

A04

F/TH/16/0939

PROPOSAL: Retrospective application for the change of use from light and general industrial unit to Cafe (use class A3)

LOCATION: Unit 22 Manston Business Park Invicta Way Ramsgate Kent CT12 5FD

WARD: Thanet Villages

AGENT: Mr Malcolm Rowlett

APPLICANT: Mrs S A Dicks

RECOMMENDATION: Approve

Subject to the following conditions:

1 The premises shall be used as a cafe and for no other purpose including any other purpose in Class A 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 revoking and re-enacting that Order with or without modification.

GROUND:

To secure the proper development of the area in accordance with Thanet Local Plan Policy EC12.

2 The use of the premises hereby approved shall not be used other than between the hours of 0700 and 14.30 Monday to Friday in any week, and at no time on Saturday or Sundays.

GROUND:

To secure the proper development of the area, and reduce any impact on the vitality and viability of existing centres, in accordance with Thanet Local Plan Policy EC12 and the National Planning Policy Framework.

INFORMATIVE:

Please be advised that should additional ventilation be required, details of this are required under conditions attached to the original permission for the site.

SITE, LOCATION AND DESCRIPTION

The site forms part of Manston Business Park, and is an employment site, protected under Policy EC12 of the Thanet Local Plan. Manston Business Park has been slowly developing

over time, with a number of different plots within the site, some of which contain established development, others which have only recently been constructed, and others which are still vacant. Most of the sites that have been developed contain large industrial/storage/office units. Many of the units have already been constructed, although some development work is still taking place on the site, and the planning application for the final phase of the works is still pending, although is principally acceptable. The application is for a change of use of one of these small individual business units, located towards the centre of the site.

RELEVANT PLANNING HISTORY

F/TH/14/0562 - Phase 1 - units 1-21 - Granted 22/08/14
F/TH/15/0125 - Phase 2 - units 22-31 - Granted - 01/05/15
F/TH/15/0511 - Phase 3 - units 32-39 - Granted - 28/07/15
F/TH/15/0538 - Phase 4 - units 40-49 - Granted - 28/07/15
F/TH/15/0741 - Phase 5 - units 50-72 - Granted - 13/01/16
F/TH/16/0127 - Phase 6 - units 73-91-Granted - 04/05/16
F/TH/16/0914 - Phase 7 - pending

PROPOSED DEVELOPMENT

The proposal is for the change of use of one of the business units from light industrial use to cafe use (A3). The unit is mainly for takeaway food, such as sandwiches and pies, although cooked breakfast is also served. Within the unit five tables with twenty-four chairs are provided. The hours of use proposed for the unit are 7am to 2.30pm Monday to Friday.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan (2006)

EC12 - Retention of Employment Sites
D1 - Design

NOTIFICATIONS

Neighbouring occupiers have been notified and a site notice posted. No letters of objection have been received.

CONSULTATIONS

Environmental Health - No objections, given that the activities will not impact on residential.

COMMENTS

This application is brought to members as a departure to Thanet Local Plan Policies EC1 and EC12.

Principle

The site falls within the area identified within the local plan as an employment site. Policies EC1 and EC12 of the Thanet Local Plan state that the land is allocated for business purposes only, for employment uses falling within use classes B1 and B8, and B2 where away from residential areas. The proposal is for a change of use of a light industrial unit to A3 use, and is therefore contrary to Policies EC1 and EC12 of the Thanet Local Plan.

The proposed A3 use is also a town centre use, and as such the preferable location for such uses would be within the town centre, and then at edge of town centre sites. However, paragraph 25 of the NPPF states that this sequential approach should not be applied to applications for small scale rural development.

Sustainability

Whilst there is a principle policy objection to the proposed development, consideration must be given to the National Planning Policy Framework, which advises on a presumption in favour of sustainable development.

Within the Manston Business Park, most units are large in scale, with the potential for an ancillary café within the building. On the application site, development consists of many small business units measuring only 102sqm per unit. There is no scope for an ancillary café on the site for the occupiers of the business units, and therefore occupants who require refreshments would need to travel by car to the nearest village of Minster. The provision of a café unit on the site to serve the needs of the business units would significantly reduce vehicle movements to and from the site during lunchtime hours, and as such could be seen to contribute to the sustainability of the site. The proposed café will serve breakfast and lunch only (mainly takeaway), between the hours of 7am and 2.30pm Monday to Friday, and has therefore been designed solely to serve the needs of the business unit occupants. Such a facility may also help to provide the infrastructure necessary to help support sustainable economic growth on the site.

If it is accepted that the sustainability benefits would outweigh the harm regarding the location of the proposed development on an allocated business park, strict restrictive conditions would need to be applied, including an hours condition that restricts the use of the unit to weekdays and daytime hours only, in line with the opening hours of the business units, and a condition which limits the use of the building to A3 use only, and no other town centre use.

It is also considered that whilst there may be a sustainability justification for this particular, it should not set a precedent for any future applications. The justification for the café use would be on the basis that this is a business park within the rural area that is not within close proximity of existing facilities and services, and the site provides small business's units where the provision of an ancillary café within one of the existing business unit is not achievable due to the limited size and scale of the units. The proposed café is only one unit out of one hundred and one units proposed for the site, and therefore in terms of the scale the proposed café would occupy only 102sqm of the 10,350sqm (approximate) business development planned for the site. Any justification would therefore solely be based on the

merits of this particular proposal, including the identified need, rural location and limited scale of the proposed development.

Character and Appearance

The unit is existing and there are no changes to appearance of the building, other than the installation of internal doors and windows behind the approved shutter, and the addition of a small sign within the window. No external seating is proposed. As such the impact upon the character and appearance of the area is acceptable.

Living Conditions

There are no residential properties within close proximity of the site. The unit requiring the change of use is surrounded on all sides by existing business units.

Within the unit it would mainly be cold food that is served, other than breakfast, which is cooked using a grill plate and microwave. Environmental Health has been consulted and has advised that the ventilation provided is acceptable, and that the activities will not impact upon residential amenity. Should additional ventilation be required, details of this can be submitted under the original condition requiring details of ventilation for the site.

The impact upon neighbouring living condition is therefore considered to be acceptable.

Transportation

The proposed use is to serve occupants of the existing business park, and therefore it is expected that most trade would be by foot, with no additional vehicle movements expected. Should there be the occasion when additional parking beyond that existing is required, there is spare on-street capacity within close proximity of the site.

The impact upon highway safety is therefore considered to be acceptable.

Conclusion

The proposed development is contrary to Policies EC1 and EC12 of the Thanet Local Plan, however, the proposal would improve sustainability within the site, and therefore given the limited scale of the development, and the need for the proposed development in this rural location, it is considered that on balance, the benefits of the proposal to sustainable economic growth outweigh the concerns regarding the loss of one small individual business unit within the business park, with no discernible impact on any town centre areas. It is therefore recommended that members approve the application as an acceptable departure to Thanet Local Plan Policies EC1 and EC12.

Case Officer

Emma Fibbens

TITLE: F/TH/16/0939

Project Unit 22 Manston Business Park Invicta Way Ramsgate Kent CT12 5FD

Scale:



