

**D13**

**F/TH/15/0457**

PROPOSAL: Change of use from airport use to general industrial use together with four storey extension and insertion of windows

LOCATION: Building 870, Manston Airport, Manston, Ramsgate, CT12 5BL

WARD: Thanet Villages

AGENT: GVA

APPLICANT: Lothian Shelf (718) Ltd

RECOMMENDATION: Defer & Delegate

Defer and delegate to Officers for approval subject to receipt of satisfactory specialist advice which confirms that the proposed extension to the building will not prejudice any potential future operation of an airport and the following safeguarding conditions:

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

**GROUND:**

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2. The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered A10-02B and A10-08B received 24 July 2015, additional plans numbered A10-10 and 60345111-M001-SKE-0004 dated received 28 July 2015 and submitted plans A20-03, A20-04, A20-05, A30-03, A30-04 (Sheets 1 and 2) received 9<sup>th</sup> June 2015, omitting the access from Manston Road.

**GROUND:**

To secure the proper development of the area.

3. Prior to the commencement of the development hereby approved, the applicant, or their agents or successors in title, shall secure the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification, which has been submitted to and approved in writing by the Local Planning Authority.

**GROUND:**

To ensure that features of archaeological interest are properly examined and recorded in accordance with Policy HE11 of the Thanet Local Plan.

4. In the event that contamination is found that was not previously identified at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken at that time in accordance with a site characterisation report that shall be submitted to and approved in writing by the Local Planning Authority and where remediation is necessary a

remediation scheme shall be submitted to and approved in writing by the Local Planning Authority, including remediation measures to render harmless the identified contamination given the end use of the site and the surrounding environment, including controlled waters. The remediation measures shall be implemented as approved and completed prior to the recommencement of works. Prior to the occupation of the approved development and following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

**GROUND:**

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the National Planning Policy Framework.

5. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any water course, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

**GROUND:**

To prevent harm to human health and pollution of the environment, in accordance with the advice contained within the National Planning Policy Framework.

6. Piling or other foundation designs using penetrative methods shall not be used, other than with the prior written approval of the Local Planning Authority, where it has been demonstrated that there is no risk to groundwater. Should such approval be given the development shall thereafter be carried out in accordance with such details as are approved

**GROUND:**

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with the advice contained within the National Planning Policy Framework.

7. No development shall take place hereby approved until details of the means of foul and surface water disposal have been submitted to and agreed in writing by the Local Planning Authority. Prior to being discharged into any watercourse, surface water or soakaway system, all surface water drainage from parking areas shall be passed through an interceptor designed and constructed to have a capacity and details compatible with the site being drained. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

**GROUND:**

To prevent pollution in accordance with Thanet Local Plan Policy EP13 and guidance contained within the National Planning Policy Framework.

8. No development shall take place until all off-site highway works as shown on approved drawing no. 60345111 received 28 July 2015 for road marking and kerb works to Spitfire Junction have been completed.

**GROUND:**

In the interests of highway safety.

9. Prior to the first occupation or use of the development, the areas shown on plans numbered A10-10B and 60345111-M001-SKE-0004 received 28 July 2015 for the parking and manoeuvring of vehicles shall be operational prior to any part of the development hereby approved being brought into use. The area agreed shall thereafter be maintained for that purpose.

**GROUND:**

In the interests of highway safety.

10. Prior to the occupation or use of the development, a visibility strip shown on submitted plan no.60345111-M001-SKE-0015 received 6<sup>th</sup> August 2015 shall be clear from any obstruction between 1.05m to 2metres above ground level. The sightline across this area shall be maintained thereafter.

**GROUND:**

In the interests of highway safety.

11. The building hereby approved for Class B2 General Industrial use shall not be subdivided into units below 3530 square metres internal floor area.

**GROUND:**

To ensure the protection of the countryside, employment land allocations and the Airport, as the approval of the use relates to the specific need for a building of this scale, as a departure from Thanet Local Plan Policies CC1 and EC4.

