
East Peckham East Peckham And Golden Green	566986 149150	27 March 2008	TM/08/00105/FL
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Proposal:	Alterations to the building to create first floor, external alterations to the building and change of use to offices (Class B1) with associated car parking
Location:	Brook Farm Buildings Church Lane East Peckham Tonbridge Kent TN12 5JH
Applicant:	Soundcraft

1. Description:

- 1.1 The application is for the change of use of the building from a part agricultural use and part B1 industrial use to B1 offices with the insertion of a mezzanine floor to provide first floor office accommodation.
- 1.2 A number of amendments have taken place during the course of the application; these include reducing the application site area and also significant alterations to the proposed elevations.
- 1.3 The site area being considered is existing hardstanding area around the building which would be used as car parking and turning areas. 80 car parking spaces are proposed including six disabled bays, cycle storage and changing facilities.
- 1.4 The building itself would result in the demolition of the existing single storey additions and the insertion of windows and doors to all elevations. The proposed glazing has been significantly reduced to the east and west elevations since the application was submitted.
- 1.5 A Transport Assessment has also been submitted with the application which uses TRICS information to assess the likely and worse case scenarios in relation to traffic movements. The report concludes that the highway network can accommodate the likely traffic generated. This report also provides a draft Travel Plan to be used by all employers on the site.
- 1.6 A previous application for part light industrial and part B1 offices was refused (TM/07/01537/FL) but only on the grounds of the extension of the site area into the Metropolitan Green Belt and onto agricultural land contrary to established policy.

2. Reason for reporting to Committee:

- 2.1 Level of local objections and the request of Cllr Rogers.

3. The Site:

- 3.1 The application site is situated on the southern side of Church Lane in East Peckham. Church Lane is rural in character and comprises a mixture of residential properties and open countryside. The site is situated outside the rural settlement boundaries and within the open countryside and Metropolitan Green Belt. The site and building are fairly prominent within the locality and are visible across open fields to the south/east.
- 3.2 The building is a two storey in height modern agricultural building, with a double pitched roof and grey metal cladding to the elevations. The roof is potentially asbestos sheeting. At present there are a limited number of openings to the elevations and a number of small single storey additions.
- 3.3 The site is surrounding by concrete hardstanding and nominal boundary fencing and is accessed off Church Lane with a gate to the access road. Along the access road are a number of conifers providing some screening.
- 3.4 The existing use of the building was originally an agricultural cold store but it has planning permission to use part of the building for B1 light industrial.

4. Planning History:

TM/00/00316/FL Grant With Conditions 13 April 2000

Change of use of the former cold storage facility/packhouse to B1 use

TM/01/02177/FL Grant With Conditions 23 October 2001

Construction of housing for dust extraction units

TM/02/00508/RD Grant 26 April 2002

Details of open storage pursuant to condition 5 of consent ref: TM/00/00316/FL (change of use of cold storage facility to B1 use) and condition 6 of consent ref: TM/98/00621/FL (change use part packing shed to B1(c) use)

TM/98/00621/FL Grant With Conditions 18 June 1998

Change of use of part of packing shed building to class B1(c) light industrial

TM/98/01421/FL Grant With Conditions 15 October 1998

Removal of condition 1 of TM/98/0621: Change of use to part of packing shed to class B1(c)light industrial: to allow continued use of part of the packing shed building for class B1(c) light industrial use.

TM/99/01716/FL Refuse 15 November 1999

Variation of condition 4 of consent ref: TM/98/00621 (change of use of part of packing shed to Class B1(c) light industrial) to allow vehicles to arrive, depart, be loaded or unloaded on Sundays

TM/02/03072/AT Grant With Conditions 18 November 2002

Retention of two signboards

TM/02/03077/RD Grant 23 November 2002

Retrospective submission of reserved details of open storage submitted pursuant to condition 5 of consent ref: TM/00/00316/FL and condition 6 of consent ref: TM/98/00621

TM/07/01537/FL Refuse 26 July 2007

Enlargement of building to create first floor and change to light industrial (class B1 c) and Offices (class B1 a) with associated parking including car parking on adjoining agricultural land

5. Consultees:

5.1 PC: Objects most strongly to this application, on the following grounds:

- The proposed enlargement of the building would lead to increased traffic movements to an already vulnerable area of the village, despite a report to the contrary, traffic would travel into the village using Pound Road and Church Lane. It is a bold assumption to assume that traffic will enter Church Lane from the Hale Street end. Anyone travelling from Tonbridge and Hadlow will enter Church Lane from its west end where the school is situated and are likely to drive past the school in the morning where there is the maximum movement of traffic and people. Church Lane is a narrow lane where in some places two vehicles are unable to pass safely.
- The increased traffic movements would create an additional Health and Safety risk especially for the children attending the local primary school which is situated at the corner of Pound Road/Church lane. Access to and from the site crosses a public footpath, which is used by children and parents going to and from the primary school.
- The proposed works are considered inappropriate for the rural location. The mass, scale and bulk of the proposed development is unsuitable for the rural environment.
- The proposed development would lead to some encroachment into the Green Belt.

