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| Application Number | 17/00170/AS |
| Location | Meadow View Industrial Estate, Hamstreet Road, Ruckinge, Kent |
| Grid Reference | 01445/33297 |
| Parish Council | Ruckinge |
| Ward | Saxon Shore |
| Application Description | Change of use of land for stationing of caravan for overnight security purposes ancillary to Meadow View Business Park and associated hardstanding (retrospective and resubmission of 15/01657/AS) |
| Applicant | Meadow View Industrial Estate, Hamstreet Road, Ruckinge, Kent, TN26 2NR |
| Agent | Spiller Associates, 2 Cherry Garden Lane, Folkestone, Kent, CT19 4AD |
| Site Area | <0.1ha |

(a) 3/12S (b) R (c) KCC PROW - +

Introduction

1. This application is reported to the Planning Committee at the request of one of the Ward Members, Councillor Howard.

Site and Surroundings

2. The application site is a long established industrial estate comprising of 17 units housing a wide range of small businesses. It is located in the countryside midway between Hamstreet and Ruckinge along the B2067 and falls within the Old Romney Shoreline Settlements Low Weald Landscape Character Area, in which the condition of the landscape is considered good and of high sensitivity and the objective for the area is to conserve.
3. The land in question is to the rear of the industrial units, enclosed by tall conifer trees. All Towns Woods to the east is covered by a Tree Preservation Order (TPO No. 9 1985) and a byway (AE566) runs between this and the site in a north-south direction. Below is a location plan.

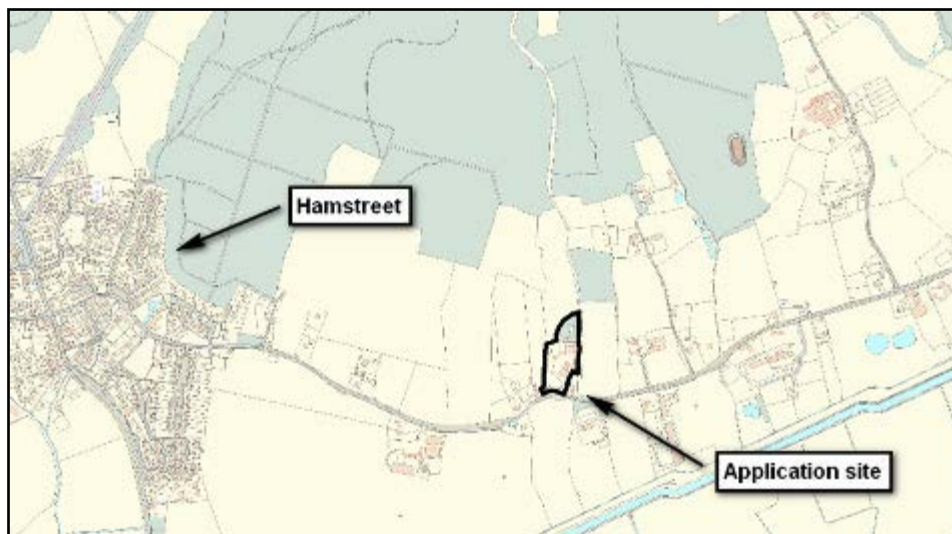


Figure 1: Site location plan

Proposal

4. The application seeks full planning permission for the change of use of the land for the stationing of a caravan for overnight security purposes and associated hardstanding (retrospective). This is a resubmission of the application refused under reference 15/01657/AS for the same development. Below is a site plan of the development. The application is retrospective in that the caravan has been stationed on the land and occupied overnight by a security guard over the last two and a half years.

