

F MC/09/1009

Date Received: 1 June, 2009

Location: Units 1 To 15 Phase 4 Crusader Close Gillingham Business Park Gillingham Kent ME8 0PR

Proposal: Change of use from existing use (Mix B1 and B8) to a flexible B1(C) Light Industrial and/or B8 Storage and Distribution Use

Applicant: Henderson Global Investors

Agent: MS Conacur Indigo Planning 42 Brook Street London W1K 5DB

Ward Watling

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 12 May, 2010.

Recommendation - Refusal

(as amended by additional email letter received on 8th September 2009)

- 1 The proposed change of use to a B8 Storage and Distribution use would lead to a significant loss of jobs within Phase 4, Crusader Close and would add to the cumulative loss of key employment potential within the Gillingham Business Park. This would lead to the deterioration of the strategically important Business Park within the Medway Towns, contrary to the key aims and objectives of national, regional and local planning policy as expressed in the Explanatory Memorandum of the Local Plan employment chapter. The proposal is also contrary to Planning Policy Statement No.4 and Policies SP3, KTG1, RE2, RE3 and RE6 of the Regional Spatial Strategy –South East Plan, May 2009.

Site Description

General

The application site is situated within Gillingham Business Park, which is located to the south east of Gillingham, at the junction of the A2 and A278. The site has a wide internal circular service road, with grass verges and planting, and cul-de-sacs leading off. Buildings are generally in short terraces with walls of either brick, for offices, or cladding for industrial buildings. A retail park facing onto the A2 dual

carriageway adjoins the northeast corner of the site, with a new large B&Q to the north west of the Park.

The Business Park is approx 40 ha in size and provides over 140,000m² of industrial, office, manufacturing, storage and distribution accommodation. It is noted that in terms of adaptability, most buildings are of relatively modern modular form and therefore flexible in their use and ability to subdivide or merge.

Gillingham Business Park is well positioned for transport connections with the A2 to the north and to the east the A278 dual carriageway, which links directly to the M2 (approx 2 miles to the south) and assists both economic prosperity and is a centre of employment for Medway and is a thriving business centre.

Specific

This application relates to a courtyard created by two blocks of purpose built single storey buildings around Crusader Close, which is a cul de sac accessed from Ambley Road. The courtyard is sited within the furthest south eastern corner of the Gillingham Business Park, just south of the access leading onto Hoath Way, which then leads onto the M2.

Within Crusader Close the units are used as follows, being predominantly B8 uses X nine units (some with trade counter sales), three combined B1c/B8 uses and only three units in alternative B2 and Sui generis uses.

The units were constructed under an Enterprise Zone status and therefore many of the units did not have any planning permissions associated with them or restrictions on opening hours.

Proposal

This application seeks Planning Permission for a change of use of all of the units from the existing use to a flexible B1c (Light Industrial Use) and/or a B8 Storage and Distribution use. The applicants require flexibility in order to be able to let their units to either a B1c or a B8 use without a further need to apply to the Local Planning Authority. The applicant has also requested a five-year commencement consent period due to the economic climate. Notwithstanding the applicant's request, the Government is currently considering to re-instate the five-year consent period in order to support economic development.

Similar applications have been submitted for a number of other units within the Business Park. These are listed below and they also form part of this Committee agenda.

MC2009/1000	Units 1-11, Phase 5, Matilda Close
MC2009/1001	Units 1 to 13, Phase 1, Chieftain Close
MC2009/1002	Units 1 to 27, Phase 34, Sabre Court, Valentine Close
MC2009/1007	Units 1 to 8, Phase 9, Saracen Close
MC2009/1008	Units A and B, Phase 21, Bailey Drive

In effect, as many of the units were built under Enterprise Zone status, the applicant wishes to formalise the permitted uses at each site. The purpose of the applications is to allow flexibility in marketing vacant units thus minimising vacancies at this important employment location. The proposed uses are considered by the applicant to be in accordance with the adopted Local Plan.