- The proposed development would create intolerable light pollution in a rural environment.
- The proposed development would be overbearing on local residents.
- The proposed development would be located on land which currently has agricultural status, and no change of use planning application has been submitted for consideration. Part of the site on the east and southern boundaries is still classified as agricultural.

Additional comments:

The Parish Council is of the opinion that the application site falls outside the rural settlement and is in the Green Belt. The proposal is inappropriate development in the Green Belt for which no 'very special circumstances' have been demonstrated and harms rural amenities and openness. The Parish Council feel that the proposal is therefore contrary to some or all of the following:

- PPG2 (Green Belts)
- PPS7 (Sustainable Development in Rural Areas)
- Policies SS2, SS8, EP7 and QL1 of the Kent and Medway Structure Plan
- Policies P2/16, P2/19, P3/7, P4/11 and P5/14 of the T&M Local Plan

Comments following Amended Plans:

This revised information does not alter the PC's views. The views of Kent Highways should also be obtained as part of the decision and consideration of the application.

- 5.2 KCC (Highways): This proposal is for all offices with an increase in the gross floor area over the previous application. There is likely to be an increase in traffic generation over that previously accepted and in general car movements, but not to an unacceptable level. The loss of the light industrial element is likely to result in a reduction in light goods vehicle movements. I would not raise objections on traffic generation.

In paragraph 3.1.2 of the transport assessment it is stated that 80 spaces are to be provided including 6 disabled bays. In paragraph 3.3.1 it states that a total of 82 spaces are to be provided including 6 disabled bays. In paragraph 3.3.2 it states that a ratio of parking of 1 space per 25sq m has been used and goes on to say that the disabled parking is in addition to this. However, looking at drawing number 2864:10 Rev A, a total of 82 spaces are shown including 6 disabled bays.

The ratio of 1 space per 25sq m would indeed result a total parking provision of 80 bays and accord with KVPS. The level of disabled bays is also acceptable. Bays to be a minimum of 25m (width) x 5.0m (length) with end bays widened to 2.7m. Disabled bays are to be 3.6m (width) x 5.5m (length).

I would support this application with conditions (P004) parking space provision and (P011) provision of turning area.

Additional comments on Traffic generation

The site benefits from a previous application, TM/07/01537/FL. Although refused no highway reasons for refusal were included on the decision notice. It was therefore found that the estimated traffic generation associated with that application was acceptable and could be accommodated on the adjacent highway network. That application was for 4 number light industrial units, Class B1(c), totalling a gross floor area of 575sq m and 4 number 2 storey office units, Class B1(a), totalling a gross floor area of 1,056sq m. TRICS (Trip Rate Information Computer System), a nationally used package for estimating traffic generation, was used by the applicant to assess the likely traffic to be generated by this proposal. The Transport Assessment stated that for the worst case scenario 420 two-way (arrival and departure) daily movements is estimated. This is likely to result in 54 two-way movement in the morning peak and 38 in the evening. However, it has to be borne in mind that the existing lawful uses on the site attract a potential traffic generation thus reducing the net increase. Although the site may have been relatively dormant for some time, the uses could be started up without the need for a planning approval. The information submitted with TM/07/01537/FL suggested the site to be a depot containing a cold store and packing shed with other statements referring to light industrial use. This existing traffic generation can be offset against that likely to be generated by the proposal, thus the likely impact on the adjacent highway network is assessed using the net increase in traffic generation. Anticipating a significant reduction in the potential large goods vehicle movements associated with the existing uses, particularly onto Church Lane an unclassified road, is seen as a highway benefit. It was therefore accepted that the net increase in traffic occasioned by the proposal was acceptable and can be accommodated on the adjacent highway network.

This current application is for additional floor area and for the whole of the site to be used for Class B1(a) offices totalling a gross floor area of 2000sq m. In essence the difference between this application and the previous one is that the 4 light industrial units will have a second floor and be converted for use as offices. For this application the applicant has considered a worse case scenario of 560 two-way (arrival and departure) daily movements. This is likely to result in 77 two-way movements during the morning peak and 64 in the evening. Net increases over the assessment in the previous application of 140 two-way, daily, and 23 in the morning peak and 26 in the evening.

