

MC/17/0930

Date Received: 13 March, 2017

Location: Machine Shop 8 Chatham Docks

Proposal: Construction of a structure to provide weathertight enclosure and change of use of machine shop no 8 to Class D2 leisure with associated parking

Applicant: WD Outlet Management Ltd

Agent: Mr H Black Covell Matthews Ltd 6 Manor Place Edinburgh EH3 7DD

Ward River

Case Officer Majid Harouni

Contact Number 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 30 August 2017.

Recommendation - Approval with Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

PL-01 Rev A, PL-02 Rev C, PL-05 Rev C, PL-06 Rev C, PL-10 Rev C PL-11
Received on 16/03/17, 28/06/17 and 24/07/17

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 No development shall take place until details and samples of all materials to be used externally have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in

accordance with Policy BNE1 of the Medway Local Plan 2003. Prior to commencement required due to the historic importance of the building.

- 4 In this Condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs a) and b) below shall have effect until the expiration of 5 years from the date of occupation of the building for its permitted use.

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any pruning approved shall be carried out in accordance with British Standard 3998 (Tree Work).

b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this Condition and the ground levels within those areas shall not be altered, nor shall any excavation be made without the written consent of the Local Planning Authority.

Reason: Pursuant to condition 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Policy BNE1 and BNE6 of the Medway Local Plan 2003.

- 5 No leisure use shall commence until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping (hard and soft) . All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following first occupation of the buildings or completion of the development, whichever is the earlier. Any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Authority gives written consent to any variation.

Reason: Pursuant to condition 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Policy BNE1 and BNE6 of the Medway Local Plan 2003.

- 6 The leisure (Class D2) use hereby permitted shall only operate between the hours of 10:00 to 23.00 on Mondays to Thursdays , 10:00 to 00:00 on Fridays

and Saturdays and 10:00 to 22:30 on Sundays and bank holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To regulate and control the permitted development in the interests of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 7 No development shall commence until a scheme to minimize the transmission of noise from the use of the premises has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be completed before any part of the building is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: To ensure that the development does not prejudice the amenities of neighbouring property in accordance with Policy BNE2 and BNE3 of the Medway Local Plan 2003.

- 8 No leisure use shall commence until details of the surfacing, demarkation and drainage of the vehicle parking area as shown in drawing PL-02 Rev C have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details before the leisure use and parking area are brought into use and shall be so retained at all times thereafter.

Reason: To ensure that the development permitted does not prejudice conditions of amenity and highway safety in accordance with Policy T1 of the Local Plan.

- 9 Prior to the first occupation of any part of the development hereby permitted details of the refuse storage arrangements for the building, including provision for the storage of recyclable materials, shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse arrangement shall be implemented prior to the commencement of the use hereby approved and retained as such thereafter.

Reason: In the interests of visual amenity and to ensure a satisfactory provision for refuse and recycling in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 10 Prior to the first occupation of the development hereby approved a Parking Management Plan detailing the controls, charges and enforcement of unauthorised parking of car parking spaces within area shown on drawing PL-02 Rev C as vehicle parking, and turning space shall be submitted to and approved in writing by the local planning authority. The plan shall be implemented before the use hereby permitted is occupied and maintained thereafter.

Reason: Development without satisfactory management of the car parking provision and turning of vehicles is likely to lead to hazardous conditions in the

public highway and in accordance with Policies T13, T4 and T22 of the Local Plan.

- 11 The use hereby approved shall not commence until a scheme of aftercare and management of the Machine Shop 8 building that describes measures to maintain the external surface of the cover in a clean and tidy condition has been submitted to and approved in writing by the Local Planning Authority and all maintenance arrangement shall be undertaken in accordance with this approved scheme.

Reason: In the interests of visual amenities of the area and in compliance with Policy BNE2 of the Medway Local Plan 2003.

- 12 No development shall commence until a construction environmental management plan that describes measures to control the mud, noise, dust, lighting, construction materials and equipment on the road impacts arising from the construction phase of the development has been submitted to and approved in writing by the Local Planning Authority and all construction works shall be undertaken in accordance with this approved plan.

Reason: In order to minimise the impact of the construction period on the amenities of local residents and highway during the construction period and in compliance with Policies BNE2 and T1 of the Medway Local Plan 2003.

- 13 Prior to the commencement of internal fit out and occupation of the building, details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme shall be carried out in full in accordance with the approved details.

Reason: In the interests if visual and residential amenities of the near by residential properties and in compliance with Policy BNE2 of the Local Plan.

For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.

