

PLANNING COMMITTEE – 29 JANUARY 2015

PART 2

Report of the Head of Planning

PART 2

Applications for which **PERMISSION** is recommended

2.1 REFERENCE NO - 14/505771/FULL			
APPLICATION PROPOSAL Meads Community Centre			
ADDRESS Land Adjacent To Emerald Crescent Quartz Way Sittingbourne Kent ME10 5JL			
RECOMMENDATION GRANT subject to no fresh issues being raised in further representations, closing date 31 January 2015.			
SUMMARY OF REASONS FOR RECOMMENDATION The development would provide a community centre within the wider housing estate as required by the grant of outline planning permission SW/96/0717, and in a manner and position that would not give rise to serious harm to local amenity or the character or appearance of the area.			
REASON FOR REFERRAL TO COMMITTEE Swale Borough Council application and local objections.			
WARD Grove Ward	PARISH/TOWN COUNCIL N/A	APPLICANT Swale Borough Council AGENT HOCA Practice	
DECISION DUE DATE 03/02/15	PUBLICITY EXPIRY DATE 03/02/15	OFFICER SITE VISIT DATE Various	
RELEVANT PLANNING HISTORY			
App No	Proposal	Decision	Date
SW/96/0717	Outline permission for mixed use development including residential, office and commercial uses, shopping and community facilities, school, community woodland, associated infrastructure and services.	Approved	20.01.1998
<p>This application granted outline planning permission for development of the Meads. Condition (iv)(f) of that permission stipulates that the site shall include <i>“land for a neighbourhood centre which shall include neighbourhood shopping facilities...”</i></p> <p>Members will be aware that, since the grant of that outline permission, there have been numerous approvals of reserved matters for housing and development of the wider site has been underway for many years. Of note are applications SW/09/0306 which granted planning permission for the public house to the west, and SW/020988 which approved the reserved matters for the residential development directly abutting this site to the east.</p>			

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site currently comprises an area of informal green space along the southern boundary of the Meads development site. It measures roughly 62m deep and 22m wide, and is oriented roughly SW – NE, with Staplehurst Road along the southern (rear) boundary and Emerald Crescent to the north (front).
- 1.02 The plot is largely open grass with small trees and shrubs along the side and rear boundaries. The front boundary features a knee rail along the rear footpath edge and a series of concrete pipe sections used as planters.
- 1.03 To the southeast are a number of residential dwellings off Emerald Crescent, extending the full depth of the plot, and properties on Moonstone Square sit to the front across the road. The northwestern boundary lies adjacent to another area of informal open space with a public footpath beyond.
- 1.04 The local centre – comprising a pub and a number of commercial properties – lies further to the northwest.
- 1.05 This site has, for some time, been considered as the location for a community centre serving the wider estate. Specific mention is made of it in the application details and particulars for SW/02/0988.

2.0 PROPOSAL

- 2.01 This application seeks planning permission for the erection of a community centre building and associated vehicle access, parking and landscaping.
- 2.02 The proposed community centre comprises a single-storey building sited approximately in the centre of the site. The building will comprise three distinct sections in a staggered elevation:
- The front section comprises the entrance, toilet and kitchen facilities and a small seating / meeting area.
 - The middle section comprises a large open hall with a storage area, and an area to the rear (close to the western boundary) for external seating.
 - The rear section, closest to the main road, also comprises a large open hall with access to the rear area. There is no internal link between the two halls shown, and the rearmost hall is accessed independently of the front and middle sections.
- 2.03 The building will measure a maximum of approximately 10.2m wide (accounting for the staggered elevation), by 38.7m deep, and with a maximum height of 5.2m (on the central section only, the majority of the building will measure approximately 4.3m high).
- 2.04 A variety of external materials are proposed to differentiate the different sections of the building, including brick, render and timber cladding. The roof will comprise a dark grey composite membrane, and windows and doors will be powder-coated aluminium.
- 2.05 A bin store is proposed in the northernmost corner, close to the front of the site, and a cycle store to the rear.

- 2.06 Vehicle access is provided by way of a new entrance situated in the northeastern corner of the site, close to the junction with Moonstone Square. Ten parking spaces are shown to the rear of the site, adjacent to the main road, including two disabled bays.

