

2.5 REFERENCE NO - 15/500547/FULL			
APPLICATION PROPOSAL A change of use from B1 (light industrial) to D1 (Educational) and internal alterations to provide a mezzanine floor across the entire building			
ADDRESS Unit 4 Centre 2000 St Michaels Road Sittingbourne Kent ME10 3DZ			
RECOMMENDATION Grant subject to the comments of Kent Highway Services, Environment Agency and the Environmental Services Manager and any neighbour consultations (closing date 13 March 2015)			
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL The development would be acceptable in principle as it would still provide employment and would help to stimulate employment in the borough. I am awaiting comments from Kent Highway Services, the Environmental Services Manager and the Environment Agency but do not consider that there will be any objections raised and/or none that could not be addressed by conditions or small amendments to the proposal.			
REASON FOR REFERRAL TO COMMITTEE Anticipated objections from local residents.			
WARD Roman	PARISH/TOWN COUNCIL	APPLICANT Mr Clayton Laker AGENT Waller Building Services	
DECISION DUE DATE 10/04/15	PUBLICITY EXPIRY DATE 13/03/15	OFFICER SITE VISIT DATE 17/02/15	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
SW/86/0158	Erection of 4 no. single storey light industrial units	Approved	25.04.86
SW/88/0203	Change of use to vehicle workshop	Refused	15.03.88
SW/88/1509	Change of use to autocentre	Refused	21.11.88
Both refused due to the potential noise impact on local residents.			
SW/14/0543 - Change of use from B1 Office to D2 – temporary permission until 7 th August 2017 (not implemented).			

MAIN REPORT

1.0 DESCRIPTION OF SITE

1.01 The application site lies to the west of Sittingbourne town centre. It is a large commercial building with a floorarea of 568.5 sq m that is the end building in a row of four similarly sized commercial buildings. Access to the commercial units is via St Michael’s Road, close to the junction with the Aldi car park and the nearby roundabout. There is a parking area to the front, rear and east side of the unit with access to the rear for service vehicles. Residential properties lie to the east of the site fronting Shakespeare Road and to the north of the site fronting Shortland Road. These residential properties are in a terrace rows with gardens backing straight onto the commercial site. The unit is currently vacant but I understand that

it was previously occupied by a packaging company. The adjacent unit is used to store and distribute car parts.

- 1.02 Members will note above that a temporary planning permission was given for the use of the unit as a gym. This has not been implemented.

2.0 PROPOSAL

- 2.01 The applicant is the Swale Skills Centre. They envisage that, if planning permission is granted, this site will become The Swale College for Science Technology Engineering Technical & Catering. Below is an extract from the applicant's statement which describes the education facility that would be provided:

"The Centre will offer new & additional technical education & apprenticeship training provision for Swale which is currently not offered by any other school, training provider or the FE provision on Sheppey. The new provision is part grant funded by the Department of Education to increase specialist STEM provision for 16 plus young people. Only 1 other such grant application was approved in Kent, the other provision being located in Thanet. A condition of the grant is that new premises are purchased to expand technical course provision.

With the current Engineering & Construction Centre in Bonham Drive, Sittingbourne will have a specialist FE college hub providing courses which have been identified both by Swale Council & KCC as required by local growth sector industries.

The Centre will offer Level 2 & 3 Technical courses & apprenticeships in the following subjects:

Applied & Laboratory Science, Food Science, Food & Nutrition, Catering & Customer Service, Hair & Beauty with Customer Service. Note the Science Laboratories formerly located at Kent Science Park will be re located in Unit 4.

It is planned that the Science & Food Science labs will be used for HNC & Degree courses & made available to small local companies who do not have scientific analytical equipment.

The courses & facilities at the new centre will attract more young people to study scientific & technical course & offer an attractive alternative to both traditional academic A level courses & general vocational courses. The courses will also provide local industry with more appropriately qualified young people, offer new apprenticeships in the technical areas & reduce NEET numbers.

