

APPLICATION: MA/10/0645 Date: 15 April 2010 Received: 17 September 2010

APPLICANT: Mr D Tierman, Infrastructure training Services Ltd

LOCATION: THE STATION HOUSE, STATION APPROACH, LENHAM, MAIDSTONE, KENT, ME17 2HR

PARISH: Lenham

PROPOSAL: Change of use of part of Training Centre for use as track training area and minor alterations to site layout

AGENDA DATE: 4th November 2010

CASE OFFICER: Richard Timms

The recommendation for this application is being reported to Committee for decision because:

- Councillor Sams has requested it be reported for the reason set out in the report

1 POLICIES

Maidstone Borough-Wide Local Plan 2000: ENV28, T13
Government Policy: PPS1, PPS4, PPS7, PPG24

2 HISTORY

MA/09/0608 Change of use of land to erect three portacabins for use as a training centre together with hard and soft landscaping – TEMPORARY 3 YEAR PERMISSION GRANTED WITH CONDITIONS

MA/05/1640 Change of use of existing buildings and land to a mixed use as an office and administrative centre and for non-residential training together with the provision of modular buildings, external training area, storage area and car parking – WITHDRAWN

MA/95/0949 Continued use of land for the stationing of wooden garage for storage purposes – APPROVED WITH CONDITIONS

MA/89/1986 Wood garage - storage of machines – APPROVED WITH CONDITIONS

3 CONSULTATIONS

3.1 **Lenham Parish Council:** Do not wish to comment.

3.2 **Councillor Tom Sams:**

"The application has been controversial locally. I know it has been subject to concerns from local residents. I would appreciate the planning committee giving it their due consideration."

3.3 **Environmental Health Manager:** No objections.

"I am satisfied that the controls placed on potentially noisy activities are sufficient and also that these activities do not amount to anything excessive and hence I am in agreement with the Planning Officer's suggestions for this application."

3.4 **Network Rail:** No objection - support application.

4 REPRESENTATIONS

Six neighbour representations received raising the following points:

- There is noise pollution and disturbance from new uses.
- Training lasts longer than two hours, usually intermittent throughout the day.
- Inappropriate location.
- Loss of trees which provide sound and view protecting barrier.
- Changes after planning permission approved.
- Not in accordance with original planning permission.
- Lack of parking and increased traffic and thus noise.
- If approved, may lead to pressure for further development on land the other side of the railway line.
- Pleased to see environmental commitment following occupation of the site.

5 CONSIDERATIONS

5.1 Site & Setting

5.1.1 This is a retrospective application for changes to the layout of an approved rail training centre and the provision of mock rail tracks for open air track training at land east of Lenham railway station, Station Approach, Lenham. The site is located immediately south of the defined village envelope of Lenham and not within any specially designated areas.

5.1.2 The application relates to an existing training facility approved under temporary permission MA/09/0608 until June 2012. The facility provides training for

Infrastructure Services Limited (ITS) for train operatives to work on all Network Rail and London Underground track and trackside facilities. Safety and skills training is provided as well as preparatory and renewals courses. Pupils are taught within portacabins and some practical training is carried out on the mock tracks.

- 5.1.3 It is immediately east of Lenham Station on the north side of the railway line. It is approximately 43m in length and varies in width from 7.5m at the west end and 14m at the east. Lenham High Street is approximately 200m east of the application site off the Station Approach road. On site are the 3 approved portacabins, hard surfacing, refuse store and parking areas. The site is surrounded by 2m grey palisade fencing. The training tracks for which permission is sought are on the east side of the site.
- 5.1.4 Further north are dwellings on Robins Avenue, the closest being no. 69 which is some 30m from the site. Immediately to the east is an area of land between the railway line and the approach road occupied by trees, which stretches east for some 220m to the access to the station. To the west is the Victorian station building. On the south side of the railway line is a goods yard with various materials stored outside and single storey buildings.
- 5.1.5 The site is located outside the village envelope of Lenham and therefore within countryside for Development Plan purposes, however it is clearly not open countryside with built development to the north and south and the adjoining railway line.