**SITE, LOCATION AND DESCRIPTION**

The application site is outside of the urban area, within the confines of Manston Airport. The building lies on the northern edge of the Airport boundary, and is within a collection of buildings that face Spitfire Way, and can be accessed via a gated entrance on the road. The building is a tall single storey structure approximately 9metres in height, with delivery access openings on the front and rear. The building was previously used for security screening of cargo by the airport.

**RELEVANT PLANNING HISTORY**

There is no planning history for the building in question. There are, however, currently three applications under consideration relating to proposed change of uses of other airport buildings to non-airport uses.

Separate planning applications have been submitted for two buildings adjacent to this building, under planning references F/TH/15/0458 and F/TH/15/0459, to change the use of these buildings to a general industrial use and a storage use respectively. A separate application has also been submitted by the applicant to temporarily change the use of a building to the south of the terminal building to a general industrial use, under reference F/TH/15/0460. These applications are currently under consideration.

**PROPOSED DEVELOPMENT**

The proposal would change the use from an airport use to a general industrial use, with the refurbishment of the building including the insertion of windows and a mezzanine floor, and the erection of a four storey extension on the south side of the building for a stairwell and lift shaft to access the new mezzanine level. A viewing platform is also shown at the top level of the extension. Associated vehicular parking is proposed on the southern side of the building, with the service yard on the existing hard surfacing area on the northern side of the building.

The building has been stated for use by Instro Precision Limited, currently located across 5 separate buildings within the Pysons Road Industrial Estate.

## DEVELOPMENT PLAN POLICIES

### **Thanet Local Plan 2006**

CC1 – Development in the Countryside  
CC2 – Landscape Character Areas  
EP13 – Groundwater Protection Zones  
EC2 – Kent International Airport  
EC4 – Airside Development Area  
TR3 – Provision of Transport Infrastructure  
TR12 – Cycle Parking  
TR16 – Car Parking Provision  
D1 – Design Principles  
HE11 – Archaeological Field Evaluation

## NOTIFICATIONS

A site notice was posted, with an advert placed in the local newspaper. 175 objections were received, raising the following concerns (summarised):

- Development would prejudice the future of the airport.
- Contrary to Thanet Local Plan.
- Development would result in loss of vital airport building that could be used for cargo handling.
- Premature before decision on Compulsory Purchase of the Airport or the Area Action Plan.
- Loss of building that could be re-used for cargo handling.
- Car parking would affect transit of large aircraft.
- Economic benefit from airport use outweighs benefit from application.
- Would set precedent for employment uses outside of allocated sites.
- Surplus of vacant industrial units across Thanet.
- Inadequate water and drainage supplies.
- Objections to wider development of industry and houses on site, including noise and dust pollution and excessive lorry movements.
- Loss of local heritage and history.
- Impact on aquifer.
- Landscape impact from extension.
- Conflict from use of access on airside of building.
- Noise and disturbance from use.
- Affects setting of Listed building and Conservation area.
- Significant increase in road traffic and poor public transport, foot and cycle access.
- No investigation of unexploded ordinance
- Overbearing impact and loss of outlook from the extension.
- Suggestion that land swap should be agreed with new owners.

8 supporting comments were received, outlining the following points (summarised):

- Economic benefits with creation of employment above airport.
- Local Plan is out of date
- Development is better for the environment and biodiversity than airport
- Activity from premises not noticeably different.
- Preservation of existing building and helps to prevent vandalism and dereliction.

**Minster Parish Council** – “The Parish Council strongly object to any change of use of the site and further considers that the sites should be left for aviation purposes only and that no further should be undertaken”.

**Acol Parish Council** – Extreme objections to any application when a Compulsory Purchase Order is under consideration by government departments and the new District Council. Additional comments on the traffic issues in the vicinity of the site, and particular policies of the new Draft Local Plan.

**Margate Civic Society** – Object, as applications are premature given the current situation awaiting recommendations of a Parliamentary Committee, with support from the Local Administration and Members of Parliament to support the airport.

## CONSULTATIONS

**Head of Economic Development and Regeneration** – Aware of businesses’ intention to relocate stating the arrangement of the existing units is not supporting their business and the units becoming increasingly obsolete and unfit for purpose. Generally still limited demand for larger units, which require significant capital investment and are usually built out by developer only when agreement is in place for the occupier to lease/purchase the completed scheme. Pleased to see more enquiries for units of this size, and the Council is supportive of encouraging new development in appropriate areas. The District’s employment sites contain very few existing units of this size, and not aware of any that will be available in the time frame required. There may be some opportunities for redevelopment of some of the employment sites - but not within the timeframe the operator requires.

