

R01

F/TH/18/0005

PROPOSAL: Change of use of church and dwelling to Offices (Use Class A2) together with cladding to front elevation and alterations to
LOCATION: fenestration
St Peters Prestbytery 117 Canterbury Road Westgate On Sea
Kent CT8 8NW
WARD: Westgate-on-Sea
AGENT: Mr Ian Horswell
APPLICANT: Miles & Barr
RECOMMENDATION: Refuse Permission

For the following reasons:

1 The applicant has failed to satisfactorily demonstrate that the community use is no longer needed in the area, or that suitably located alternative accommodation for community use will be provided, and as such the development is contrary to Thanet Local Plan Policy CF1 and paragraph 70 of the National Planning Policy Framework.

2 The applicant has failed to provide an assessment of the availability and suitability of sites in the main town centres or edge of centre locations and the application is, therefore, contrary to the provisions of paragraph 24 of the National Planning Policy Framework which requires a sequential approach in site selection for main town centre uses to ensure the viability and vitality of town centres.

SITE, LOCATION AND DESCRIPTION

The application site comprises St Peters Presbytery together with the attached residential bungalow to the east located on Canterbury Road in Westgate Close to the junction with Minster Road and St Mildreds Road, within the Westgate Conservation area and adjacent to the grade II listed Summerlands Lodge.

The church has a modern gabled design with the attached bungalow being more traditional in design. The area to the front of the church is hard surfaced and marked out for the parking and there is a residential dwelling located to the north east of the site adjacent to Canterbury Road and Minster Road.

The church and its associated bungalow are currently vacant (with the church emptied of many of its internal furnishing) and the applicants advise that they are no longer required by the Catholic Church.

RELEVANT PLANNING HISTORY

TL/TH/00/0164 - The installation of a flagpole enclosing 3 no. shrouded antennae along with the associated equipment at ground level. Prior approval not required 28 March 2000.

TH/87/0088 - Erection of a detached garage. Granted 12 February 1987.

TH/75/0568/B - Erection of a chalet bungalow style dwelling for use as presbytery. Granted 16 January 1981.

PROPOSED DEVELOPMENT

The proposed development is the change of use from a church to offices (Use class A2) together with the replacement of the existing windows and the installation of new windows to the side elevations and new doors to the rear elevations.

The application is supported by a Design and Access Statement. This states that the proposed offices would be used by an estate agents as their head office and that 40 full time and 10 part time personnel would be employed. No proposed opening hours are given in the Design and Access Statement, but the application form states that the applicants would be seeking opening hours of 8am to 10pm Monday to Saturdays with no hours given for Sundays and Bank Holidays.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2006

D1 - Design Principles

CF1 - Community Facilities

TR12 - Cycling

TR16 - Car Parking Provision

NOTIFICATIONS

Letters were sent to neighbouring property occupiers, a site notice was posted close to the site and an advert was posted in the local paper. One letter of objection has been received raising concerns above the increased number of parking spaces and the impact upon highway safety. Concern was also raised regarding the opening hours and the increased noise and disturbance to the neighbouring residential properties.

Westgate Town Council - It is preferred that the church design is not altered and the development is sympathetic to the existing structure, but there are no problems with the application.

CONSULTATIONS

Environmental Health - No objection

KCC Highways - Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.

Conservation Officer - No objection. The proposed revised plans would not harm the character and appearance of the conservation area or the setting of the listed building.

COMMENTS

This application has been called to Planning Committee by Cllr Messenger to allow Members to consider the economic benefits of the proposal.

Principle

In relation to the principle of development, St Peters Presbytery as a Catholic Church falls within the definition of community facility in the National Planning Policy Framework and within the Council's Local Plan. In order to deliver the social, recreational and cultural facilities and services the community needs, planning decisions should guard against unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.

The guidance within the National Planning Policy Framework (NPPF) and Policy CF1 of the Thanet Local Plan strongly support the retention of community facilities, unless there is evidence to suggest that the community use of a building is no longer required. Policy CF1 states that planning permission for the change of use or re-use of community facilities for non-community uses will only be granted if it is demonstrated that there is no longer a sufficient need for facility to warrant retention for community use or it can be demonstrated that adequate alternative accommodation appropriate to community use, and suitably located, will be provided. The onus is on the applicant to demonstrate this.

The applicant has stated that the church has been closed for some 3.5 years, however no details have been provided of why the church closed, other than reduced numbers of parishioners, or why it cannot be used for an alternative community facility. Limited information has been provided demonstrating alternative churches within the area, however an email has been received stating that there is a church hall in Westgate and a Catholic church in Birchington which the parishioners have moved to. A map has also been submitted highlighting the location of a number of bars, cafes and clubs within Westgate, however no analysis has been provided to demonstrate what facilities these venues offer, if the applicant considers these to be community facilities or how they compare to the church.

The property has only been marketed for 6 weeks and no information has been provided regarding where the property was marketed, what it was marketed as, or if this was for a realistic price. It would normally be expected that a property is marketed for at least a 6month period as a general community facility before a change of use is granted, and detailed information should be provided to demonstrate that it was marketed in the appropriate places for a suitable price.