At a meeting with Council officers to discuss the long-term future and aspirations of Gillingham Business Park, the managing agents provided the following additional information:

- The site is held by an income generating Unit Trust, which has no access to capital.
- The Trust has a limited life - it is thought less than 5 years. It will then need to be reinvented or the interest sold on.
- The older buildings in the Park were at the end of their useful life.
- Concerned about the impact of the current economic climate on the Business Park and that they have found it difficult to let units as demand is limited for B1 and B2 uses and they would like to have more flexible terms of planning permission in order to improve their chances of letting these units.
- Are seeking as "open" a planning regime as possible to appeal to as wide a market for units as possible in the short term.

A Planning Statement and Transport Assessment have also been submitted. A plan for phase 4 has been submitted showing the location and breakdown of car parking) along with a Car Parking Schedule (per phase) and which appears to accord with the case officers on-site findings.

A summary schedule has been submitted showing the breakdown of floor space per unit (ground and first/ mezzanine level).

Site Area/Density

Site area: 0.34ha (0.84 acres).

Relevant Planning History

Historical records record two blocks of 15 nursery units, single storey and totally approx 3200m², ranging in lettable area from 200m² to 225m² with facilities for multiple units. Upon the expiry of the Enterprise Zone a survey was undertaken of the occupation and class use of all of the units within the Business Park. In 1996 most of the units in Phase 4 were noted as being in B8 usage (x8), B1c (x5), B1b (x1), B2 uses (x1).

31 October 1983 An Enterprise Zone Planning Scheme (North West Kent Enterprise Zone No.5) produced for the Business Park, which granted planning permission for most forms of development subject to certain exclusions, conditions and limitations. The

Enterprise Zone excluded certain parts of the Business Park, being phases 1, 3 and 7.
The Enterprise Zone ended on 31st October 1993.

- 3.2.1981 Gordon Barracks Development Brief adopted as a formal statement of the Council's policy for use in further negotiations and decision making concerning this area.
- GL80/114 Two blocks of advance nursery units together with ancillary offices.
Details Approved 27 June 1980
- GL66/173G and H Gillingham Business Park, Gillingham (Stage I)
Outline warehousing development on 13ha of land and detailed layout of associated roads.
Approved 30 June 1978.

Representations

The application has been advertised on site, in the press and neighbour notification letters have been sent, including to the Business Park Manager and all current occupiers in the application site.

Letters of representation: None received.

National Planning Guidance

Planning Policy Statement 1: Delivery and Sustainable Development
Planning Policy Statement 1A: Planning System & General Principles
Planning Policy Statement 4: Planning for Sustainable Economic Growth
Planning Policy Statement 23: Planning and Pollution Control
Planning Policy Statement 24: Planning and noise

Development Plan Policies

South East Plan 2009

Policy SP3	(Urban Focus and Urban Renaissance)
Policy KTG1	(Core Strategy)
Policy RE2	(Supporting Nationally and Regionally Important Sectors and Clusters)
Policy RE3	(Employment and Land Provision)
Policy RE6	(Competitiveness and Addressing Structural Economic Weakness)
Policy CC1	(Sustainable Development)
Policy BE1	(Management for an Urban Renaissance)
Policy T1	(Manage and Invest)
Policy T4	(Parking)

Medway Local Plan 2003

Policy S1	(Development Strategy)
Policy BNE1	(General Principles for Built Development)
Policy BNE2	(Amenity Provision)
Policy ED1	(Existing Employment Sites)
Policy T1	(Impact of New development on Highway Network)
Policy T2	(Access to the Highway)
Policy T13	(Vehicle Parking Standards)

The Medway Local Development Framework – Employment Land and Accommodation Study 2007 is also of direct relevance to the proposed development.

Screening Opinion

The purpose of a screening opinion is to establish whether an Environmental Impact Assessment (EIA) is required.

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 sets out descriptions of development and the applicable thresholds and criteria for the purposes of the definition of “Schedule 2 development”. The proposed development is considered to come under part 10 “*Infrastructure projects*” section (a) “Industrial Estate Development Projects”.

Taking into account the thresholds and criteria under Schedule 2 part 10 (a); the information under Schedule 3; as the application site is not within a “sensitive area” as defined in Regulation 2 (1); and as the site area does not exceed 0.5ha, being 0.34ha; it is considered that the development does not require an Environmental Impact Assessment.