Proposal

There are a number of aspects to this application, as follows:

- To repair and stabilise the existing machine shop frame/structure.
- Construction of an entirely new lattice frame pitched roof structure measuring 40.6m wide by 64.4m long and ridge height of 20.3m together with flank brick wall of 2.5m high solid perimeter at ground level to enclose the existing structure.
- Use of PVC fabric sheet to create tension membrane to cover the whole structure to provide weather tight enclosure of the Machine Shop.
- Change of use of machine shop to provide 2560m² Class D2 indoor leisure use floor area.
- To partition the building into two separate areas to provide opportunity for use by different D2 uses.

- Provision for 56 car parking including 6 spaces for disabled people, 3 motorcycle and 6 bicycles parking spaces.

The proposed leisure uses will have opening hours of Mondays to Thursdays 10.00 to 23.00, Fridays and Saturdays up to midnight, Sundays and bank holidays up to 22.30. It is anticipated that the proposal will create up to 12 full time and 24 part time employment opportunities.

Relevant Planning History

MC/17/0971 Listed Building application for construction of a structure to provide weathertight enclosure and change of use of machine shop no 8 to Class D2 leisure with associated parking.
Also on this agenda

Representations

The application has been advertised on site and in the press and by individual neighbour notification to the owners and occupiers of neighbouring properties.

58 letters of representation have been received objecting to the application on the following grounds:

- The use of the building is commendable, covering it with cream Plastic and adding neon-light is not in keeping with the tradition of the building.
- The proposed use will be in conflict with the residential use and amenities of the local residents.
- Will increase traffic, impact on the nearby roundabout, generate more car parking demand and reduce air quality.
- Increase noise pollution from loud music.
- Reduce properties value.
- The proposed PVC roofing material will not be sympathetic and detract from this grade II*listed building and the setting of the surrounding grade II listed buildings like the Ship & Trades PH, Co-op food-store, Dockside Outlet Centre.
- Poor design and add 3.3m to the height and 6.6m to the width of the building. This increase in volume will be out of scale and harmful to the character and appearance of the building.
- Will impact on the outlook and amenities of the local residents.
- Will impact on the TV and telephone signal.
- There are already two gyms and trampoline centre in the area.
- Use of the building as an open market will be more appropriate.
- The building should be retained as it is in order to show its historic architecture.

Residents of St. Mary's Island Residents' Association

Have objected to the proposal on ground of car parking problem in the area and future customers would be parking on the Island to the detriment of the amenities of the residents of the Island.

The Victorian Society has no objection to the principle of use of the building for D2

purposes. However they object to the proposal and state that sufficient information and evidence has not been provided including a structural engineering report to justify the proposed development. They do acknowledge that the building is in need of protection and consider the proposed cladding as a temporary measure rather than a long term solution.

Historic England comment that the Machine Shop's current appearance as an unoccupied, skeletal cast-iron frame does not give a good indication of its former uses. It was never intended to look as it does now and its frame was not expected to withstand the elements as it has had to do for the past decades. That exposure has taken its toll on the metal frame, and in particular to its many joints, where significant corrosion has occurred that will continue to accelerate the longer it remains uncovered. The Machine Shop has for many years been on the national Heritage at Risk Register because of this major risk to its survival.

The current application proposes to repair the existing frame and surround it with a new covered frame to protect it. The new frame would be clad inside and out with a fabric membrane, similar to that used on the adjacent shopping building to the south. The historic frame would remain completely exposed inside the new outer structure. The new internal volume would be used for leisure (D2) uses, which might include a variety of different indoor sports and recreational activities. We are content with these sorts of uses because they would largely preserve the open interior volume of the structure and allow it to remain completely on view inside the building. They are also unlikely to require significant new elements fixed to the historic frame.

There are nonetheless a number of important matters of detail that have currently not been provided but which will need to be provided agreed through planning conditions before any work commences on site.

Some other details, including external finishes and colour-schemes, lighting and signage, are likely to depend on the type of operator/s involved and are thus most sensibly left to be conditions on any consent, should this be granted. Such conditions should also seek details of the repairs required to the existing metal frame and of any fixed equipment and enclosures to be installed in the building. **Historic England therefore supports** the application on heritage grounds subject to appropriate conditions.

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan). The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework 2012 and are considered to conform.

Planning Appraisal

Background

No. 8 Machine Shop was built as a dry dock cover in c.1845 by Fox Henderson & Co. It is the earliest surviving metal-framed slip cover. Its frame was not built at Chatham,

though, and was instead moved there from Woolwich Dockyard when it closed in 1865. It was relocated to Chatham with two other slip covers: the Boilershop, now a shopping centre, and the Prom E.W. Factory, which was demolished in c.1990. It came to be used in Chatham as a machine shop. As a pioneering example of an important and now rare dockyard building type, this structure is a grade II* listing, thus placing it in the most significant 7% of all listed buildings.

The building is not only significant in its own right, but also forms part of a group with the other slip covers at Chatham, including the neighbouring Boilershop (Grade II*, *Fox, Henderson & Co*, c.1847), now the Dockside Factory Outlet Shopping Centre, whose list entry specifically mentions this group value, and the five to the south (three Grade I listed buildings).