As such, the loss of the community facility, without any suitable alternative accommodation being provided as a replacement to this provision to meet the needs of the community, is contrary to Local Plan Policy CF1, without any sufficient evidence to the contrary being provided.

This application proposes to change the use of the church and attached bungalow to an A2 office use. The A2 use class financial and professional services and covers banks, building societies, estate and employment agencies together with professional services but not including health or medical services. These services are generally visited by the general public.

The glossary of National Planning Policy Framework (Appendix 2) includes offices in its definition of main town centre uses. Paragraph 24 of the NPPF states that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date local plan. It goes on to state that Local Planning Authorities should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Paragraph 27 states that where an application fails to satisfy the sequential test it should be refused.

The site is located within the built up confines but outside of the main town centres of Thanet - Margate, Broadstairs and Ramsgate. The site is, however, located within close proximity of Westgate, this is classed as a district centre within the Thanet Local Plan. The application site is, therefore, considered to be an out of centre location and the application should be supported by a Sequential Test demonstrating that there are no appropriate town centre or edge of centre sites available. There is no evidence submitted with the application to suggest that any other sites have been considered by the applicant for their proposed offices. Without any evidence of the sequential test being applied, it must be considered that the application fails to meet the guidance set out in paragraph 24 of the NPPF and as such the application should be refused in accordance with paragraph 27 of the NPPF.

Character and Appearance

The site is located within the Westgate Conservation Area and therefore the Council must take into account Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that in relation to conservation areas, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.'

The Conservation Officer raised concerns with the initial plan which proposed additional UPVC windows, blue and orange cladding and signage to the front elevation. An amended plan has been submitted altering the proposed windows to aluminium and the removal of the signage and cladding. The grey pebble dashed will be rendered cream and the windows will be replaced around the building with new windows inserted in the side elevations.

The Conservation Officer raises no objection to the amended plan and given the modest scale of the alterations now proposed to the building and the use aluminium windows which is considered to be in keeping with the age of the building, it is considered that there will be no significant impact upon the character and appearance of the conservation area, in line with policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

This application makes no change to the overall scale of the property and therefore there will be no significant loss of light or sense of enclosure to the neighbouring properties. New windows are proposed at high level in the east and west elevations 3.5m above the internal floor level and bi-folding doors are proposed in the rear elevation. At the rear of the site there is a residential property, however a parking area for this property is located between the front elevation of this property and the rear elevation of the church. Due to the location of the proposed doors and windows it is considered that there will be no significant overlooking as a result of the development.

Concern has been raised regarding increased noise and disturbance to the neighbouring residential property occupiers as a result of the proposed opening hours. The hours proposed are 0800 - 2200 Monday to Saturday. The existing church has a large capacity and the potential to attract a large number of movements to and from the site. An A2 office use is not considered to generate a significant level of noise and the Councils Environmental Health department has raised no objection to the proposed opening hours. Given the existing use of the site it is considered that there will be no significant change in the neighbouring living conditions by way of noise and disturbance.

In light of the above it is considered that the proposed development will have no significant impact upon the neighbouring living conditions, in line with policy D1 of the Thanet Local Plan and the National Planning Policy Framework.

Transportation

The former use of the application site as a church had the potential to generate a large number of vehicular movements to and from the site particularly when services and over events were taking place. The site is located in a sustainable location with bus stops and Westgate train station located a short distance from the site. The vehicular traffic generated by the office use of the site is considered unlikely to be significantly higher than that generated by the former use of the site. The site has existing parking areas to the front and rear and it is noted that the submitted plan indicates that a cycle parking area would be provided to the front of the site. It is considered that there would be sufficient off road vehicular and cycle parking to serve the proposed office use.

Concern has also been raised regarding the proposed parking arrangement preventing vehicles from accessing the site. No objection has been raised by KCC Highways to the proposed parking layout.

It is, therefore, considered that the proposed use would not have an adverse impact in terms of traffic generation or highway safety.

Conclusion

Both national and local planning policies seek to guard against unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs. Limited evidence has been submitted by the applicant to demonstrate why the application site is no longer required/suitable for a community use and no alternative facility has been provided to demonstrate that adequate alternative accommodation appropriate to community use, and suitably located, would be provided.

A2 uses (financial and professional), such as that proposed in this application, is contained on the definition of main town centre uses within the NPPF. Paragraph 24 of the NPPF advises that a sequential approach should be taken by Local Planning Authorities when considering applications for main town centres use. They should be restricted to town centres, then edge of centre sites and then, only if no other sites are available in out of centre sites. The onus is on the applicant to demonstrate that they have considered alternative sites utilising that hierarchy of town centre, edge of centre and finally out of centre and to set out why other sites have been discounted. The information supporting the application is limited and provides no evidence that a sequential test has been undertaken.

In light of the above it is considered that the proposed development does not comply with policy CF1 of the Thanet Local Plan or the guidance contained within the National Planning Policy Framework and therefore it is recommended that planning permission is refused.

Case Officer

Duncan Fitt

TITLE: F/TH/18/0005

Project St Peter's Presbytery 117 Canterbury Road Westgate On Sea Kent CT8 8NW

Scale:

