*

## 7. BACKGROUND PAPERS AND PLANS

7.1 Plans and documents submitted as part of application 19/504198/FULL.

## 8. APPRAISAL

### Principle of Development

8.1 The site lies within the built up area boundary of Sittingbourne, where the principle of development is accepted. The site is located close to the town centre, where it is not uncommon for land to be used for car parking, as highlighted by the presence of car parking to the west and north of the site. Therefore I consider the principle of the

development is acceptable, however I consider it appropriate to only grant temporary permission for a period of 5 years. I believe the site represents land that is suitable for redevelopment, given its proximity to transport links and the regeneration scheme in the town centre. Granting temporary permission will allow the site to potentially be redeveloped in the future.

#### Visual Impact

- 8.2 The car parking within the site is located towards to the northern end of the site, so will be visible from St. Michaels Road. The impact this will have on the character and appearance of the area needs to be considered. I pay regard to the presence of car parking to the north and west in the form of the multi-storey car park and the train station car park, and furthermore, east of the train station car park is a car dealership, where a large number of vehicles are parked on the forecourt. Therefore, car parking is already a feature in the surrounding streetscene and I believe the presence of additional car parking here will not cause adverse harm to the visual amenities of the area.
- 8.3 I note that some neighbours have commented on the need for soft landscaping to be introduced on site, along with a condition to ensure the land is kept clear of rubbish and debris. Taking into account I am recommending granting temporary planning permission, I do not consider it necessary to impose a landscaping condition. It is also not appropriate to include a condition ensuring the land is kept in a tidy condition, as this would not be enforceable.

#### Heritage Impact

- 8.4 Part of the site is located within Sittingbourne High Street Conservation Area, and is also adjacent to several Grade II listed buildings. The Council has a statutory duty to have special regard to the desirability of preserving listed buildings, their setting and any features of interest which are present and must take into account the impact of an application upon the character and appearance of the conservation area. I note that the site has historically been used for car parking (although there is no planning history relating to this use), and take the view that the use of site for car parking will not cause any additional harm to these heritage assets. As such, I consider the application will not harm the setting of the listed buildings or conservation area.

#### Residential Amenity

- 8.5 The surrounding area is generally commercial in nature, and the nearest residential properties lie to the south of the site, and are comprised of flats above the retail units along the High Street. Taking into account the flats are located on the High Street, where there would already be a general level of noise and disturbance from vehicles travelling along the High Street, I do not consider the use of the land as a car park will cause unacceptable impacts to residential amenity.
- 8.6 The car park will be located to the east of Sittingbourne Methodist Church. An objection has been received regarding the potential noise, disturbance and pollution the use of the site as a car park will cause on the nearby church. However, taking into account that vehicles entering and exiting the site will be travelling at slow speeds, and the church is located next to St. Michaels Road, a busy thoroughfare in the centre of Sittingbourne, I consider the proposal will not give rise to levels of noise and disturbance that are worse than existing.

## Highways

- 8.7 KCC Highways have reviewed the application and raise no objections to the scheme. I therefore believe that the application will not give rise to any unacceptable impacts to highway safety or convenience. I acknowledge neighbour comments regarding levelling the site and providing marked out parking bays, however as this car park will be operated by a private parking company, and KCC Highways have raised no concerns relating to these issues, I have no concerns from this regard.

## Other Matters

- 8.8 Some neighbour comments refer to prescriptive rights over the land in question here, which provide access to the rear of the properties along the High Street to the south of the site. This would be a private legal matter, and as such cannot be taken into account here.

## 9. CONCLUSION

- 9.1 The development will not cause unacceptable impacts to residential or visual amenities, the nearby heritage assets and conservation area, or highway safety and convenience. I consider the use of the site for car parking is acceptable given the town centre location of the site. On the basis of the above, I recommend temporary planning permission is granted.

## 10. RECOMMENDATION – Grant subject to the following condition:

- (1) The use hereby permitted shall cease on or before 10<sup>th</sup> October 2024.

Reason: In order that the position may be reviewed at the end of the period stated.

## The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2018 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

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.