The Machine shop had corrugated sheeting cover until 1970s when they were removed. The corrugated iron sheeting gave the building a harsh utilitarian industrial look. The proposal seeks to give the building a much softer and inviting appearance to the building to reflect the proposed D2 use.

Over the last two decades attempts have been made to find an appropriate use for the building with no luck. As a consequence the proposal is a rare opportunity to find a use for the building that is appropriate and also ensure the building's long term survival and protection.

The condition of the existing skeleton frame, is such that it is not suitable for a traditional refurbishment involving an over cladding. The proposal would involve repair to stabilise the condition of the existing frame and repainting. Then an entirely new structure would be formed around the historic frame and then to clad the new frame with durable PVC tensioned membranes that according to the manufacturer last up to 20 years and give superior fire performance for improved safety, low maintenance and energy costs.

The applicant has no occupier for the building at present and the proposal is therefore speculative in this regards. Similarly any internal arrangement would also be subject to the specification of the future occupiers' requirements, including the location of changing rooms, shower, toilet and refuse facilities; however, the uses would be within class D2 use as defined by the Town and Country Planning Use Classes Order.

Principle

The application site is within Chatham Maritime area as defined by the Medway Local Plan 2003 Proposal Map where Policy S8 promotes mixed use including D2 uses. This policy promotes high quality and innovative design to create a high quality and vibrant environment.

Policy L2 of the Local Plan promotes new leisure facility within or on the edge of Town or Local Centres.

The proposed D2 use would help to promote a healthy activity which benefits community wellbeing.

Paragraphs 18 and 19 of the NPPF also encourage sustainable economic growth to create jobs and prosperity.

The Machine shop currently has no use and the proposed D2 leisure use is considered appropriate within the context of Chatham Maritime which is a local centre close to excellent public transport, the catchment population and other D2 uses already operating in this centre. There is therefore no in principle objection to the proposed use as it would complement other uses and be in compliance with policies S8 and L2 of the Local Plan and indeed, the National Planning Policy Framework promotes such leisure uses in and around town and local centre locations in the interests of sustainability and town/local centre vitality and vibrancy.

Construction of new cover and impact on the heritage assets

Structural survey of the existing structure has revealed that it is not able to support additional load associated with direct cladding. As such therefore it is necessary to construct a detached new lattice structure and clad that to create an enclosed internal environment.

It is specifically set out in s.16 and s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that the Council must have special regard to the desirability of preserving the listed structures, their settings or any features of special architectural or historic interest which they possess. The main issues for consideration here is the impact of the proposal on the fabric, character, appearance and setting of the listed building itself and the surrounding listed buildings.

The NPPF in paragraphs 132 and 133 states that when considering the impact of a proposed development on the significance of a designated heritage asset, 'great weight should be given to the asset's conservation'. Clear justification needs to be given if an asset is to be degraded as once lost the harm cannot be undone.

The construction of a new lattice structure and use of membrane cover sets challenges in terms of achieving a design that safeguards the listed building, its relation to the other listed buildings and the character of wider Chatham Maritime area.

The proposed design has been the subject of extensive discussion with the applicant in order to keep the height and over all scale of the new cover as low as possible so that the end result is in keeping with the scale and mass of other surrounding listed buildings. These discussion resulted in a reduction of the cover height by over 1.8m and change in the profile of the roof design to reflect the shape of the listed building.

It is proposed that the interior of the new frame will itself be clad on the inside with a translucent fabric. This would result in the impression (when viewed from inside the building) that there is no new structure, and result in clear legibility of the machine shop frame.

This approach would provide a gap and clear separation between the underside of the internal fabric and the outer face of the historic frame to allow for access and maintenance. This gap would need to be kept to a minimum, thus giving the illusion from the inside that the historic frame is cladded.

Entrance to the building would be from both southern and western elevations. It is proposed to leave the southern bay of the structure exposed as a “porch-like” element projecting from one end of the building.

The entrance doors will be recessed from the main building line to allow additional space within the public domain to effectively widen the pavement and make the entrance area easier to use. There will be a level threshold at the new external public entrance doors and wide door openings to facilitate wheelchair access.

The exposed frame will also add an element of architectural interest and hint at the interesting structure that is preserved inside. This exposed to the element part of the structure will have an enhanced maintenance regime compared to the protected internal part of the Machine shop structure.

All the necessary heating and ventilation would be internal and with the exception of grill like vent feature over the entrance areas, there would not be any other external feature visible from outside the building.

The proposed use and new cover works would ensure that this Grade II* Listed Building, which is on Historic England’s ‘Heritage at risk’ register (2011), be given a new lease of life and be brought back into a new use that helps with the restoration and long term retention of the building.