**Kent County Council Highways and Transportation** – No objections subject to completion of off-site works to Spitfire junction before any development and conditions requiring provision and maintenance of parking and manoeuvring areas within the site and a visibility strip adjacent to the existing access.

**Environmental Health** – Given the former use and that the site overlies a sensitive ground water protection zone, recommend a watching brief condition in case any unsuspected contamination is discovered on site, and require oil/fuel interceptors for all surface water drainage or parking areas, with any discharge to ground requiring submission of details for the approval of the Local Planning Authority.

**Environment Agency** – Consider that planning permission could be granted for the proposed development if planning conditions are included covering no piling or other foundations design using penetrative measures and unsuspected contamination. Advice is provided to the applicant for the storage of an oils, fuels or chemicals.

**Kent County Council Principal Archaeological Officer** – “I have checked our aerial photographic information and that on Google Earth and can confirm that the building was constructed between 2003 and 2007 by the airport. I have been trying to locate information

on whether the site was covered archaeologically at that time but have not been able to resolve that at the moment. I am happy therefore given the age of the building to advise that there is no need to undertake any historic assessment. Given the high archaeological sensitivity of the airport but taking account of the built nature of this area I think a watching brief of any groundworks would be appropriate.”

**Civil Aviation Authority** – Advise that the Local Authority should seek specialist advice regarding the potential impact of the building on the radar, potential navigation aid, and obstacle limitation services should the airport be returned to operation and be licensed.

**Southern Water** – Advise that there is no public and surface water sewer in the immediate vicinity of the site. The applicant is advised to examine alternative means of foul and surface water sewage disposal, with the Environment Agency needed to be directly consulted regarding the use of a private wastewater treatment works or septic tank drainage”

**Ministry Of Defence** – No safeguarding objections to this proposal.

## COMMENTS

The planning application has been called into Planning Committee by Cllr Ken Gregory and Cllr Bob Grove due to the local significance of the application and potential prejudicial impact on the future of Manston Airport.

The main considerations for the application are the principle of development, the impact on the character and appearance of the area, operational requirements of the airport, the highway impact from the development and any other planning matters.

### **Principle**

The site lies within the defined countryside. Thanet Local Plan Policy CC1 states that new development will not be permitted unless there is a need for the development that outweighs the need to protect the countryside. The site is also within the land allocated under saved local plan policy EC4, which is reserved for airside development, defined as uses with an operational requirement for direct access to aircraft and dependent on a location immediately adjacent to the runway, in order to provide for the operational development of the airport. Subsequent to the closure of the airport, the new draft Local Plan has been published. The draft plan is at an early stage of production having been through public consultation this year, It has limited weight in decisions on planning applications, however of relevance to this planning application is Policy SP05 – Manston Airport. This policy takes into account the closure of the Airport, stating that, in advance of an Airport Area Action Plan to explore the future development option for the site, proposals at the airport that would support the development, expansion and diversification of Manston Airport will be permitted subject to a number of factors. Both plans identify Manston Airport as having the potential to be a significant catalyst for economic growth, and seek to safeguard the airport from development that might prejudice the future operation and expansion of it, or be adversely affected by airport operations.

It has been outlined that the building was used previously as a transit facility for the importation of fruit and vegetables, and lies on the edge of the extent of the Airport site. The proposed development would use the building as a general industrial use, unrelated to the Airport; therefore the development would be contrary to Policy EC4 of the current Local Plan. The loss of the building as an airport use for cargo handling, whilst not currently required for the airport, would potentially lead to the need to create additional buildings within the Countryside if the airport operations were to resume. To use the building for the proposed general industrial use would also require extensive internal alterations, with external

extensions also proposed, indicating the building could be re-used were the airport operation to be resumed following similar refurbishment by new operators.

