

3.2 REFERENCE NO - 19/504872/FULL		
APPLICATION PROPOSAL Erection of car sales showroom and car preparation workshop.		
ADDRESS Marshlands Farm Lower Road Eastchurch Kent ME12 3ST		
RECOMMENDATION Refuse		
SUMMARY OF REASONS FOR REFUSAL The bulk, scale and positioning of the building will have significantly harmful impacts upon the character and appearance of the surrounding countryside.		
REASON FOR REFERRAL TO COMMITTEE Called in by Cllr Marchington		
WARD Sheppey Central	PARISH/TOWN COUNCIL Minster-On-Sea	APPLICANT Marshlands Lettings Ltd AGENT Woodstock Associates
DECISION DUE DATE 10/02/20		PUBLICITY EXPIRY DATE 29/10/19

Planning History

18/506074/FULL

Erection of car sales showroom and car preparation workshop.

Refused Decision Date: 16.01.2019

18/502526/FULL

Erection of car sales showroom and car preparation workshop.

Withdrawn Decision Date: 12.07.2018

ENF/12/0004

An appeal against the issuing of enforcement notice against the material change of use of land to land used for the purposes of vehicles sales.

Appeal allowed October 2012

1. DESCRIPTION OF SITE

- 1.1 Marshlands Farm lies outside the built up area boundary, to the south-east of Minster, adjacent to the roundabout at the junction of Lower Road and Thistle Hill Drive. It comprises a large, industrial style building in the centre of the site which is split into three different units. Three areas of land on the western side of the site are used for car sales, caravan sales and storage of skips. There are three residential properties immediately south-east of the site. The part of the site relevant to this application is the north west corner, which is used for car sales.
- 1.2 In terms of site history, it is worth noting that the above appeal against the issuing of an enforcement notice against the existing car sales use was an unusual situation, in that the Council didn't object to the proposed use, but an application was not forthcoming to regularise the situation and enable imposition of appropriate conditions to mitigate the impact of the use upon the countryside.

- 1.3 Several applications which are similar to this proposal have been submitted in the past. The first (ref. 18/502526/FULL) was withdrawn and the second (ref. 18/506074/FULL) was refused for the following reason:

(1) The proposed building, by virtue of its bulk, scale, location and prominence, would amount to an obtrusive structure, harmful to the character and appearance of the countryside and the visual amenities of the area. This is contrary to policies ST3, CP4 and DM14 of 'Bearing Fruits 2031: The Swale Borough Local Plan 2017'.

2. PROPOSAL

- 2.1 This application seeks planning permission for the erection of a car sales showroom and car preparation workshop to replace an existing portacabin on the site. The building will be located on the south side of the application site, situated on the area currently used for car sales, which measures roughly 40m x 22m. The showroom will be set 28m back from Lower Road and will measure 18m x 9m and will have a pitched roof with an eaves height of 4.8m and a maximum ridge height of 6.5m. The new building will be split in two internally, with half of the structure being used as the car sales showroom and associated toilets, kitchen and office and the other half of the structure forming the car preparation workshop. The building will be constructed of red brick and half of the structure will be clad with vertical box profile sheeting which will be green in colour.
- 2.2 Access to the site will be provided off of Lower Road via the existing internal road serving Marshlands Farm. Three staff parking spaces and three visitor parking spaces will be provided to the east of the showroom.
- 2.3 The building proposed here has the same footprint as the structure refused under application 18/506074/FULL. The main differences are the change in roof type and materials. Under the refused application, a mono-pitch roof was proposed, which had an eaves height of 5m and maximum height of 5.7m. The building was to be clad with profiled sheet cladding in metallic grey, with a glazed area situated on the north east corner of the structure.

3. PLANNING CONSTRAINTS

- 3.1 None

4. POLICY AND CONSIDERATIONS

- 4.1 The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG)
- 4.2 Development Plan: Policies ST3, CP1, CP4, DM3 and DM14 Bearing Fruits 2031: The Swale Borough Local Plan 2017

5. LOCAL REPRESENTATIONS

- 5.1 Seven comments in support of the application have been received. Their contents are summarised below:
- The new building will be a vast visual improvement to the existing containers on site.
 - The proposed plan is within the existing footprint of the current business and has no impact on any other party.
 - Enhancements to local trade and industry such as this should be encouraged in order to attract more custom and, hopefully, more employment in the long term.

- 5.2 Cllr Marchington called the application in to Planning Committee.