In assessing the traffic generation the applicant has used the worst case scenario. In my opinion this is unlikely to be the norm and does not reasonably reflect the likely average daily traffic generation generated by the proposal. I have undertaken my own assessment. The applicant's lower average figure correlates well with my assessment and represents in my opinion a more reasonable assessment. It is expected that the majority of traffic, in the order of 70%, will arrive/leave in the direction of Hale Street, this being the most direct route via Hale Street and then north to West Malling and Maidstone and south to Tonbridge and Tunbridge Wells. Hale Street has for some years benefited from reduced traffic due to the by-pass and therefore has spare capacity to accommodate the likely traffic generated by this proposal. Some traffic will use the other direction from/to the direction of the A26. A main area of concern is that Church Lane has a school in it and therefore, at certain times of day, attracts parents and children. However, it is located at the end of Church Lane where it is likely that the least amount of development traffic is likely to pass. Some additional conflict may occur during the morning peak but with flexible working arrangement commonly used may be reduced. The pm peaks are unlikely to clash as the school day finishes earlier than an office environment.

There are other options to the car however: My opinion is that the car will be the main mode of transport, although it is possible that some of the employees will live locally and potentially could walk or cycle to the site. Others living further away could potentially use public transport. The applicant is including a Travel Plan for the site as a whole. This contains a number of elements encouraging a reduction in car usage. Subject to suitable management and regular updating as and when the site incrementally evolves the plan can be a positive element. All of these alternatives may go some way to reducing travel by car.

5.3 DHH: Owing to the likelihood of the existing buildings containing or being constructed of asbestos products, a condition should be included requiring that the applicant contact the Health and Safety Executive for advice and the submission of a suitable method statement. Any asbestos found on site must be removed in a controlled manner by an appropriately qualified operator.

5.4 EA: No objection but would like to offer the following advice.

The site is located in an area which is known to be at risk from flooding. However, due to the nature and scale of the proposal, the Agency has no objection on flood grounds.

The applicant should be made aware that the development, even if above the flood level, is within a flood plain and may have problems with surface water disposal, dampness and means of access during flood events.

Floodproofing measures that can be taken to reduce the damage to buildings and property are becoming more common in areas that are subject to flooding. These measures include bringing all electrical services down from the ceilings, raising

slab levels, covers for doors and airbricks, solid stone or concrete floors and no studwork partitions on the ground floors. The Agency would expect the developer to implement all flood limitation works that are reasonably practical. Conditions requiring details of foul and surface water disposal and the use of interceptors in hard surface areas are required.

5.5 Private Representations: 21/0X/0S/40R + Site and Press Notice. Objections have been received on the following grounds:

- Serious overlooking and a loss of privacy.
- Significant increase in traffic using Church Lane.
- There is a primary school on Church Lane.
- The proposed development is out of keeping in the locality.
- Church Lane is a narrow country lane, a bus route and at school times is very busy and often congested with parked cars and buses.
- The site extends into the Metropolitan Green Belt.
- Further hazards for pedestrians, particularly children.
- The footpaths along this road are very narrow.
- 560 traffic movements a day is likely to have a significant impact on residential amenities and highway capacity.
- Cars travel in excess of the speed limit which is 60mph.
- Light pollution in a rural location.
- The traffic report makes too many assumptions.
- Traffic already has to mount the pavements to pass.
- This proposal would have a serious impact on highway safety.
- The village is already well served with industrial estates which are well served by roads and in a less rural area.
- The change of use of this agricultural building is not acceptable in this rural Green Belt and close to residential properties.
- There are vacant units on the industrial estate.

- The industrial estates already provide ample facilities and employment for local people.
- The building is too close to residential properties for its intended use.
- Proposed windows would result in glare during the summer months.
- During peak times the road is reduced to a single lane and this small country lane can not cope with the extra traffic proposed.
- The travel plan takes into account car sharing, public transport and walking. In reality this does not happen so the numbers will be even higher.
- The bus service is unreliable.
- The Church Lane/Hale Street junction is already dangerous.
- It will lead to the further redevelopment of agricultural buildings for commercial uses out of keeping with their surroundings.
- Increase in noise pollution.
- The traffic report ignores the location of the primary school and traffic will not come from the Hale Street end of Church Road.
- There are more suitable areas in the villages for offices and this development is unnecessary.
- The road is already used as a short cut and rat run.
- There is already enough commercial development in East Peckham and the rural character is being eroded.
- The area already suffers from flooding problems.
- This proposed increase in traffic will undermine the impact of the Hale Street Bypass completely.
- Visibility at the entrance is limited and dangerous.
- The visual impact on the rural locality will be significant.
- The roads are already unsuitable for the existing traffic movements.
- Why was a bypass built if more traffic was to be introduced.
- This scheme is of no benefit to the local community.