Notwithstanding this, the building is within a collection of vacant airport buildings fronting Spitfire Way on the edge of the airport, all with use of a gated vehicular access from Spitfire Way, accessible independently from the airport. A number of buildings and uses, both airport and non-airport related, are present on this section of Spitfire Way. Objections have been raised to the potential conflict between the proposed use of the building and the car parking area to the rear with use of the airport and Taxiway Delta to the rear, which runs along the rear boundary of the site. Given the building's location and access arrangements, it is possible that the building could be sectioned off without fundamentally affecting the main operation of the airport when compared to other central buildings within the airport site.

However in considering this application, wider economic objectives must also be taken into account. The NPPF states that planning decision making must proactively drive sustainable economic development. In this case the airport owners are making this application, however they have provided details of the business that intends to use the building. The business is currently based in Thanet and has been looking for facilities to expand their existing business into, requiring a large building around 3,700 sq metres in size to accommodate their existing floorspace to expand. It has been stated that no allocated employment sites within the district had buildings available at this scale, and that development of new buildings at existing allocated sites represented a high risk that property developers were reluctant to invest in. The Council's Head of Economic Development has advised that there is limited demand for new large scale general industrial buildings in Thanet, with no existing premises at any allocated employment sites suitable for this particular business or available within the timeframe required. Therefore the use of this building, as a large commercial unit, would provide premises not available elsewhere in the district, and would allow for an existing business based in Thanet to expand.

Therefore having regard to evidence of a lack of supply of industrial units of this size, the application may be considered to be an acceptable departure from Policies CC1 and EC4 of the Local Plan subject to all other material planning considerations.

### **Character and Appearance**

The development includes a remodelling of the external faces of the building, to include glazed curtain walling and composite cladding. These changes will not significantly affect the appearance of the building nor change its existing character, appearing as a modern warehouse building.

The site lies within the central chalk plateau, where care should be taken to avoid skyline intrusion and the loss or interruption of long views of the coast and sea. The site does not lie within or adjacent to any Conservation Area. The extension proposed will be 6metres higher than the existing building; however the extension is just over 10metres wide on a building that is 60metres wide, meaning the extension will appear proportionate to the scale of the existing building. The extension is also on the airside of the building, meaning that the views of the extension from Spitfire Way would be minimised by the mass of the existing building when viewed from ground level. Longer views across the airfield from Manston Road and from the west of the site along Spitfire Way will be possible; however the extension will be seen in the context of the existing buildings on this part of the airport. The materials used in the extension will match the remodelled building. Overall the extension will not appear out of keeping with the buildings surrounding the site nor obtrusive against the existing building. Whilst the increase of height will be visible, this would not cause significant skyline intrusion to damage long views on the Central Chalk Plateau, and the extension would therefore be in accordance with Local Plan Policies D1 and CC2.

## **Operational Requirements of the Airport**

The proposed extension would measure 15.8metres high. In the absence of an Aerodrome license holder, the Civil Aviation Authority (CAA) have advised that specialist advice from recognised air traffic control specialists is required to ensure that the proposed development, by virtue of the height of the extension, would not affect radar systems of the airport to compromise the operational ability of an airport to recommence. Therefore prior to any determination, a study to assess the impact of the extension on any radar and potential navigation aid and obstacle limitation services will need to be received and assessed by the Local Planning Authority to ensure that the extension would not fundamentally affect the potential operation of the airport from the site.

## **Archaeology**

The building in question is not listed, and is a modern building which has previously been used by the airport. This development would retain the building, securing its continued use, with an extension and minor alterations to the external faces of the modern structure. Therefore it is not considered reasonable for a historic assessment to be carried out on this particular building prior to the determination of the application, and this has been agreed with the Principal Archaeological Officer at Kent County Council. In terms of the proposed extension, given the location of the development on the Central Chalk Plateau, where there is a high probability of archaeological remains, a watching brief to monitor ground works would be required to be agreed prior to any development on the extension occurring.

## **Living Conditions**

The proposed general industrial use is around 150metres from the nearest residential properties in Bell-Davies Drive and Pouces Cottages, across a main carriageway. This distance is sufficient to ensure that no significant noise or disturbance would result from the development. Given the separation distance to residential properties, no overlooking or loss of light/outlook would result from the proposed extension.