The PVC external tension membrane cover material proposed has already been used in the nearby Boiler shop (shopping Centre) garden centre part and as canopy around the eaves of the Odeon cinema building in Chatham Maritime area.

The new cover structure would have clearly a different external appearance when compared with the existing skeleton structure, but this is not considered to be harmful or detrimental to the character of the area or the street scene. The retention internally of the existing structure would allow for the history and importance of the listed building to be visible and recognised.

It is considered that the proposed new lattice structure together with membrane cover and D2 use would improve its internal and external conditions and character of the listed building and comply with policies BNE17 and BNE18 of the Local Plan.

Amenity

The nearest residential units are situated to the west of the application site, about 50m away. This is similar to the distance between the Ship and Trades Public House and the residential properties to the west.

The opening hours requested by the applicant would also be the same as the opening hours of the Ship and Trades Public House. Local residents have express concern about the noise and general disturbance from the use on their residential amenities.

Whilst this is a speculative application, it is not expected that the noise and activities associated with the comings and goings of the proposed D2 use would be

considerably greater than the noise from the users of the nearby Ship and Trades public house or other D2 uses in the locality and as such the proposal is not unacceptable in this mixed use location.

With regard to the visual amenities and concern about the proposed cover and cladding of the Machine Shop building and that the proposed works would detract from the outlook, day light and sun light of the occupiers of the residential properties to the west,. it is acknowledged that the cladding of the building will restrict the existing unfettered view through the structure. It has been explained above that to protect and preserve this important building, it has to be covered and cladded, and as such the present situation is not sustainable and the current view would inevitably be lost regardless of the type of cover used. It is not considered that there will be a loss of outlook due to the distances involved but a loss of view. Members will be aware that loss of view is not a material planning issue but, notwithstanding this, the loss of view for the local residents must be weighed against the undoubted benefits of the protection and preservation of this nationally important and at risk building. It is acknowledged by Historic England that the proposed development would protect the building and secure its long term future and provide a facility that would help promote healthy living in the borough. It is considered that modest impact on the view of the residents of the properties to the west does not outweigh the identified benefits that will result from the proposed development. The proposal therefore would be in compliance with policy BNE2 and BNE3 of the Local Plan.

Highways

The proposal includes dedicated off street car parking spaces for 50 cars plus 6 disabled spaces as well as provision for motorcycle and bicycle parking area. Moreover Chatham Maritime centre has a large car parking area as well as a multi storey car park which is within the control of the applicants. In addition the centre is well served by public transport. There are also suitable controls in place on the adjoining road network to ensure that overspill parking is unlikely to cause any significant harm. Likewise, due account must be taken of established planning policy to encourage leisure and other more travel-intensive uses to locate close to town and local centres and it is a fact that this is a particularly accessible location within the Borough. Moreover, it is likely that many visitors would have linked trips with other activities in the Dockside/Chatham Maritime centre.

It is therefore concluded that no unacceptable parking demand related highway safety issues will occur as a result of this development. However, notwithstanding this, as the application is speculative, a planning condition is recommended requiring submission of a parking management plan to ensure that the allocated parking spaces are managed appropriately. The proposal therefore accords with Policy T1 of the Medway Local Plan 2003

Management and maintenance

The machine shop even once covered will carry on requiring regular up keep and maintenance in order to ensure that its individual component would not corrode away. Also according to the manufacturer the proposed cladding material would have 15 to 20 years life span guarantee and need to be replaced.

In addition the PVC cover material would require regular cleaning and up keep in order to wash away dust and dirt or repair any other damage that might occur. In this regard it is considered appropriate to impose planning conditions that deal with these issues in the interests of visual amenities of the locality and ensuring that the building continues to remain an important land mark that contributes to the character of the area and group value of the listed buildings in the locality.

No refuse facility is proposed. This would be part of internal arrangement. To ensure that adequate refuse area is provide by the future occupiers of the building, a condition deal with this issue is also recommended.

Local Finance Considerations

None

Conclusions and Reasons for Approval

The proposal would secure the long term preservation and protection of this important listed building and help to return the building to a positive commercial use, with community health benefits and generating employment. Leisure uses are suited to such a local centre location and help boost Chatham Maritimes vitality and viability. The site is sustainably located and highly accessible by all modes of transport. There is adequate on-site car parking and residents' concerns about harm to residential and visual amenities are noted, but the benefits of the development far outweigh any perceived harm or impact. No other unacceptable harm to neighbour amenity would result given the benefit that will result to this important listed building. As such the proposal is acceptable in relation to National Planning Policy Framework and Policies S8, L2, BNE 2, BNE3, BNE17, BNE18 and T1 Medway Local Plan 2003.

The application would normally fall under Officer delegated powers for determination, but is being reported to Committee due to the number of representations received expressing a view contrary to the recommendation.

Background Papers

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess.medway.gov.uk/online-applications/>