

## **OFFICERS REPORT**

**Application No:** Y16/1282/SH

**Location:** Church & Dwight Uk Ltd Bowles Well Gardens Folkestone Kent CT19 6PQ

**Proposal** The erection of a silica silo

### **ASSESSMENT**

Performance data:-

Date application valid: 13.12.2016

Applicable 8/13/16 week target date: 07.02.2017

Planning Performance Agreement (PPA) or Planning Extension Agreement (PEA) ? No.

If Yes, revised 8/13/16 week target date: No.

Is the application being determined after 26 weeks without a PPA or a PEA? No.

**APPLICANT:** Church and Dwight

**AGENT:** RDA Architects

### **SITE LOCATION**

This application site is the industrial factory site of the manufacturing company Church and Dwight within Bowles Well Gardens off Wear Bay Road, within east Folkestone.

The site forms part of the larger Bowles Well Gardens employment site which is identified in the Local Plan Review as an employment site and safeguarded for employment use classes being B1, B2 and B8.

The factory site has a variety of utilitarian industrial buildings and large areas of hardstanding. The land is not flat and has a slight gradient that falls away in a north - south direction. Located to the north and east adjacent to the site are the residential properties in Wear Bay Road, to the west are other industrial buildings within Bowles Well Gardens and to the south is the redundant Folkestone East Railway station.

### **SITE VISIT**

A site visit was carried out on the 21.12.2016 where the site and surrounding area was viewed from the public streetscene of Bowles Well Gardens.

### **PLANNING HISTORY**

The site has a long planning history. The most recent and relevant is listed below;  
Y16/0647/SH - The erection of silica and glycerine silos together with associated bunding - Approved

Y14/0610/SH - Construction of a sprinkler deluge drainage system comprising additional hard standing, evaporation area, 2.4 metre high security fence, drainage gully and containment pool

Y14/0464/SH - Provision of a Reverse Osmosis Water Tank

Y13/1031/SH - Erection of two silos and bund following removal of existing plant

Y13/0848/SH - Erection of a steel framed storage building for housing a reverse osmosis water storage tank.

Y13/0849/SH - Erection of a flue to vent alcohol vapours.

Y13/0675/SH - Replacement flue to side of main building

Y13/0514/SH - Erection of a building for the filling of pressurised aerosol cans.

Y13/0516/SH - Erection of a replacement fire retainer tank following removal of the existing

Y12/0194/SH - Installation of two ethanol tanks within a bund.

Y11/0349/SH - Certificate of lawfulness for proposed alterations to fenestration in the west elevation.

Y11/0109/SH - Installation of a Calor LPG bulk tank on a concrete base, enclosed by a 0.5m high crash barrier.

Y10/0773/SH - Certificate of lawfulness for retention of 3 replacement air conditioning units on the north elevation of the main building.

Y08/0559/SH - Variation of condition 4 of planning permission 90/0203/SH to permit use from 05.30 to 22.30 Monday's to Friday's and 08.00 to 18.00 on Saturday's (re-submission of Y07/0120/SH).

Y07/0453/SH - Temporary siting of 2 No. portakabins as additional office accommodation.

Y06/0428/SH - Non-compliance with condition 4 of planning permission 91/0771/SH to allow unrestricted operating hours.

Y06/0427/SH - Non-compliance with condition 4 of planning permission 90/0203/SH to allow unrestricted operating hours. (Warehouses 3 and 4).

Y06/0429/SH - Non-compliance with condition 3 of planning permission 99/0676/SH to allow unrestricted operating hours.

Y04/0587/SH - Change of use of part of unit 3 from storage into a dispensary of raw materials (Class B2) incorporating the installation of an extract duct and external raw materials compound.

Y03/1079/SH - Replacement of defective roof covering to laboratory and processing building with new composite steel roof panels.

Y02/0887/SH - Relocation of sorbitol storage tank from adjacent warehouse no 6 to south west corner of warehouse no 2.

Y02/0492/SH - Replacement of the roof of the main administration building with composite steel roof panels.

Y01/0901/SH - Variation of conditions attached to previous planning permissions for entire complex to allow operating hours of 6am-10pm Monday to Friday and 6am-2pm Saturdays

Y01/0627/SH - Certificate of lawfulness for a proposed above ground oil storage tank.

Y01/0463/SH - Display of a non-illuminated directional sign.

Y00/1250/SH - Provision of eleven 5m high lamp columns with 250 watt floodlights to car park areas

Y00/1110/SH - Certificate of lawfulness for the proposed widening of main site entrance

Y00/0654/SH - Recladding of existing warehouse with steel sheeting and the provision of 4 No. PVCu windows to the south elevation.

Y00/0175/SH - Certificate of lawfulness for permanent retention of existing temporary access.

## DEVELOPMENT PROPOSAL

This application seeks full detailed planning permission for the erection of a silo for the storage of silica. The silo would be constructed with steel profile sheeting and would be approximately 9.5 metres tall. It is proposed to be sited in approximately the centre of the main factory site area adjacent to existing silo's, plant and factory buildings.

The reason for the silo is to reduce the amount of deliveries of silica to enable it to be stored on site and improve manufacturing operations. This will also reduce the number of fork lift movements within the site. Permission has already been granted for this silo in an alternative location slightly closer to the factory building in 2016.