5.2 Proposed Development & Planning History

- 5.2.1 This application seeks retrospective amendments to the previously approved permission (MA/09/0608) being changes to the layout and the provision of 3 new open air training tracks on a former parking area. The application originally proposed extending the site further east, however it has been amended and permission is sought only for what is at the site.
- 5.2.2 The changes to the previously approved layout involve the site extending slightly further north towards the pavement at the west end. This can be seen on the proposed layout plan, which shows the previous outline of the site in red. As a result the landscaped area alongside the pavement has altered in shape with an increase in space for planting at the west end but narrower strips either side of the access. Currently these areas are covered with stones but it is intended to replace these areas with landscaping as per the proposed plan. Planting would be snowberry, cotoneaster and common sage, which was approved under the previous scheme.

- 5.2.3 A larger portable steel refuse store (goosewing grey colour) replaces the previously approved timber enclosure west of the access. The 3 portacabins (grey colour) remain in their approved positions at the west end of the site. The palisade fencing extends further west of the site than is necessary and this would be removed with the chainlink fence reinstated.
- 5.2.4 The track training area results in the loss of two parking spaces and motor cycle parking with 2 car spaces and 8 cycle spaces left over. The training tracks are fixed to sleepers and surrounded by gravel chippings to simulate a real track situation.
- 5.2.5 Open air training on the tracks is carried out between 9am and 3pm on weekdays, which is mainly visual work with the use of manual held tools such as jacks, clamps and shovels. One day a month for a maximum of 2 hours there is training in the use of a disc cutter and this takes place in a separate temporary acoustic enclosure. This is for 2 hours only, normally between 10am and 12pm and used intermittently. Otherwise the hours of use for the site are 8am to 6pm on weekdays only.
- 5.2.6 The proposals would be for a limited period until 2012 as 'ITS' intends to acquire another site and construct a permanent purpose built training facility in this area of Kent. At this point the development would be removed.
- 5.2.7 There are currently 4 training staff and 2 administrative staff working on the site. Training groups vary in size but would be a maximum of 12 trainees at any one time. Training courses vary in length from 1 day to 10 days in duration.

5.3 Assessment

- 5.3.1 A temporary permission has already been granted for the use of the site. The assessment for this application therefore relates only to the minor retrospective changes to the existing site and the provision of open air tracks (which involve a loss of parking).

5.4 Visual Impact

- 5.4.1 In my view the changes to the site layout and the slightly larger portable steel refuse store do not have any significant implications above the previous permission. However, as considered before, portacabins and such temporary buildings are not desirable or of good design quality. Permission was therefore allowed on the basis that it was for a temporary period and I consider this still to be the case. I consider the visual impact of the development can be accepted for the temporary period which would now be just over 19 months.

- 5.4.2 With regard to the open air tracks, visually these have a limited impact due to the tracks being at ground level. There are no medium or long range views of the site, so I consider the impact upon the wider area is minimal and acceptable.
- 5.4.3 The landscaped areas, although of an ornamental character, were approved previously under the last permission. The site is not located in a rural setting and there are domestic rear gardens to the north. For this reason, I consider these species are acceptable and can be secured by condition to be planted this season (October 2010 – March 2011).
- 5.4.4 I have also negotiated a scheme of land restoration which includes tree planting and grass seeding which can be ensured by condition.

5.5 Residential Amenity

- 5.5.1 Under the last application it was considered that there would be no significant privacy or noise issues arising from the use of the site (without the open air track training) due to the distance from dwellings (over 30m). This was a view also supported by the Environmental Health Manager. The minor changes to layout do not result in any material difference in this respect.
- 5.5.2 In terms of the track training, Councillor Sams and some local residents have raised objections with regard to noise disturbance. However, I have checked with the Environmental Health manager and note there have been no formal complaints made in respect of noise from the training facility to date. Nonetheless, I acknowledge that the open air track training does have the potential for minimal noise disturbance to these properties.
- 5.5.3 Firstly, the use of manual tools (which would be for the vast majority of the time), in my view would not give rise to unacceptable noise from the site. The use of the disc cutter would result in some noise from the site, however with this being intermittently for two hours, one day a month, I do not consider this would result in any significant harm to living conditions. This frequency and duration of use can be a condition of the permission to protect residential amenity. I also note the Environmental Health Manager is satisfied that the conditions placed on potentially noisy activities are sufficient and also that these activities do not amount to anything excessive.
- 5.5.4 Overall, I do not consider there would be any significant harmful impacts upon neighbouring residential amenity to warrant refusal of the application.