The Centre will also address the issue of many young people not being prepared to travel to the FE colleges in Canterbury & Medway

The development of the Technical Education & Training Centre is fully supported by Swale Council Economic Development Unit, many Swale councillors, Serp, all local secondary schools, local businesses & KCC."

- 2.02 The maximum number of students attending the site in any one day would be 120 but there would normally be 90. There would be 12 full-time & 5 part-time staff. The hours of use on a Monday to Friday would be 8:00 to 17:00 with sessions to 19:00 a maximum of 2 evenings per week. On a maximum of 20 Saturdays per annum, the hours of use would be 9:00 to 16:00. The applicant notes that a small smoking shelter will be erected alongside the unit against the exterior wall.

2.03 The college anticipate 40 car movements per day plus 2 to 3 deliveries per day during the week. There are a number of designated and communal car parking spaces along the side & rear of the unit. Six cycle bays will also be provided. The applicant notes that the majority of students would use public transport to the Centre, there is a bus stop outside the unit and, the town centre and rail station are within 10 minutes walking distance.

2.04 The applicant notes that:

“students would be instructed to respect the privacy & be respectful of neighbours, both the local houses & the other units.”

“The external areas would not be used for recreational purposes.”

“All visitors to the centre, the staff, students & others will enter the premises via the front entrance & reception to facilitate site security. The rear Shutter door will be used for larger deliveries only. The rear Fire Door will be for emergency exit only. Both doors will be shut at all other times.”

2.05 An extraction system would be required to be installed on the building. As yet, we have no details of this but it is hoped that this information will be available for the meeting as well as comments from the Environmental Services Manager.

2.06 Internally, the development would involve the extension of the mezzanine floor to span the entire area of the building. This would create a first floor level. At ground floor, training rooms would be provided for hair and beauty IT and catering. There would also be a reception area, coffee shop, toilets and offices. At first floor, training rooms for science and IT would be provided as well as toilets, storage and a staff room. There would be no external alterations other than the extraction plant.

3.0 PLANNING CONSTRAINTS

Environment Agency Flood Zones 2 & 3

4.0 POLICY AND OTHER CONSIDERATIONS

NPPF

4.01 The National Planning Policy Framework set out at paragraph 14 that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

4.02 Paragraph 72 states: The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- give great weight to the need to create, expand or alter schools; and
- work with schools promoters to identify and resolve key planning issues before applications are submitted.

4.03 The local policies cited below are considered to be fully compliant with the NPPF in so far as they can be applied to this particular development.

Swale Borough Local Plan 2008

- 4.04 Policies E1 (design and amenity); T3 (seeks to minimise the highways impacts of any new development through the provision of adequate parking, sightlines, turning space, etc), C1 (existing and new community services and facilities) and B1 (supporting and retaining existing employment land and businesses).

5.0 LOCAL REPRESENTATIONS

At the time of writing this report, no representation had been received, the closing date for comments is 13 March 2015. A verbal summary will be provided at the meeting.

6.0 CONSULTATIONS

- 6.01 At the time of writing this report, no representations had been received. Kent Highway Services, the Environment Agency and the Environmental Services Manager are expected to provide comments. A verbal summary will be provided at the meeting.

7.0 BACKGROUND PAPERS AND PLANS

Existing and proposed floor plans, site location plans, planning statement.

8.0 APPRAISAL**Principle of Development**

- 8.01 The proposed development would result in the loss of a B1 use. A B1 use is seen generating good quality employment and potentially a high number of employees. This is a large unit and so the potential loss of employment should be carefully considered. I am mindful of what I consider to be a shift in national guidance regarding employment uses which has seen retail and other such employment given almost equal standing with the more traditional B Class employment uses in terms of their contribution towards socio-economics. I note that the applicant intends to employ 12 full-time and 5 part-time members of staff. I consider that this is a good number of employees for this size of building and I am also mindful of the nature of the use proposed which is focused on training young people to enable them to become employed in skilled professions. Such a use will contribute significantly to the employment levels in the borough. I am also mindful that the unit is currently vacant and that the proposed new use will bring some employment and economic activity where there is currently none. I also give weight to the fact that this unit is close to residential properties and this will limit the type of use that could become established here without causing detriment to residential amenities. With the exception of B1 uses, other traditional B class employment uses will be less attracted to the site. I therefore consider that the proposed new use would have no detriment to employment/the local economy.
- 8.02 The proposal would provide a much needed educational resource for residents of Swale and possibly surrounding boroughs. I give weight to the positive contribution that the proposed use would have on the local community and the borough in general. I am also mindful of the wording of paragraph 72 of the NPPF which notes that local planning authorities should take a proactive, positive and collaborative approach to meeting education needs, and to development that will widen choice in education. I therefore consider that the proposed use is acceptable in principle.