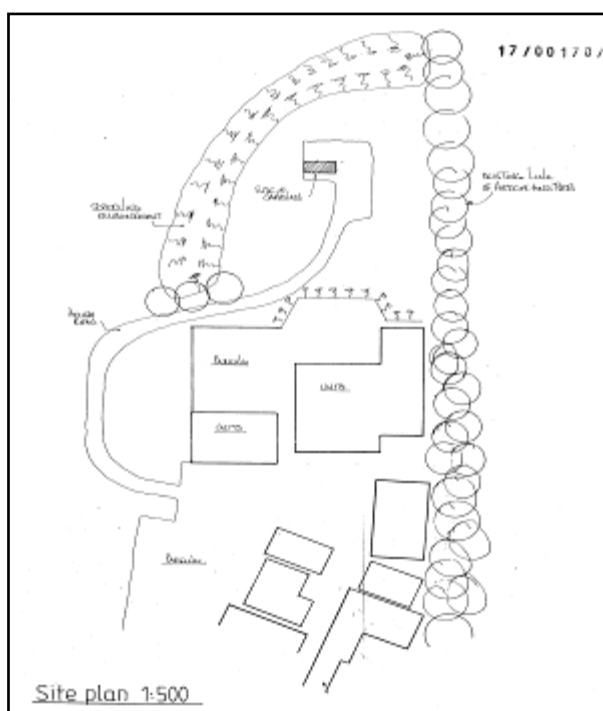


Figure 2: Block Plan

5. Screens with live feeds from the CCTV cameras covering most of the site are kept in the caravan. The agent has confirmed that the caravan is not the security guard's main/primary residence.
6. In support of the application, the agent makes the following comments:
 - any lack of adequate security for tenants would undermine the attractiveness of these units for local business and the important role it has in fostering rural employment - the future prosperity of businesses occupying units on the industrial estate and its ability to continue to foster rural businesses depends to an extent on good security;
 - having good secure premises and confidence in their security is a fundamental requisite for all businesses and whilst technical measures play their part, in rural areas where there are no personnel to hand, it has been shown they are not always an effective deterrent on their own due to the time taken to reach the site once an alarm has been triggered; and,
 - the effectiveness of an on-site security guard has been demonstrated over the 2+ years they have been present - over this period, there were no incidents but for 10 years before this, the following list shows the serious extent of the threat:
 - Unit 1 - two instances of vandalism;
 - Unit 2 - hand tools stolen;
 - Unit 6 - several quad bikes and 4 generators stolen;
 - Unit 7 - two break-ins with tools and furniture stolen;
 - Unit 8 - two break-ins with vehicles, tools and trailers stolen;
 - Unit 10 - theft of car parts;
 - Unit 12 - theft of van and tools followed by a failed robbery, which caused significant damage to the unit; and,
 - the theft of a scaffolding tower, damage to an electricity sub-station and theft of cables and damage to various doors and handles
 - the previous refusal was based on the grounds that the development is unsustainable and sporadic but these locational characteristics are the very reason why security is an issue;

- the site is at the rear of the site, which is well screened and not visible from outside, and the development is in the form of a caravan suited to the need and easily removable if no longer required; and,
 - there should be a significant improvement in the relationship of the site with its neighbours with less instances of crime on their doorstep.
7. Emails from the Police have also been provided in support of the application, which make the following comments:
- the site houses business premises, some of which have high value tools/materials and stock and before the current security arrangements were introduced, the site generated much interest and was subject to several burglaries and criminal damage - they confirm that since security has been present on site for the last two and a half years, there have been no incidents;
 - Police records show that local criminals have been located in site but they have not been able to secure sufficient evidence to charge offenders from most of the crimes reported and most of the minor issues with no realistic prospect of identifying an offender have not been reported to the police;
 - the site occupies a rural location and would not receive sufficient policing to prevent acquisitive crime - the Police therefore encourage businesses to put measures in place to protect their property and given the location and what is present on site, they believe an on-site security guard with a dog and CCTV is a proportionate and effective way of protecting against repeated targeting of the site by criminals;
 - crime is a material consideration within the planning system and should be considered as a factor when determining the application - the prevention of crime and the enhancement of community safety are matters that a Local Authority should consider when exercising its planning functions under the Town and Country Planning legislation, as required under Section 17 of the Crime and Disorder Act 1998, as this is endorsed by the NPPF and NPPG; and,
 - the cameras on site are fitted with movement sensors but unless personnel are on site, it would be impossible to respond to intruders and keep the site secure - one unit on the industrial estate has their own monitored security, but the record response time by the guard on-call with a dog was 45 minutes.

Planning History

The planning history of relevance to this application is:

15/01657/AS: full planning application refused for the same development proposed under this application. This application was submitted with little evidence or information to justify the development.