5.6 Highway Safety & Parking

- 5.6.1 The site would be left with 2 car parking spaces and bike stands for 8 bikes. The site is at a relatively sustainable location served by public transport (trains) and

within walking distance of the south of the village. It is submitted that most trainees travel to the site by train which is not unreasonable and the logical way of reaching the site. For this reason I consider two parking spaces to be acceptable. If parking did overspill onto the Station Approach road, there are parking spaces available here and this would not lead to any significant highway safety matters on Lenham High Street over 200m away.

5.7 Other Matters

5.7.1 Other matters raised by some local residents and not addressed above include the loss of trees and that permission may lead to pressure for further development of land on the other side of the railway line. The original proposal to extend the site would have resulted in the loss of a small number of trees, however this is no longer proposed. I do not consider a grant of permission would lead to pressure for further development and in any case each application must be judged on its own merits.

5.8 Conclusion

5.8.1 Visually, the amendments to the previously approved scheme do not have significantly different impacts and the permission would be for a temporary period. The track training facility does have the potential for noise, however the use of manual tools would not create any significant disturbance and the disc cutter would be limited to two hours a month, which I consider to be acceptable. For these reasons I recommend a temporary permission is granted subject to the following conditions.

6 RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions:

1. The use, buildings and associated development hereby permitted shall be discontinued with the development removed on or before 30th June 2012;

Reason: The buildings by virtue of their design are not considered appropriate for permanent retention and in the interests of visual amenity in accordance with policy ENV28 of the Maidstone Borough-Wide Local Plan 2000, PPS1 and PPS4.

2. Within 2 months of the date of this permission, specific details of the land restoration scheme as shown on drawing no. 09A9/PL/103 to include landscaping, using indigenous species, together with measures for its protection and a programme for the approved scheme's implementation and management shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed using the principles established in the Council's adopted

Landscape Character Assessment and Landscape Guidelines;

Reason: To appropriately restore the site in the interests of visual amenity in accordance with policy ENV28 of the Maidstone Borough-Wide Local Plan 2000 and PPS1.

3. All planting, seeding or turfing comprised in the approved details of the restoration landscaping shall be carried out in the first planting and seeding seasons following the expiry of the planning permission. Any trees or plants which within a period of two years from the restoration of the site die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To appropriately restore the site in the interests of visual amenity in accordance with policy ENV28 of the Maidstone Borough-Wide Local Plan 2000.

4. All planting, seeding or turfing comprised in the approved details of the landscaping scheme for the development as shown on drawing no. 09A9/PL/101 RevA shall be carried out in the current planting and seeding season (October 2010 – March 2011)

Reason: To ensure a satisfactory setting and external appearance to the development in accordance with policy ENV28 of the Maidstone Borough-Wide Local Plan 2000.

5. The use of a disc cutter or any other powered tools in connection with the track training facility shall be limited to a maximum of two hours between the hours of 10am to 12pm. Any use shall be limited to one occasion each calendar month and limited to weekdays only (Monday to Friday);

Reason: To safeguard the enjoyment of their properties by adjoining residential occupiers in accordance with policy ENV28 of the Maidstone Borough-Wide Local Plan 2000.

6. No activity in connection with the use hereby permitted shall be carried out outside the hours of 8am to 6pm from Mondays to Fridays and not at any time on Saturdays, Sundays, Bank or Public Holidays;

Reason: To safeguard the enjoyment of their properties by adjoining residential occupiers in accordance with policy ENV28 of the Maidstone Borough-Wide Local Plan 2000.

7. The development hereby permitted shall be carried out in accordance with the following approved plans:

09A9/PL/101 Rev A and 09A9/PL/102 RevA received on 15th September 2010

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers in accordance with policy ENV28 of the Maidstone Borough-Wide Local Plan 2000 and PPS1.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000) and there are no overriding material considerations to indicate a refusal of planning consent.