## **Transportation**

The proposed development would use the existing gate access from Spitfire Way for vehicular access, which serves the collection of three buildings in this part of the airport. The access from Manston Road, shown on an earlier submission, has been removed following concern from KCC Highways and Transportation. One side of the gated access would be used for the building, with a new internal security fence erected, and visitor and staff vehicles would access the parking area at the south of the building via an access road down the side of the building, controlled by traffic lights. A total of 116 car parking spaces are shown on the layout plans, which covers the parking provision required for a building of the size proposed. Tracking for larger vehicles has been provided by the applicant, and these details show that the internal arrangement is suitable for the proposed use, with no objection from KCC Highways.

The existing access and building are within close proximity with Spitfire junction, where Spitfire Way and Manston Road meet. This junction is currently over capacity in terms of the number of trips occurring through the junction, currently resulting in difficulties in turning onto Manston Road from the north and south stem roads and ensuring backed up traffic. The visibility at this junction is also restricted. The development would result in an increase in traffic using this junction, and therefore the development would worsen an existing unsustainable highways situation. The applicant has submitted a plan showing alterations to road markings and kerb lines at the junction to widening the left turn lanes on Spitfire Way



and Manston Road. KCC have agreed that the mitigation works would mitigate the increase in vehicular traffic through the junction, and would require the work to be completed prior to the use of the development applied for. As the highways works involve land outside the site, a Grampian condition would be necessary to ensure that the work is completed before the planning permission can be implemented, to ensure that this highway impact is fully mitigated.

Following discussions with KCC Highways, the applicant has provided a plan showing a strip of land within their ownership which would be maintained free of obstruction between 1.05m and 2metres above ground level, to provide clear visibility to the north-east of the access when exiting the junction. This will improve the visibility of this access to handle the increased movements created by the proposed use.

Overall subject to conditions, the proposed development would not result in highways safety issues or the disruption to the free-flow of traffic.

### **Other Matters**

The site is not located in close proximity to any public sewer for drainage, and therefore the applicant will have to make alternative provision for the disposal of foul and surface water. This requires a Grampian condition, which would not allow any works to be carried out before details of this disposal is submitted and agreed by the Planning Department, to ensure no impact on the groundwater protection zone and the environment.

The site lies with the Groundwater Protection Zone, where adequate mitigations measures have to be incorporated into development proposal to prevent pollution of groundwater sources. The Environment Agency and the Council's Environmental Health team have stated the need to condition any approval to require prior approval of any discharge to the ground, interceptors covering run-off from parking areas, and use of non-penetrative methods of foundation design for the proposed extension. These conditions are reasonable given the need to prevent new development from contributing to unacceptable levels of water pollution in this sensitive location, in accordance with paragraph 109 of the NPPF.

The application only relates to Building 870, and any future applications for development of the airport site will be considered separately. The planning application must be considered on its own individual merits, and other suggested locations for the business to be located and potential land swap agreements are not under consideration.

Concerns have been raised that this application would set a precedent for development of airport buildings and development outside of allocated employment sites. Every planning application is considered on its own merits, and this application would not set a precedent if approved given the specificities of the case.

The potential presence of unexploded ordinance is not a material planning consideration, and if discovered this would be dealt with by the U.K military. The Ministry of Defence have raised no objection to the development.

### **Conclusion**

This is a finely balanced case. On the one hand, the proposal would result in the loss of an airport building for which there could be a need should the airport resume operations, therefore generating a requirement in the future for a replacement building elsewhere in the open countryside. However, on the other hand the applicant has made a strong and clear argument for the need for a building of this size to support a local business to expand, and as confirmed by the Head of Economic Development there are no currently identified

alternative buildings available elsewhere in the District for a business of this size to operate from. Although permission would run with the land and is not linked to the business that may intend to use it, it is clear that a need has been demonstrated for an industrial unit of that size, which does not appear to be available elsewhere in the District.

Having regard to all matters, it is recommended that the application be deferred and delegated to officers for approval subject to the receipt of specialist advice from recognised air traffic control specialists and verification from the CAA confirming that the proposed extension would not prejudice the potential operation of the airport.

**Case Officer**

Iain Livingstone