Planning Appraisal

Having regard to the provisions of the Development Plan, it is considered that the main issues arising from the proposal are as follows:

- a) Whether the principle of the change of use from existing usage to a flexible Light Industry (Class B1c) and/or Storage and Distribution (Class B8) use is acceptable;
- b) Economic Appraisal including:
 - Impact upon adjacent units and immediate locality;
 - Impact upon Gillingham Business Park as a whole;
 - The impact upon the Borough of Medway as a whole.
- c) Whether the proposal would cause harm to the amenities of the occupiers of nearby residential and commercial units/buildings;
- d) Whether the proposal would prejudice highway safety and car parking implications.

Principle of the development

The units are situated within a courtyard within Gillingham Business Park and for which the Business Park has been identified under Policy ED1 as being an existing employment site suitable for light industry/offices (B1), General Industry (B2), Storage and Distribution (B8) permitted.

Economic development is described as amongst other matters “*as development within the B Use Classes*” in PPS4. Regard must still be given to the Development Plan and all material considerations.

It is considered that as the site is within an established employment area identified in the adopted Local Plan where there is a presumption in favour of business (Class B1), general industrial (Class B2) or warehousing development (Class B8) and bearing in mind the text of policy ED1 of the Medway Local Plan, that the principle of the development for flexible B1c and B8 uses would appear to be acceptable purely in terms of policy ED1.

However, the Local Planning Authority are obliged to consider all relevant material considerations pertinent to the application.

Economic Appraisal

Planning Policy Statement No.4

Planning Policy Statement No.4 refers Local Planning Authorities to have regard to policy EC10 of PPS4 that advises under EC10.1 “*Local Planning Authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably.*” Policy EC10.2 advises of a number of criteria that all planning applications for economic development should be assessed against, including under EC10.2d: the impact on economic and physical regeneration in the area including the impact on deprived areas and social inclusion objectives; and under EC10.2e: the impact on local employment.

It is acknowledged that in terms of policy EC10.2d of PPS4, Medway is not a registered deprived area, however the Local Planning Authority must have regard to the impact and the consequences that each planning application will have on economic and physical regeneration and employment, and cumulatively what impact the implementation of these six phases will have upon the Business Park and Medway as a whole.

When assessing against EC10 of PPS4, this application (and cumulatively with the other six phases) should be assessed in terms of the long-term impacts and benefits including job creation and the full occupation of buildings for the benefit upon the local economy of Medway. Job opportunities and accessibility to employment can also have a social impact. Consideration is required to be given of whether those proposals help to meet the wider objectives of the development plan. As such the functioning of the Gillingham Business Park in relation to how it contributes to the economic and employment status of Medway is also a material consideration.

Planning Policy Statement No.4 requires the Local Planning Authority to balance differing considerations. It is considered that the consequences of the implementation of the six planning applications would not secure sustainable economic growth because of the potential loss of employment. Such loss of employment as a consequence of the potential for B8 predominant uses within the six application sites, and the subsequent lower employment ratio per floor area, plus the lack of flexibility that a comprehensive change to either a B1 or a B8 use, would have additional consequences with the local population seeking jobs further afield. This would increase the need for the local population to travel further to find work; as well as the Local Planning Authority being required to consider the need for additional employment sites beyond the current Gillingham Business Park site. This would not comply with sustainable economic growth and would have a detrimental social impact upon the local population. This would not comply with policy EC10.

Objective of the Development Plan

Although the wording of policy of ED1 as it applies to Gillingham Business Park is specific, the reasoned justification behind the policy and the preamble is still highly relevant. In paragraph 4.5.1, *“the Council will encourage the improvement of such areas to enhance both the image and efficiency of companies and the environment. The latter is particularly important to the way potential business investors perceive Medway”*. Therefore proposals for new development (and this can include changes of use), which are likely to generate further employment, will be permitted, subject to the particular characteristics of each site. Gillingham Business Park is particularly described as a major employment site, which is recognised as being amongst the finest of its kind in the South East. The phrasing *“to generate further employment”* is of particular relevance to this application and expanded upon below.