3.0 SUMMARY INFORMATION

	Existing	Proposed
Site Area (ha)	0.15 ha	
Approximate max. ridge height (m)		5.2m
Approximate max. depth (m)		38.7m
Approximate max. width (m)		10.2m
No. of Storeys		1
Parking Spaces		10 (inc. 2 disabled)

4.0 PLANNING CONSTRAINTS

- 4.01 The site lies within the built up area boundary, as identified by the adopted Swale Borough Local Plan 2008. There are no other specific restrictions or allocations for the site, but Members should note that land for the erection of a community centre has been programmed into the development of the wider site since the grant of outline permission in 1996.

5.0 POLICY AND OTHER CONSIDERATIONS

- 5.01 The National Planning Policy Framework seeks to support and encourage prosperous and healthy communities. Paragraph 70, in particular, states that planning authorities should act positively in regards to “*provision and use of shared space, community facilities (such as local shops, meeting places, sports venue, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.*”
- 5.02 The National Planning Practice Guidance also supports community development and the provision of new community services and facilities in general.
- 5.03 Policy C2 of the adopted Swale Borough Local Plan 2008 specifically requires provision new community services on major development sites, and states:

“For all new housing developments resulting in 10 or more dwellings, the Borough Council will seek, through negotiation at planning application stage, the provision of, or a contribution towards, new or improved community services and facilities where the need for the facilities arises as a result of the development proposed. The provision or contribution sought will relate to the:

- 1. existing pattern of provision in the immediate locality;*
- 2. scale and nature of the development proposed; and*
- 3. other priorities for contributions arising from the site.*

The agreed provision, or contribution, will be subject to the completion of a suitable legal agreement and, unless agreed otherwise with the Borough Council, the provision of the facilities should be completed before the development they serve is first occupied.”

5.04 In this regard I would again refer Members to the 1996 permission, above, which specifically requires provision of land for a community centre to service the new housing estate as part of the wider development on the Meads, and to the fact that this land is specifically referred to as being held for these purposes in the planning history for the wider estate.

5.05 Furthermore, paragraph 2 of policy C1 of the adopted Local Plan states:

“The Borough Council will grant planning permission for new or improved community services and facilities. Additionally, where proposals would meet an identified local need in an accessible location, it will permit development proposals that will help maximise the use of existing public and private community services and facilities, including those that would make them available for wider public use, in locations where shortfalls in local public provision could be met.”

6.0 LOCAL REPRESENTATIONS

6.01 The application has been advertised by way of letters to immediate neighbours and display of a site notice close to the application site. The closing date for comments is 31 January 2015 and I will update Members of any additional comments at the meeting.

6.02 Three letters of objection have been received, raising the following summarised concerns:

- The proposed building will be situated close to residential properties and may give rise to noise and disturbance during construction and final end-use;
- The building should be provided on land on the other side of Staplehurst Road;
- Inadequate car parking provision will encourage parking on local roads, which are already congested;
- The proposed access will remove an area of car parking for local residents;
- Additional vehicle movements may give rise to highway safety concerns;
- The position of the proposed vehicle access may give rise to conflicts with vehicles entering / leaving Moonstone Square or the nearby roundabout;
- Loss of green space, which is used by locals as an area of open space / playing field;
- Anti-social behaviour;
- The land is designated as green belt [NB: there are no designated green belts in Swale];
- Loss of privacy to neighbouring properties;
- Inadequate local drainage systems;
- Noise and dust during construction;
- This development wasn't highlighted in property searches when purchasing a nearby dwelling;
- Loss of property value; and
- Loss of view across the green space.

6.03 Three letters with general comments have also been received. They raise similar concerns as noted above, but do not expressly object to the proposal.

6.04 One letter of support has been received, commenting that *“having been involved in community halls I know what a positive impact they have on communities and am pleased that Swale Borough Council are finally delivering what residents have been promised for many years.”*

- 6.05 The Swale Footpaths Group notes that a nearby footpath (between Emerald Crescent and the main B2006 Staplehurst Road) is unlikely to be affected.

7.0 CONSULTATIONS

- 7.01 The Kent Police Crime Prevention Design Advisor has put forward a number of recommendations aimed to enhance site security and discourage anti-social behaviour. These include:

- The installation of vehicle barriers to prevent misuse / fly tipping;
- Redesign of planters to discourage use for sitting / congregation;
- Adaption of the existing street-lighting columns to enable CCTV hook-up in future;
- Repositioning of the proposed cycle parking area;
- Use of materials other than white render to discourage graffiti;
- Installation of security lighting;
- Building alarms;
- Structural enhancements to deter burglars;
- Installation of locks on external storage areas; and
- Secure storage for chairs / furniture used in outdoor seating areas.