## PUBLICITY

Site Notice - Expiry 12.01.2017

Neighbour letters - Expiry 05.01.2017

## REPRESENTATIONS

3 representations objecting on the following summarised grounds;

- Loss of sea views.
- Disturbance from construction works and lorry movements.
- Detrimental impact to the environment.
- The factory is not operating within the agreed times that causes disturbance and this development will make it worse and exacerbate the problem.

## CONSULTATION RESPONSES

Folkestone Town Council - No objection.

Kent Highway and Transportation Services - No comments received. This development proposal does not meet the criteria to warrant involvement from the highway authority.

Environmental Health - No objection.

No objection.

Health and Safety Executive - No comments received.

## POLICY

Shepway District Local Plan Review - SD1, BE1, U10a, E1, TR11, TR12.

Core Strategy Local Plan - DSD, SS1, SS3, SS4.

The National Planning Policy Framework: 2012

The National Planning Policy Guidance 2013.

## APPRAISAL

The main issues to be considered in the determination of this application are the employment and business issues related to this development, the visual impact upon the built environment,

the impact upon the amenities of nearby residents and businesses and highways and transportation issues. This site has previously erected two silo's under approved planning permission Y16/0647/SH where the same material planning issues apply.

## EMPLOYMENT/BUSINESS

Church and Dwight is a long established company within the district and a big employer. The site is within an established employment industrial estate identified under saved Local Plan Review policy E1. Saved policy E1 and Core Strategy policy SS4 supports new industrial and commercial development in these identified areas.

As proposed the development is for improvements to manufacturing operations on site which would therefore accord with these local planning policies and present no conflict in planning policy terms. The development proposal would also support the company and its continued viability which would indirectly help protect employment upon the site which the Council is fully committed to.

At the national level the NPPF also gives significant support to economic growth. In this regard paragraphs 18 - 22 are relevant which seek to deliver a strong, competitive economy. Therefore, it is considered that such a commercial development is strongly supported in planning policy and in this regard is considered acceptable.

## VISUAL IMPACT

In the area of Bowles Well Gardens, the general character is one of a commercial environment of large utilitarian buildings design for manufacturing, storage and distribution and practicality.

The silo is proposed to be positioned within the main commercial area of the site adjacent to existing silo's, factory buildings and plant. In this location it is considered that is sufficient room to accommodate it and the silo would not appear unduly prominent from public vantage points and would appear in keeping and blend into the commercial environment of the site.

It is not considered to be unduly tall at 9.5 metres, being very similar to the height of other silos and the silo granted permission in 2016 that this would replace and it would be constructed of a suitable steel sheet profile and have the same design as existing silos that would ensure that it appears in keeping with the surrounding character.

Therefore the development is considered acceptable visually in accordance with saved Local Plan Review policies SD1 and BE1.

## IMPACT UPON THE AMENITIES OF RESIDENTS AND BUSINESSES

Owing to the proposed location within the centre of the site, the silo will be positioned a good distance from the surrounding houses and local businesses. It will also be contained within the confines of the factory site where its use will become part of the general activities of the site and be screened by existing buildings and structures. Neighbouring residents have raised concern regarding loss of views. However, this is not a material planning consideration. Nevertheless the silo is located some distance from their properties and is not a bulky addition, so any loss of view would be minimal.

The silo is intended for storage purposes and is not considered would generate noise, odours or dust where it would be filled using a sealed system. In fact their purpose is to enable storage on site to reduce deliveries and vehicular movements which do affect the amenities of local residents from noise and vibration generated by delivery lorries and fork lift trucks. On

this basis it is considered that the silo will marginally improve the amenities of residents by reducing deliveries and vehicular movements.

To avoid deliveries at unsocial and sensitive times, it is considered that the deliveries and despatches should only take place in normal working hours and as such be controlled by condition which has been agreed by the agent and for consistency would be the same as that approved under Y16/0647/SH. The Council's Environment Health Team has raised no objection. The development is therefore considered to safeguard residential amenities and those of local businesses.

## HIGHWAYS and TRANSPORTATION

The site is in an identified employment site and located within a sustainable urban location close to the major road network. Such a location is served by good public roads, footpaths and a bus service and therefore it is considered to be a sustainable location in transportation terms.

The vehicular access and turning would not change and vehicular movements associated to this site is likely to reduce due to the proposal where more silica would be stored on site reducing the number of deliveries to the factory site.

On this basis the development is considered acceptable in highways and transportation terms.

## OTHER

This application proposes to relocate a silo that has already had planning permission granted in 2016. It is possible that both permissions could be implemented, however, it is unlikely as it is required to serve a specific need. If both were to be implemented however, I do not consider it would result in any significant harm to amenity or visual impact.

Landscaping - No loss of landscaping.

## RECOMMENDATION

The development is much the same as the previously approved silos for the storage of silica.

Overall this is a sustainable development that will assist a local firm and improve its operations that will also reduce lorry deliveries that will improve the amenities of the area. It is therefore considered that the proposal is a sustainable development that complies with development plan policy and the NPPF and is therefore recommended for approval subject to conditions.

## 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.

Case Officer:

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

Name: JM LING Position: Senior Planning Officer

Date: 31.01.2017

Report and draft decision notice amended (if appropriate)

Name:                      Position:                      Date:

Senior Officer

Report not agreed. Details of further work required as follows:

Name:                      Position:                      Date:

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

Name: C Dethier                      Position: DM Team Leader      Date: 6/2/17