Consultations

Ward Members: One of the Ward Members, Councillor Howard, has requested that the application be determined by the Planning Committee.

Ruckinge Parish Council: Object to the application on the grounds of the location of the caravan on site.

KCC PROW: no comment.

Neighbours: 3 neighbours consulted, 12 representations received supporting the application on the following grounds:

- the estate is open to fields and the road and is easily targeted by criminals and the caravan acts as an effective deterrent - there have not been any incidents on the site with the presence of the caravan - anything that can be done to reduce rural crime should be supported by the Council;
- tenants feel vulnerable to intruders if not protected by the on-site security guard and dog and this is essential to all the small businesses on this remote industrial estate;
- with the lack of police resources, rural estates with their on-site security are far safer places for tenants to trade from and are attractive to other potential small business users; and,
- the caravan cannot be seen from the road or other properties in the area and there is no noise or disturbance.

Planning Policy

8. The Development Plan comprises the saved policies in the adopted Ashford Borough Local Plan 2000, the adopted LDF Core Strategy 2008, the adopted Ashford Town Centre Action Area Plan 2010, the Tenterden & Rural Sites DPD 2010, the Urban Sites and Infrastructure DPD 2012, the Chilmington Green AAP 2013 and the Wye Neighbourhood Plan 2015-30. On 9 June 2016, the Council approved a consultation version of the Local Plan to 2030. Consultation commenced on 15 June 2016 and ended on 10 August 2016. At present, the policies in this emerging plan can be accorded little or no weight.
9. The relevant policies from the Development Plan relating to this application are as follows:-

Ashford Borough Local Plan 2000

GP12 - Protecting the countryside and managing change

Local Development Framework Core Strategy 2008

CS1 – Guiding Principles

Tenterden & Rural Sites DPD 2010

TRS17 - Landscape character & design

Local Plan to 2030

SP1 - Strategic Objectives

ENV3 - Landscape Character and Design

ENV4 - Light pollution and promoting dark skies

10. The following are also material to the determination of this application:-

Supplementary Planning Guidance/Documents

Landscape Character Assessment SPD 2011

Dark Skies SPD 2014

Government Advice

National Planning Policy Framework (NPPF) 2012

11. Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. A significant material consideration is the National Planning Policy Framework (NPPF). The NPPF says that less weight should be given to the policies above if they are in conflict with the NPPF. The following sections of the NPPF are relevant to this application:-
- Paragraph 14 sets out presumption in favour of sustainable development;
 - Paragraph 17 sets out the 12 core planning principles, including supporting sustainable economic development and conserving and enhancing the natural environment;

- Section 3 requires planning policies to support a prosperous rural economy by taking a positive approach to sustainable development;
- Section 8 promotes healthy communities and states that planning policies and decisions should promote safe and accessible environments without fear of crime; and,
- Section 11 sets out conserving and enhancing the natural environment.

Assessment

Principle

12. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraphs 2 and 11 of the NPPF state that planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Paragraph 14 of the NPPF also states that at the heart of the NPPF is a presumption in favour of sustainable development and this should be seen as a “golden thread running through decision-taking”. There are three dimensions to sustainable development: economic, social and environmental and to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.
13. The justification for the development is to provide overnight security for the industrial estate but no demonstration of the essential need for this was provided with the previous application reference 15/01657/AS. For this reason, the application was refused on the grounds that it represented an unnecessary, unsustainable, sporadic and harmful form of development. The applicant has supported this resubmission with a considerable amount of information and evidence, detailing the security problems experienced on the site and how the need for the development has arisen and this has already been outlined in the Proposals section of this report. The information also states clearly the function of the caravan and how it is to be used and that it would not be the security guard’s sole or main residence.
14. Whilst specific details of the businesses operating from the site and their tools/materials/stock have not been provided given the sensitivity of this information, the Police have confirmed that high value goods are stored on site and that the site was subject to several burglaries and criminal damage prior to the caravan being brought onto it. There are already CCTV cameras covering the site and these have proven unsuccessful in improving the security of the site given the lengthy response time by an on-call guard or the Police. The Police advised of the need for an on-site security guard alongside

the current CCTV arrangements to protect against repeated targeting of the site by criminals.

