

## OFFICERS REPORT

**Application No:** Y19/0454/FH

**Location:** Land Adjoining Sewage Pumping Station Learoyd Road Mountfield Industrial Estate New Romney Kent

**Proposal** Erection of a storage and distribution (Class B8) unit with ancillary office, facilities and showroom.

### ASSESSMENT

Performance data:-

Date application valid: 16/04/19

Applicable 8/13/16 week target date: 16/07/19

Planning Performance Agreement (PPA) or Planning Extension Agreement (PEA) ? N

If Yes, revised 8/13/16 week target date:

Is the application being determined after 26 weeks without a PPA or a PEA? N

### SITE VISIT

Carried out site visit on 15/06/19.

### SITE

The application site is an area of relatively flat land which is currently undeveloped and which has been previously cleared with very little vegetation on site. To the north-west of the site is an area of scrub land with a recreation field to the north. Mountfield Industrial employment site is to the north and east of the site. Residential properties are positioned to the west of the site with allotments and agricultural fields to the south.

The site is located within the defined settlement boundary of New Romney and within an area of archaeological potential. The site is identified as being an employment opportunity site in the local plan.

### HISTORY

The land to the south of the application site (under separate ownership) gained planning permission in 2018 for the erection of a warehouse under application reference Y17/0717/SH and is under construction.

### PROPOSAL

The application seeks planning permission for the erection of a storage and distribution unit which would provide approximately 1960 square metres of warehouse floorspace. A two-storey flat roof element is proposed to be attached to the warehouse which together would increase the floor space to 2074 square metres. The proposal would provide a new facility for Hotel Complimentary Products which is currently located on Mountfield Industrial Estate but

requires a larger premises to expand into. The two-storey flat roof element of the building would provide a showroom, open plan office, meeting room, refectory and toilets.

The warehouse and office are proposed to the south of the site and the warehouse would be 61.5m in length and 33m wide, with the attached two-storey office being 15m in length and 8.3m wide. The eave height of the warehouse building would be 6.6m with a double shallow pitched roof of 10 degrees. The building would be a similar height to the previously approved warehouse on the adjacent site (application reference Y17/0717/SH). The proposed two-storey office would be positioned under the leave height of the warehouse and would have a flat roof with windows in all three sides but the main elevation and visitor entrance being to the north east elevation.

A new access is proposed from Learoyd Road to the north-east of the site. Parking spaces (9-25) and the turning area for a 40ft container lorry would be provided to the north of the site. The remaining 8 parking spaces (2 of which are disabled) would be located to the south end of the site adjacent to the proposed office. A covered bike parking area is proposed to the south of the site and a bin storage area is proposed to the north-east of the site. An acoustic fence is proposed to the north-west boundary of the site.

## CONSULTATION RESPONSES

New Romney Town Council: No comments received.

Contamination Consultants: No objection subject to the standard contamination condition. The proposal is for low sensitivity in the context of land contamination. The desk study included is not a full desk study however given the apparent lack of contaminative history and the low sensitivity of the proposals, no further investigation is considered necessary.

Kent Highways: No objection subject to conditions and the provision of electric vehicle charging points at 10% of the total car parking provision.

KCC Archaeology: No archaeological measures are required.

Environmental Health: No objection subject to conditions.

## REPRESENTATIONS

None received.

## PUBLICITY

Neighbours notified by letter: Expiry date 14 June 2019.

Site notice: Expiry date 06 July 2019

Press notice: Expiry date 18 July 2019

## RELEVANT POLICIES

Shepway District Local Plan Review saved policies: SD1, BE1, E2 (D), TR5, TR11, TR12

Shepway Core Strategy Local Plan: DSD, SS1, SS2, SS3, SS4, CSD8

Places and Policies Local Plan: E1, NE3

The Submission draft of the PPLP (February 2018) was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public

consultation between February and March 2018. The Plan was submitted to the Secretary of State for independent examination in September 2018. Accordingly, it is a material consideration in the assessment of planning applications in accordance with the NPPF, which confirms that weight may be given to policies in emerging plans following publication (paragraph 48). Based on the current stage of preparation, and given the relative age of the saved policies within the Shepway Local Plan Review (2006), the policies within the Submission Draft Places and Policies Local Plan (2018) may be afforded weight where there has not been significant objection.

NPPF  
NPPG

## APPRAISAL

The main considerations in the determination of this application are, the principle of development and the policy position with regard to the proposed development, the visual impact of the proposed development, the impact on residential amenity, highways matters, archaeology and ecology.

### PRINCIPLE OF DEVELOPMENT:

The site is identified as an employment opportunity site. Policies E2 of the Local Plan Review and policy E1 of the PPLP identify permissible use for the site as falling within classes B1, B2 and B8. The proposal for a warehouse (class B8) and an office (Class B1) accords with this policy and therefore is acceptable in principle.