Whilst their comments are noted the majority of the listed items are not planning considerations, or matters in which officers can insist upon amended drawings. I have, however, passed the comments on to the applicant for them to take into consideration.

- 7.02 I have not yet received responses from other bodies such as Kent Highway Services or the Head of Service Delivery. The closing date for comments is 31 January 2015 and I will update Members accordingly at the meeting.

8.0 BACKGROUND PAPERS AND PLANS

- 8.01 The application is accompanied by site location plan; proposed layout plan; proposed floor plans and elevations; topographical survey; and drainage strategy.

9.0 APPRAISAL

Principle of Development

- 9.01 The application site lies within the built up area of Sittingbourne, where development is generally acceptable in principle. Furthermore both local and national policies support the provision of community developments such as this. I therefore consider the proposal to be acceptable in principle, subject to matters of detail as discussed below.

Visual Impact

- 9.02 I consider the proposed building to be of an acceptable scale and design. The staggered elevation and use of a varied palette of materials across the façade will add variety and interest to the structure, and I believe that it would represent a positive feature within the local street scene.
- 9.02 Boundary planting and on-site landscaping will help to minimise distant views of the building from public areas, and help to soften its visual impact. The clearest view of the development will be from the front, where the position of the vehicle and pedestrian access means that there is little opportunity for screening or planting (other than the proposed planters). However, taking into account the good design of the building I do

not consider this to be a serious or over-riding issue, and do not believe that the visual impact here would be substantive as to justify a reason for refusal on such grounds.

Residential Amenity

- 9.03 I recognise concerns expressed by local residents in regards to the potential for noise and disturbance from the proposed development. It should be noted, however, that community halls are not usually a significant source of noise in themselves and the majority of activities taking place within such buildings are likely to be low-key with little noise generated.
- 9.04 However I note that community halls can host a variety of uses and that some – parties or private functions, for example – could give rise to noise from as music or general disturbance. In this regard I have suggested the conditions below that limit the hours of use of the building, thus limiting the potential for serious disturbance to neighbouring residents (NB: I await a response from the Council Environmental Health team, and may suggest to Members at the meeting that the stated hours are changed, dependent upon their observations). Members should also note that the Council's Environmental Health team has powers to intervene should specific noise complaints be received, and that the Council's Licencing Team also have powers (in regards to premises-specific alcohol licencing and times / conditions of sale, etc.) to intervene should specific problems arise.
- 9.05 Subject to monitoring of the times of use (by all the relevant departments involved) I do not believe that the proposed community centre would give rise to serious disturbance to local residents in a manner that would justify refusal of planning permission in this instance.
- 9.06 I have also recommended a condition requiring any external lighting to be approved by the Council prior to being installed on the building. This will ensure that the light levels, as well as the position and angle of any external lamps, can be carefully considered so as to minimise disturbance to neighbouring residents.

Highways

- 9.07 The majority of letters submitted by local residents raise concern in regards to parking provision for the new development, and the potential impact upon local parking pressures and highway safety in general. I recognise that this is a key concern to neighbouring residents.
- 9.08 Kent Highway Services had not had opportunity to respond at the time of writing, and I am therefore unable to provide detailed comment on this matter. I will update Members at the meeting.
- 9.09 I would note at this stage, however, that the application proposes 10 parking spaces (including 2 disabled bays). For public / community halls the current adopted Kent Parking Standards requires provision of 1 space per 60 square metres. The total floor space here, including toilets and storage areas, amounts to approximately 255 square metres thus requiring a maximum provision of 5 spaces.
- 9.10 The proposed parking provision would therefore be double that required by the adopted guidance, and Members should also note that the location of the community centre would be within walking distance of the majority of the wider estate. In response to initial, informal comments from Kent Highways I have also asked the

applicant to provide an amended drawing showing additional parking bays along the access road, which is wide enough to allow this.