6. CONSULTATIONS

- 6.1 Minster Parish Council – Support the application and is pleased to see a local business progressing.
- 6.2 Environmental Health – Originally provided comments objecting to the application on the basis that the proposed workshop could potentially cause unacceptable levels of noise. The applicant subsequently provided additional information, stating that the workshop was only to be used for general servicing, cleaning and valeting, along with any warranty work that may be required, and will not be used as a general repair garage. Following this information, Environmental Health were reconsulted and they confirmed on this basis that they had no objection to the scheme.
- 6.3 KCC Highways – No objections subject to conditions relating to provision of turning/loading/unloading facilities for construction vehicles, parking during the construction phase, provision of wheel washing facilities and retention of parking spaces.
- 6.4 Kent Police - suggest the applicant/agent considers the points below.
1. Perimeter treatments including gates (lockable) should be min 1.8m in height
 2. Doorsets should be min PAS 24:2016 Certified including internal doors where keys and tools would be stored.
 3. Any roller shutters should be located as close to the building line as possible to avoid the creation of a recess. They should meet either LPS 1175 Issue 7, Security Rating 2, STS 202 Burglary Resistance 2 or Sold Secure Gold 53.2 and be fixed into the fabric of the building.
 4. Windows inc. roof lights to meet min PAS 24:2016 Certified with laminated glazing.
 5. A monitored alarm is recommended.

7. BACKGROUND PAPERS AND PLANS

- 7.1 Plans and documents for 19/504872/FULL and 18/506074/FULL.

8. APPRAISAL

Principle of Development

- 8.1 The application site lies outside the built up area boundary of Minster where there is a general presumption against development. The main consideration here is the visual impact of the proposal upon the character and appearance of the countryside.

Visual Impact

- 8.2 The site lies in a prominent location and will be clearly visible from Lower Road. When comparing the design of the car salesroom with the structure refused under 18/506074/FULL, due to the change in roof type, I believe the building will be even more dominant in the landscape than the previously refused design, as the ridge height proposed here will be 0.8m taller. Currently, a small single storey portacabin structure and converted shipping container are used for car sales on the site, and these structures are mainly shielded from wider views due to the existing industrial unit to the south east and trees to the north. I believe the scale of the proposed unit, which has a maximum height of 6.5m, will amount to an obtrusive feature that will be prominent in the landscape, causing significant harm to the character of the area. I acknowledge there are large industrial buildings on site, however these have been in situ for many years and are located further into the site than the proposal, therefore meaning that they are less prominent when viewed from Lower Road. This application would introduce additional built form to the front of the site, where there is currently no large buildings, and in my view, would be of an inappropriate scale.

- 8.3 I note the proposed materials differ from the refused design, and whilst I consider they are more appropriate than the originally proposed materials, I still take the view the proposal will have a significantly harmful impact on the surrounding countryside.
- 8.4 The submitted Design and Access Statement explains this proposal is required to provide purpose built accommodation that offers better facilities than the existing sales office and on-site car preparation that currently has to be carried out off site. I acknowledge the comments in support of the application, and note that the proposal would support the expansion of a rural business. DM3 relates to the rural economy, and states that the design and layout of new buildings needs to be sympathetic to the rural location and appropriate in their context, and should also result in no significant harm to the rural character of the area. I take the view that there are insufficient justifications for a building of this scale in this countryside location and the need for the showroom and workshop on the site does not outweigh the harm caused to visual amenities. I consider this application will have an unacceptable impact on the character and appearance of the surrounding countryside and this would amount to a reason for refusal.

Residential Amenity

- 8.5 With regards to impact upon residential amenity, given the separation distances to the nearest dwellings (the closest of which is 55m away), I do not consider the proposal will give rise to any unacceptable impacts to residential amenity with regards to an overshadowing or overbearing impact. I note Environmental Health did raise concerns regarding the potential noise impact from the proposed workshop, however following the submission of additional information regarding exactly what works will be carried out in the workshop, Environmental Health raised no objection to the scheme. Following the lack of objection from Environmental Health, I believe the proposal will be acceptable with regards to its impact on residential amenity.

9. CONCLUSION

- 9.1 On the basis of the above, I consider the proposed car sales showroom and workshop would amount to an obtrusive structure which would give rise to significant harm to the visual amenities of the area and character and appearance of the countryside. As such I recommend planning permission is refused.

10. RECOMMENDATION - REFUSE for the following reason:

- (1) The proposed building, by virtue of its bulk, scale, location and prominence, would amount to an obtrusive structure, harmful to the character and appearance of the countryside and the visual amenities of the area. This is contrary to policies CP4 and DM14 of 'Bearing Fruits 2031: The Swale Borough Local Plan 2017'.

The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), February 2019 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.