### DESIGN AND VISUAL APPEARANCE:

The proposed warehouse is considered to be in-keeping with the scale and proportions of the buildings throughout Mountfield industrial estate, and also in keeping with the unit which has already gained planning permission to the south of the application site.

In design terms, the proposed unit is a suitably utilitarian design with low pitched roof featuring a brick plinth with coated steel panels to the elevations, and coated steel panels to the roof. The windows and doors would be powder coated aluminium. It is considered the unit would blend into the backdrop of the industrial estate when viewed from the neighbouring residential area to the west, which would have been constructed in the knowledge the application site was designated employment land. As such, in the light of the above, the proposal is considered acceptable in terms of the design and visual appearance, in the context of its surroundings.

The vehicle access and parking area would be concrete which is considered to be an acceptable material for the industrial estate.

Surrounding the site would be a metal security fencing and an acoustic solid timber fence to the north west boundary.

### NEIGHBOURING AMENITY:

Environmental Health require the acoustic fence to be a minimum of 3 meters high and should be of a solid timber fence construction with a superficial mass of at least 10 Kg/m<sup>2</sup> and panels should be rigidly mounted and there should be no gaps between adjacent panels, or the barrier and the ground. The fence should be designed (e.g. through the use of cover slips) so that gaps do not develop between abutting panels through warping or shrinking. These details can be covered by condition.

Environmental Health also requested that the fencing extends to the south west however this would be positioned along the boundary with the neighbouring site (which doesn't have any acoustic fencing) and where the proposed warehouse would be located anyway, thereby protecting the residential properties on Josephs Way from noise from the manoeuvring of vehicles to the north of the application site.

Outdoor lighting plan will be conditioned to be in accordance with "The Institution of Lighting Engineers - Guidance notes for the reduction of obtrusive light" to protect the amenity of neighbouring properties.

The working hours will be conditioned to be in line with what the applicant has stated on their application form, other than no working on Sundays and Bank holiday Mondays which would be consistent with the other recently approved units on the industrial site. The proposed times are considered to be reasonable for both the business operation and the neighbouring amenity of residents.

Environmental Health also requests that the plant noise would be conditioned to be in accordance with residential internal noise levels and world health organisation guidelines on community noise.

The proposed building and parking areas would have approximately 30m minimum separation space from the nearest residential receptors (the new dwellings on Josephs Way), with an acoustic fence between the site and the housing, together with conditions to control the noise and disturbance, and as such the proposed industrial building would not be considered to significantly adversely impact on the amenities of neighbouring occupiers.

#### PARKING AND HIGHWAYS:

The application site is in a sustainable location close to public transport routes, and within walking distance of the town centre facilities and shops and services on Station Road. The site would provide 25 parking spaces for staff and visitors which is considered to be acceptable.

The site would feature a turning area to the north of the site, sufficient for an articulated vehicle of 40ft in length to manoeuvre and leave the site in forward gear.

Kent Highways consider that the proposal would meet vehicle parking standards for the proposed development and have no objection subject to conditions.

#### OTHER:

The site is within an area of archaeological potential, however, the KCC Archaeological team have confirmed that in this instance no archaeological measures would be required.

The site is undeveloped land that was cleared prior to the application being submitted and therefore there is considered to be low ecological value on the application site. However, a condition would be attached to require an Ecological Scoping Survey to be carried out and submitted prior to development and any mitigation measures required to be carried out.

#### Environmental Impact Assessment

In accordance with the EIA Regulations 2017, this development has been considered in light of Schedules 1 & 2 of the Regulations and it is not considered to fall within either category and as such does not require screening for likely significant environmental effects.

#### Local finance considerations

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the Act defines a local finance consideration as a grant or other financial assistance that has been, that will, or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy.

In accordance with policy SS5 of the Core Strategy Local Plan the Council has introduced a Community Infrastructure Levy (CIL) scheme, which in part replaces planning obligations for infrastructure improvements in the area.

#### HUMAN RIGHTS

I have also taken into account the human rights issues relevant to this application. In my view, the Assessment section above and the Recommendation represents an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) [and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties)] and the wider public interest.

#### PUBLIC SECTOR EQUALITY DUTY

In determining this application, regard has been had to the Public Sector Equality Duty (PSED) as set down in section 149 of the Equality Act 2010, in particular with regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. It is considered that the application proposals would not undermine objectives of the Duty.

It is considered that the application proposals would not conflict with objectives of the Duty.

#### RECOMMENDATION

In light of the above, it is considered the proposal is a sustainable development that complies with development plan policy and the NPPF and is therefore recommended for approval subject to conditions.

Case Officer:

Report and draft decision notice completed and passed to senior officer.

Name: Louise Daniels    Position: Senior Planning Officer    Date: 19/07/19

Report and draft decision notice agreed and passed to admin to issue decision.

Name: C Dethier    Position: DM Team Leader    Date: 19th July 2019