15. In addition, the agent has asserted that a key factor for maintaining the attractiveness of rural industrial estates such as this, and the prosperity of businesses within it, depends to an extent on good security, particularly in this instance where high value tools/materials/stock are kept on site. Furthermore, the majority of letters written in support of the application are from tenants of units on the site, who consider the security provided essential to the operation of their businesses and them feeling safe when working from their premises.
16. The NPPF and Development Plan policy seek to promote a strong rural economy. A key principle is the need to encourage an active and vibrant rural economy that supports jobs and services in the rural area and the Council is committed to improving the economy of the borough and enabling a range of employment opportunities. This is endorsed by the new Local Plan to 2030, which acknowledges the important part the rural area plays in the economic prospects of the borough and seeks to continue this into the future. Crime is considered a material consideration and the issue of security and promoting safe environments are considered important in delivering sustainable development.
17. The security problems associated with a lack of an on-site security presence are clear from the comments made by the Police and tenants of the site. The development appears to have improved the working environment for the small rural businesses operating from the site and made the industrial estate more attractive to potential tenants and in turn, this is beneficial to the prosperity of the rural economy. This weighs in favour of supporting the application.

Visual Amenity

18. The caravan and hardstanding are sited behind the units of the industrial estate, on a piece of land to the rear enclosed by tall trees, and so is not visible from outside the site, the adjacent byway or the wider landscape. Given its limited visibility, I consider the development is not harmful to the character and appearance of the landscape.

Residential Amenity

19. There are no dwellings close by (the nearest Morness being over 150m away) that are adversely affected by the development.

Parking and Highway Safety

20. The site provides sufficient off-road parking and the development does not generate a significant number of vehicle movements so the development is not harmful to highway safety.

Human Rights Issues

21. I have also taken into account the human rights issues relevant to this application. In my view, the "Assessment" section above and the Recommendation below represent an appropriate balance between the interests and rights of the applicant (to enjoy their land subject only to reasonable and proportionate controls by a public authority) and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties).

Working with the applicant

22. In accordance with paragraphs 186 and 187 of the NPPF, Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner as explained in the note to the applicant included in the recommendation below.

Conclusion

23. Whilst planning permission was previously refused for the development, I now consider that sufficient justification has been provided to allow an overnight presence of a security guard on the site. I consider such a presence to be of benefit to the small rural businesses operating from the site and the rural economy and this is in line with the key principles and sustainability objectives of the NPPF and Development Plan policy. In addition, the development is not visually harmful and is acceptable in terms of residential amenity and highway safety. Subject to conditions restricting the occupation of the caravan ancillary to the industrial estate, it not being the primary residence of the security guard and its removal upon it no longer being required for security purposes ancillary to the industrial estate, I recommend the scheme for approval.

Recommendation

Permit

Subject to the following conditions and note:

1. The caravan hereby approved shall not be occupied at any time other than for security purposes ancillary to the operation of the Meadow View Industrial

Estate and shall not be occupied as any person's sole or main residence. If at any time the caravan is no longer required for the aforementioned purpose, it shall be removed from the site.

Reason: To prevent the formation of a separate residential presence in this rural location and enable the Local Planning Authority to regulate and control of the site.

2. The caravan shall be sited in accordance with the approved Site Plan, unless otherwise agreed by the Local Planning Authority.

Reason: In the interests of visual amenity.

3. The development approved shall be made available for inspection, at a reasonable time, by the local Planning authority to ascertain whether a breach of planning control may have occurred on the land (as a result of departure from the plans hereby approved and the specific terms of this permission/consent/approval).

Reason: In the interests of ensuring the proper planning of the locality, the protection of amenity and the environment, securing high quality development through adherence to the terms of planning approvals and to ensure community confidence in the operation of the planning system.

Note to Applicant

1. Working with the Applicant

In accordance with paragraphs 186 and 187 of the NPPF, Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application,
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision, and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance:

- the applicant/agent was updated of any issues after the initial site visit,
- was provided with pre-application advice,
- the applicant/agent responded by submitting additional information, which were found to be acceptable and permission was granted,
- the application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

Background Papers

All papers referred to in this report are currently published on the Ashford Borough Council web site (www.ashford.gov.uk). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 17/00170/AS.

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Annex 1

