

Name: Mr P Hancock

Site: The Yard, Beckenham Park Industrial Estate, Otterham Quay Lane, Sittingbourne, Kent, ME8 7UX

Proposal: Retrospective application for the change of use of the existing yard to a scaffolders yard (Class B8), including access

Introduction

This application is for the change of use of the existing yard to the storage of materials, equipment and vehicles in relation to a scaffolders business, currently occupied by Hanworth Scaffolding. The application is made on behalf of the landowner, Mr P Hancock, to regularise the existing operations from the site.

The Site

The site is located within the wider Otterham Quay Industrial Estate, accessed from Otterham Quay Lane to the north-west of the Upchurch River Valley Golf Course. Upchurch is located approximately 1.3km to the north-east of the site.

The site is an irregular parcel of land used for the storage of scaffolding equipment, materials and vehicles in relation to the business. To the immediate south of the site is Beggars Roost, which was historically part of the site, however, this was sold off separately some years ago.

To the north of the site are other industrial units, with many of these relating to business in the motor vehicle industry, such as limousine hire, car repairs and motorbike sales and repairs.

In planning terms, the site sits within the open countryside (albeit, within a long-established commercial yard area) and within the countryside gap area.

Storage of various materials in relation to the scaffolding business are contained around the perimeter of the site, with vehicles parked centrally. There is a small toilet block on the site for employees. To the site frontage, secure gates provide access, with fencing encompassing the entirety of the site.

Planning History

According to the Council's online records, the site has a long history of commercial use, and a warehouse was on site for over 70 years, prior to a fire which necessitated its removal in the late 2000's. This also led to damage to the adjacent residential property, which whilst owned, is not occupied with residents living externally on the property.

Reference	Proposal	Decision
SW/76/0337	Change of use to servicing of hire coaches	Refused August 1976

SW/78/1161	Change of use from carton manufacturers to small printing workshops and paper storage	Approved December 1978
SW/78/1228	Change of use from paper baling storage and distribution to light industrial	Approved December 1978
SW/09/0642	Erection of a replacement building to provide two B1 (light industrial) units.	Approved December 2009
SW/12/1511	Application for a new planning permission to replace extant planning permission SW/09/0642 for the erection of replacement building to provide two B1 (light industrial) units.	Approved January 2013

Proposal

The proposal relates to the change of use of the land for the storage of scaffolding equipment, materials and vehicles in relation to a local business.

The existing business has been operating from the site for many years without any concerns raised and this application seeks to regularise the use.

As a scaffolding business, much of the day-to-day activity of the business occurs off-site at various locations throughout the south east, including London. The site simply provides a base for the business to store the necessary materials to allow it to operate successfully.

Working on site is limited to the movement of scaffolding materials between their storage space and the company's vehicles. This occurs during the afternoon following the return from a job. Materials are loaded onto the vehicle in the late afternoon in preparation for the next day's work which ensures that the only early morning works relate to vehicles leaving the site. Given that the company operates across the south-east, this does require vehicles to leave the site as early as 5am in some instances, however, the majority of movements (i.e. vehicles leaving the site) occur between 6am and 7am.

Vehicles generally return to the site around 3pm with vehicles unloaded and reloaded for the next days' work. Employees have generally left the site by 4pm on most days and certainly no later than 5pm.

Planning Policy

Swale Local Plan 2017

Policy ST1 states that to deliver sustainable development in Swale, all development will, as appropriate, build a strong competitive economy by meeting identified needs to inward investment, and support a prosperous rural economy, among other aims.

Policy CP1 outlines that the Council will seek to build a strong and competitive economy. The Council will avoid proposal that would result in the diminishing of existing employment sites where appropriately located and suitable.

Policy DM3 states that planning permission will be granted for the sustainable growth and expansion of business and enterprise in the rural areas. The Council will firstly consider the appropriate re-use of existing buildings or development of previously developed land.

Policy DM14 provides general development criteria that all proposals should meet.