Residential Amenity

- 8.03 For clarification, my main noise concern is activity outside of the unit as opposed to activity within the unit. I consider that the structure of the building itself will ensure that internal noise is contained.
- 8.04 In considering the impact on local residents I am mindful of the large number of objections received for the previous application for the gym use (SW/14/0543). Some of the previous concerns were about music playing inside the building but also there were concerns about potential noise from the external areas of the site. Comments from any local residents on the current proposal will be reported at the meeting. However, I give significant weight to the fact that this is already a commercial site and that there will already be a certain amount of noise and activity associated with the site. The times of opening applied for are actually less extensive than the 7am to 7pm permitted weekday hours for the current B1 use. I note that there would be some use on a Saturday but this would only be occasionally throughout the year. The hours of use proposed i.e. 8am to 5pm (7pm on 2 nights per week) on weekdays and 9am to 4pm on occasional Saturdays would ensure that noise and disturbance to local residents is kept to a minimum.
- 8.05 It is of course possible that there would be some noise and activity within the external areas from students. However, I note there would be a coffee shop provided inside the building and this would provide space for students and staff to relax without having to congregate outside. Any external noise would be likely to be limited to the noise level of a conversation and I see no reason why this would be any more disturbing than a neighbour talking with others in their garden. The noise from car doors slamming and engines starting may be more frequent than one might experience in a residential street. However, such noise and activity would, in my opinion, be equal to or less than the lawful light industrial use of the building.
- 8.06 Details of the extraction system to be provided for the unit are yet to be received. It is possible that the noise emitted from any external plant could impact on neighbours. However, officers will be careful to ensure that the noise levels are kept to a level that does not exceed the background noise level to an unacceptable degree. An appropriately worded condition will be added once we have been provided with acceptable details of the plant.
- 8.07 I therefore consider that the proposal would have on undue harm to the residential amenities of neighbouring properties.

Highways

- 8.08 I am awaiting comments from Kent Highway Services but I do not anticipate any concerns in respect of highways. However, I will report their comments at the meeting.

Other Matters

- 8.09 The application site lies within flood zones 2 and 3 and is therefore at risk of flooding. The applicant will be submitting a Flood Risk Assessment shortly and I will update Members on this, together with the comments of the Environment Agency, at the meeting.

9.0 CONCLUSION

- 9.01 Having considered the relevant planning policies, I am of the view that the development would be acceptable in principle as it would still provide employment and would help to stimulate employment in the borough. I am awaiting the submission of a flood risk assessment, together with details of the proposed extraction system, and comments from

Kent Highway Services, the Environmental Services Manager and the Environment Agency but do not consider it likely that there will be any objections raised and/or none that could not be addressed by conditions or small amendments to the proposal.

I therefore consider that subject to the receipt of comments from local residents and the relevant consultees, (closing date for comments is 13 March 2015) that planning permission should be granted.

10.0 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 development hereby approved shall be carried out in accordance with the following approved drawings: 1114-SK02 Rev A; 1114-SK01 Rev A; Site location plan.

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

3. 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.

Reason: In the interests of residential amenity

4. 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 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 detrimental to amenity.

5. The use of the premises hereby permitted shall be restricted to the hours of 8 am to 7 pm on weekdays, 9 am to 4pm on Saturdays, and not at all on Sundays or Bank Holidays.

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

6. The premises shall be used for the purpose of a further education college 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).

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

7. Any other conditions recommended by the relevant consultees.

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.