Landscaping

- 9.11 The site currently comprises an area of green, open space bordered by small trees and bushes. In this regard it provides a soft landscaped area adjacent to the solid built form of the housing estate and, in my opinion, would positively contribute to the character of the area.
- 9.12 However, it should be noted that in granting the outline planning permission in 1996 there was not a clear intention to leave this land as an area of open space, and the land does not form part of a formalised area of public open space provided as part of the wider development. Indeed, the land was specifically set aside for a community centre.
- 9.13 The land immediately to the northwest was the original intended location for a community centre but land ownership issues have prevented that from coming forward for development. The case is similar to that elsewhere at the Meads, such as on the other side of Staplehurst Road, in that the Council has not been able to secure parcels for such a development.
- 9.14 Therefore, whilst I note local concern in regards to the loss of the open space members should note that this is not a formal area of open space, (the community woodland on the opposite side of Grovehurst Road is provided for this purpose, and as I set out below, there are various play areas scattered throughout the estate, together with the Milton Recreation Ground, slightly further afield) and comprises in my view an acceptable location in which a community centre can be provided. Whilst the loss of green spaces is rarely encouraged I consider that the wider benefits of the development outweigh the slight harm to the landscape in building on this area of greenery.
- 9.15 However, the landscaping condition suggested below, will ensure that a robust and appropriate landscaping scheme is implemented to soften the development and provide some screening from surrounding areas.

Other Matters

- 9.16 The wider area has been shown to have significant archaeological potential, and I have therefore recommended the condition below to secure a programme of archaeological works prior to development of the site. I also await comments from the County Archaeologist (closing date 31 January) and will update Members at the meeting.
- 9.17 I note that some residents have raised concern in regards to loss of the land as a play area for children. Other open spaces are available throughout the estate, such as the linear park running SW-NE throughout the estate (linking Staplehurst Road with Quinton Road); green areas at Balas Drive and Moonstone Square; and Milton Recreation ground on the eastern side of the railway, which is accessed by a pedestrian footbridge from Bismuth Drive, and which is approximately 560m from the application site.
- 9.18 Unfortunately matters such as property values and loss of view are not material planning considerations, and I am unable to take them into account for the purposes of this application.

10.0 CONCLUSION

10.01 Taking the above into account and subject to outstanding comments (including those of Kent Highway Services) – closing date 31 January 2015 – I consider that the proposal would provide a dedicated local community centre within the wider housing estate of the Meads as required by the grant of outline planning permission SW/96/0717, and in a manner and position that would not give rise to serious harm to local amenity or the character or appearance of the area.

10.02 Whilst I note and appreciate concerns raised by local residents I do not believe that they amount to a justifiable reason for refusal of planning permission in this instance.

10.0 I therefore 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.

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

(2) No development shall take place other than in accordance with the following drawing numbers (all received 20 November 2014):

- 241/13/P/001;
- 241/13/P/002;
- 241/13/P/100;
- 241/13/P/101;
- 241/13/P/200 rev. A;
- 241/13/P/300;
- SDS 203794.01; and
- A114025-TG-00-XX-DR-C-0005 rev/ P1.

Reasons: In the interest of clarity and for the avoidance of doubt.

(3) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Reasons: To ensure that features of archaeological interest are properly examined and recorded.

(4) No development shall take place until details of the external finishing materials to be used on the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority, and shall thereafter be implemented in accordance with the approved details.

Reasons: In the interest of visual amenity.

(5) No construction 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 0730 – 1900 hours, Saturdays 0730 – 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reasons: In the interests of residential amenity.

- (6) During construction of the development adequate space shall be provided on site, in a position previously agreed by the Local Planning Authority to enable all employees and contractors vehicles to park, load and off load and turn within the site.

Reasons: In the interests of highway safety and convenience.

- (7) Adequate precautions shall be taken during the period of demolition and construction to prevent the deposit of mud and/or other debris on the public highway.

Reasons: In the interests of highway safety and convenience.

- (8) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity, where possible), plant sizes and numbers where appropriate, means of enclosure, hard surfacing materials, and an implementation programme.

Reasons: In the interests of the visual amenities of the area.

- (9) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Reasons: In the interests of the visual amenities of the area.

- (10) Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reasons: In the interests of the visual amenities of the area.

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

Reasons: In the interests of visual amenity.

- (12) 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.

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

- (13) The area shown on the submitted plan as car parking space shall be kept available for such use at all times and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order) or not, shall be carried out on the land so shown or in such a position as to preclude vehicular access thereto; such land and access thereto shall be provided prior to the first use of the building hereby permitted.

Reasons: 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.

- (14) The premises shall be used for the purpose of a public hall and for no other purpose, including any other purposes in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).

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

- (15) The use of the premises hereby permitted shall be restricted to the hours of 7 am to 10 pm Sundays to Thursdays (inclusive); and 7 am to midnight on Fridays and Saturdays.

Reasons: In the interests of the residential amenities of the area.

- (16) Any other conditions recommended by consultees – closing date for response 31 January 2015.

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.