Policy DM25 states that to retain the individual character and setting of settlements a number of important local countryside gaps are to be maintained. Within these areas, planning permission will not be granted for development that would undermine one or more of their purposes.

National Planning Policy Framework (2023)

Paragraph 11 of the NPPF outlines that development that accords with adopted Local Plans should be approved without delay.

Paragraph 81 states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Paragraph 84 of the NPPF outlines that planning policies should enable, among other things, the sustainable growth and expansion of all types of businesses.

Planning Considerations

It is considered that, as per previous applications on the site, the following are the key issues to be considered.

Principle of Development

The application site has been in commercial use throughout its known history, with a warehouse being present since before the Town and Country Planning Act 1947. Whilst this burnt down in 2009, the Council has confirmed through previous considerations that the site constitutes previously developed land. Despite the fact that this site is outside of the built-up area boundary and within a rural area, the previously developed nature of the site is a fundamental consideration. Furthermore, it is considered that the proposal accords with policies DT1, CP3 and DM3 of the Swale Borough Local Plan which encourages the retention of employment land, the provision of new employment development and the provision of commercial development within the countryside. As such, it is considered that the development is therefore acceptable in principle.

Visual Amenity

The surrounding area is characterised by a mix of building types and operations. The proposed development is simply for the storage of scaffolding equipment, materials and vehicles and would not, therefore, lead to any further impact on the locality than what already occurs. Indeed, commercial storage is evident in the area through the boat yard and caravan storage to the north of the site.

Furthermore, given that the site is set lower than surrounding land levels, the yard is not visible from any public vantage point and remains low-key in the landscape.

Residential Amenity

The previous warehouse, which was a significant operation and material consideration in the assessment of previous proposals, extended to the extremities of the application site and actually adjoined Beggars Roast. As such, the existing operations are no more impactful than has historically been the case.

Whilst the site is directly adjacent to the rear garden of Beggars Roast, it is an area that is little used and is in fact occupied by a large structure used for skateboarding. In addition, Beggars Roast would retain an adequate amount of sunlight, daylight and outlook to the area of important private amenity space immediately to the rear of their property. The assessment here, is considered to rest on whether the existing operations are worse than has been historically the case, which it is considered that they are not.

In terms of noise impact, the site is largely silent throughout most of the day and night. The only noise associated with the operations from the site are the loading and unloading of vehicles and their arrival/departure from the site. As previously outlined, working on the site is generally limited to the early/late afternoon, when vehicles are unloaded from previous jobs and loaded for the next. However, vehicles are required to leave site, sometimes as early as 5am, to ensure they are able to get to their destination and set up for the working day. It is considered that this aspect is critical to the function of the business.

If the Council are minded to grant permission subject to a restriction on operating times, it is requested that the following is allowed:

- Working hours (on site) – 9am to 5pm (Monday to Saturday, excluding Sundays and Bank Holidays)
- Vehicle movements (to and from the site) – 5am to 5pm (Monday to Saturday, excluding Sundays and Bank Holidays)

Parking and Highways

The proposal relates to the existing scaffolding yard, which has 4no. vehicles associated with the business. These vehicles are kept on site overnight and therefore, there is no impact on the local highway network from the parking of these vehicles. Given the low-level movements associated with the business, it isn't considered that the use leads to any highway concerns.

Local Countryside Gap

The site falls within the local countryside gap that separates Upchurch from the Medway towns. Policy DM25 states that development will not be permitted if it undermined the purposes of the countryside gap – those purposes being to maintain separate character and identity of settlements, to safeguard the open and undeveloped character of the area, to prevent encroachment and piecemeal erosion, and to influence decisions on longer terms development through the local plan process.

The proposal relates to a previously developed site that has been in commercial use for over 80 years. It is not considered that the proposals would undermine the functioning of the countryside gap and the proposal is not at odds with DM25.

Conclusion

The application seeks to regularise the use of the site for the storage of scaffolding materials, equipment and vehicles. As has been demonstrated, the proposal accords with adopted policy and as such it is requested that planning permission be granted.