

**R10**

**F/TH/18/0005**

PROPOSAL: Change of use of church and dwelling to Offices (Use Class B1) 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 No assessment has been made of the availability and suitability of sites in the main town centres, edge of centre locations or other out of centre sites 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.

#### 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 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 application originally proposed the change of use from a church to offices (Use class A2, which includes financial services such as banks and building societies, professional services (other than health and medical services) and including estate and employment agencies.), however the application has subsequently been amended by the applicant to change the proposed use class to B1 (Use Class B1 includes Offices (other than those that fall within use class A2), research and development of products and processes and light industry appropriate in a residential area. The application also includes 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 agent 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.

This application was previously reported to members in March and the Committee's resolution was 'that the application be deferred and returned to a future Committee meeting for receipt of additional information from the applicant in relation to the two reasons for refusal. Subsequently this application has been amended to change the proposed use class from A2 to B1 offices following the submission of a supporting statement from Hume Planning. This change in the proposal has been re-consulted upon prior to reporting back to members.

## DEVELOPMENT PLAN POLICIES

### **Thanet Local Plan Saved Policies (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 about 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.

Further notification letters were sent following the submission of the additional supporting statement and the amended description. No further responses were received.

## CONSULTATIONS

**TDC 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.

The Highways Officer has requested that informatives are applied to the decision notice if permission is granted advising the applicant to contact the Highways department to ensure that the application complies with all relevant legislation and common law.

**TDC 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**

#### *Community Facility*

In relation to the principle of development, St Peters 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 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.

An additional statement has been submitted following the previous resolution of the planning committee. The applicant has stated that the church closed in July 2014, however no details have been provided as to why the church closed, other than a reduced numbers of parishioners and subsequent financial grounds, or why it cannot be used for an alternative community facility, other than the need to adapt the building. The main Catholic church for the parishioners is now located on Minnis Road in Birchington and a 'mass centre' is provided at the church hall on Westgate Bay Avenue for those that are less able to travel. A list and a map has also been submitted highlighting a number of other sites that the applicant considers to be community facilities within Westgate, however no analysis has been provided to demonstrate what facilities these venues offer, or how they compare to the church in size and form.

Supporting information advises that the property has only been marketed for 6 weeks, starting in August 2017, through direct mail to 80 parties, a signage board outside the site and on the GeraldEve website, however limited information has been provided regarding who the mailings were sent to or what the site was marketed as. It goes on to states that a total of four offers were received during the requested time period, none of which expressed an interest for the continued church, community or other D1 uses of the property. The letter submitted by Gerald Eve states that a six week marketing period was agreed with the client. It would normally be expected that a property is marketed for at least six months 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. The applicant has stated that the reason for the delay between the church closing and the marketing is due to the church's internal procedure for the disposal of assets.

Whilst the diocese considers that they no longer require the building, it is considered that the limited analysis provided of the other community facilities within the area, the limited marketing period, 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. It is not considered that the evidence submitted by the applicants outweighs this view.

#### *Office Use*

The amended application proposes to change the use of the church and attached bungalow to an B1 office use. The B1 use class covers offices (other than those that fall within A2), research and development of products and processes, and light industry. These services are not generally visited by the general public and the additional information submitted provides

details of the existing office which is based at Discovery Park and that the proposed office is expected to function in a similar way.

The glossary of National Planning Policy Framework (Appendix 2) includes all 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. B1 offices are also acceptable on allocated sites under policy EC1 and EC12 of the local plan. 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. The additional information submitted by the applicant's agent considers Westgate to be a town centre and argues that the site is located in an edge of centre location as it is located within 500m of Westgate Train Station, however the NPPF still requires a sequential test to be submitted for main town centre uses that are proposed in an edge of centre location. 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 building is of a significant scale and would likely, when operating, have attracted a large number of movements to and from the site. An B1 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**

As stated above 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 other 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.

B1 uses (Business, including offices that fall outside of the A2 use class), such as that proposed in this application, is contained in 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 Peters Presbytery 117 Canterbury Road Westgate On Sea Kent CT8  
8NW