- Church Lane is already in need of wider pavements, street lighting and traffic calming before any further plans are considered.
- The amended elevations still result in an urban style building which is not appropriate in this location.
- There are now windows proposed to all elevations.
- The reduced site area does not allow for any landscaping and still encroaches into the Green Belt.
- The application harms rural amenities and openness.

6. Determining Issues:

- 6.1 There are number of important issues to consider in determining this application which principally include the policy implications of this development due to the rural location and being within the MGB; traffic generation and highways considerations due to the change of use; and the impact on rural and residential amenities both from the use and changes to the building.
- 6.2 The key policy consideration is the impact on the openness of the MGB and the rural location. PPG2 is concerned with the impact on the openness in the MGB. It could be argued that such a use and changes to that building which facilitate the use have an impact on the rural character of the locality, however there is no increase to the size of the building or indeed the existing hardstanding area and therefore it would be difficult to support such an argument. In respect of the changes to the elevations, the proposed amendments have significantly reduced the overall impact and are now of a design that would be in keeping and encouraged for this type of building, albeit with control over the visual impact and overall appearance of the building which shall be dealt with in greater detail later in the report. PPS7 encourages reuse of rural buildings subject to no overriding objections on grounds of sustainability, unsuitability of use, traffic generation and other factors.
- 6.3 Consequently there is policy support in principle for this type of use in a rural location in an existing building, as long as the traffic and amenity issues can be appropriately addressed and controlled.
- 6.4 Clearly there is substantial and appropriate concern by local residents and the Parish Council over the traffic implications of this type of development. This concern is principally concerned with the impact along Church Lane and in particular the junction with Pound Road and the adjacent primary school. These concerns have been carefully considered by KCC Highways following the submission of a transport assessment submitted in support of the application.

- 6.5 The transport assessment has identified the key issues in relation to this type of development and is in line with recognised guidance of the expected levels of trip generation and number of vehicle movements. Please see section 5.2 for full explanation of its contents. However it is clear that the applicants have considered the likely impact to a satisfactory standard and in line with current guidance and have concluded that the local highway network can accommodate this type of development. KCC concur with these views and fully explain their reasons for doing so. On this basis it would be very difficult to justify a reason for refusal on traffic generation grounds. In respect of car parking levels this is also in line with Kent Vehicles Parking Standards (SPG4) of the Kent and Medway Structure Plan. In addition the applicants have put forward a draft Travel Plan for future occupiers which would further control and influence the traffic generation from the proposed use and site. The submission of a formal Travel Plan is therefore proposed to be conditioned and approved before the use is commenced.
- 6.6 Consequently, although I appreciate the level of concern that has been raised and the potential impact of such a use, it has been adequately and appropriately addressed and can be further controlled by appropriate conditions and therefore it would be difficult to support a reason for refusal on this basis.
- 6.7 In respect of amenity issues there are a number of different elements to consider. Firstly the impact on the residential amenities of nearby properties. The main concern is the potential for overlooking and loss of privacy due to the insertion of new windows and doors. Clearly the original proposal for curtain glazing was completely unsuitable. However the amended scheme, which includes high level glazing and roof lights, is considered to be more appropriate and, due to the position and level of the glazing, is unlikely to result in significant overlooking. However I do have some concerns over both the potential for glare and also light pollution and therefore a condition will be imposed requiring further details of not only the joinery but also the glazing to be submitted for approval before work commences. By conditioning these details I am satisfied that these issues can be adequately controlled.
- 6.8 This condition will also influence the visual impact on the locality and rural environment. By significantly controlling the type of glazing it should be possible to control the level of light pollution from the building that will influence the impact that the change of use of this building will have on the locality. Furthermore a condition will be imposed requiring an appropriate landscaping scheme to be submitted for consideration which would minimise the impact of the proposed car parking area and the views across open fields.
- 6.9 In terms of the level and type of use and noise and disturbance from this building, it could be argued that an office use will have less impact than either an agricultural or light industrial use, due to the reduction in the level of heavy goods vehicles using the site and the activities and noise generated from the building. Consequently due to its existing use as agricultural and light industrial it would be

expected that the noise level from an office use would be less even though the use may be more intensive. Again this will be affected by the type of windows being used which are to be controlled. In addition hours of use conditions and a restriction of changes to the building without further consent will be imposed.

6.10 I acknowledge that this may not be one of the most appropriate locations for an office development, however this building is redundant and measures have been put in place by the applicant to minimise the impact of the change of use. Furthermore it is possible to mitigate the impact further by the imposition of appropriate conditions controlling both the use of the building and to minimise the impact of additional traffic. The application is also in line with broad policy for the conversion of rural buildings into commercial uses and for these reasons and on balance the application is recommended for approval. On balance I consider that this proposal may be supported.

7. Recommendation:

7.1 **Grant Planning Permission** in accordance with the following submitted details: Letter dated 15.01.2008, Letter dated 30.01.2008, Design and Access Statement dated 30.01.2008, Existing Plans 2864:01 dated 30.01.2008, Existing Plans 2864:02 dated 30.01.2008, Drawing 2864:07 C dated 15.01.2008, Floor Plan 2864:10 A dated 15.01.2008, Transport Assessment dated 15.01.2008, Design and Access Statement dated 15.01.2008, Letter dated 27.03.2008, Location Plan dated 27.03.2008, Proposed Plans and Elevations 2864:11 A dated 27.03.2008, subject to the following:

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

2. No development shall take place until details of any joinery to be used, including the type of glazing and cross sections of the floor levels showing the position of the proposed windows have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the visual amenity of the locality.

3. The use shall not be commenced, nor the premises occupied, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending,

revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking.

4. No building shall be occupied until the area shown on the submitted plan as turning area has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order), shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved turning area.

Reason: Development without provision of adequate turning facilities is likely to give rise to hazardous conditions in the public highway.

5. Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990 or the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order), the layout of the development shall not be varied by means of sub-division or amalgamation of any units, nor by the insertion of additional floors, without the prior permission in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to assess the impact of such variation on parking and vehicle circulation in the interests of safe and free flow of traffic.

6. The business shall not be carried on outside the hours of 8.00 to 18.00 Mondays to Fridays and 8.00 to 13.00 on Saturdays with no working on Sundays or Public and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid unreasonable disturbance outside normal working hours to nearby residential properties.

7. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping and boundary treatment. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species, unless the Authority gives written consent to any variation. Any boundary fences or walls or similar structures as may be approved shall be erected before first occupation of the building to which they relate.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

8. The use shall not commence until a scheme for the insulation of the building against the emission of sound has been submitted to and approved by the Local Planning Authority and the building has been insulated in accordance with the approved scheme.

Reason: To protect the aural environment of nearby dwellings.

9. No development shall take place until details of any external lighting have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or visual amenity of the locality.

10. Any light fitting installed within the building shall be recessed or otherwise screened to limit the emission of light outside the building unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of nearby dwellings.

11. No development shall commence until details of a scheme for the storage and screening of refuse has been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented before the development is occupied and shall be retained at all times thereafter.

Reason: To facilitate the collection of refuse and preserve visual amenity.

12. The premises shall be used for B1 (a) and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument amending, revoking and re-enacting that Order).

Reason: To enable the Local Planning Authority to reassess the impacts especially car parking requirements.

13. No development shall be commenced until details of a scheme for the disposal of foul and surface water disposal has been submitted to and approved by the Local Planning Authority. The approved scheme shall be fully implemented before first occupation of the building and retained thereafter.

Reason: To prevent pollution of the water environment.

14. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through appropriate pollution prevention measures such as trapped gullies or an oil interceptor, designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through any interceptor and there shall be no discharge of foul or

contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason: To prevent pollution of the water environment.

15. Before the use commences and the building is occupied an up to date Travel Plan shall be submitted to and approved by the Local Planning Authority by the occupiers of the building. This plan shall include the measures identified in the Framework Travel Plan submitted with the Transport Assessment dated 15th January 2008 and a method of monitoring. Such plan as approved shall be fully implemented and updated as appropriate and monitored on an annual basis to ensure it is up to date and appropriate for the employees circumstances.

Reason: Development without provision of a Travel Plan will be detrimental to the local traffic and parking environment and the amenity of nearby residents.

Informatives

1. Please note owing to the likelihood of the existing buildings containing or being constructed of asbestos products the applicant should contact the Health and Safety Executive for advice with the submission of a suitable method statement. Any asbestos found on site must be removed in a controlled manner by an appropriately qualified operator.
2. The applicants should take all reasonable floodproofing measures that can be taken to reduce the potential damage to the building in the event of a flood. These measures include bringing all electrical services down from the ceilings, covers for doors and airbricks, solid floors and no studwork partitions on ground floors. The applicant should contact the Environment Agency for further advice.

Contact: Lucinda Green