As set out in the objectives of the local plan in paragraph 4.4.1, the strategic aim of the Local Plan is to stimulate and strengthen the expansion of economic activity, to support the continued regeneration of the area's economic base, improve employment opportunities for its population and reduce the need for outward commuting. In pursuit of this strategic aim, the Council will seek to fulfil a number of objectives; the most relevant to this current application are the following:

- a) To ensure that there is an adequate supply of good quality employment sites, which will meet the needs of the area and be capable of accommodating a wide range of industrial and commercial uses;
- b) To develop a sustainable economy that is diverse and self-supporting by encouraging the development of sites for a range of uses that will provide a variety of job opportunities and reduce the need for outward commuting;
- c) To pursue economic growth and a high quality environment in parallel.

Another material consideration for the appraisal of this application is the soon to be completed Employment Land Study and associated Economic Development Strategy which are under preparation to inform the direction of the Local Development Framework. This will also be in accordance with the aims of the Regional South East Plan, such as policy RE3.

- The *Regional South East Plan* identifies Medway as one of the main economic locations to be promoted in the context of the development of the Thames Gateway Growth Area.
- The *Kent Thames Gateway Spatial Strategy* highlights the urgency of issues relating to employment land and makes connections between the quantity and ready availability of employment land and the ability of local authorities to boost the local economy.
- Medway's Gross Value Added (GVA) per capita of population is very low in national terms at 66% of the average for England both as a consequence of workers commuting out of Medway and a predominance of low wages.
- There is a need to increase the jobs to workers ratio to avoid encouraging commuting out of Medway.
- However, the potential shortage of suitable employment land particularly within the urban core is noted as a serious block to job creation.

The Employment Land and Accommodation Study 2007 also undertook an Employment Site Audit for each of the 34 industrial estates. The survey concluded that the overall perception of the borough could be improved by offering welcoming, viable and flexible industrial estates, including the provision of small industrial units and flexibility in terms of a variety of small, medium and large units within any one industrial estate in order that a thriving company is able to stay put within one particular estate moving onto larger premises as need requires.

Within the Medway Local Development Framework – Employment Land and Accommodation Study 2007 (page 45), a 2006 survey notes that Gillingham Business Park remains the 3rd largest Industrial estate (out of a total of 34 recorded estates) in Medway with a well balanced ratio of units sizes comprising of 36.09% small units, 39.85% medium units and 24.06% large units. A case study (within the same document: page 11 of section 2: Employment Site Audit) showing a comparison between 5 sites (Gillingham Business Park, Hopewell Drive, Kingsnorth, Medway City Estate and Temple) places Gillingham Business Park in a relative good situation with regard to how much land is currently unused; it has relatively good roads and connections to the motorway; it has good bus services to the estate. Parking at Gillingham is recorded as being mainly sufficient in contrast to near capacity and extensive parking on roads at Hopewell Drive and at Temple.

The Gillingham Business Park therefore already accommodates what the Employment Land and Accommodation Study 2007 sets out to achieve for Medway as a whole.

The Local Planning Authority is concerned that for the reasons expanded below that each individual planning application as well as cumulatively with the other five applications, will have a detrimental impact upon this current status of Gillingham Business Park and the Council's objectives for the Business Park.

As part of the planning application appraisal process, an employment assessment was undertaken of the units within Phase 4 in order to gain an indication of its current employee status and a possible scenario of potential employment, i.e. numbers of employees should the planning application be approved. The English

Partnerships and Regional Development Agencies Employment densities were used which are based on average floorspace per person in the main use classes. For example the floorspace/person offered by Class B1a offices equate to 16, and thus a high proportion of employees, this compares to the other end of the spectrum of 50m²/ person associated with Class B8 (General warehousing) and thus a low proportion of employees. It is also considered that warehousing can offer lower valued jobs and pay in comparison to non-warehousing jobs and thus can have an impact on the economic and employment status of an area, the amount of available job opportunities and accessibility to employment, economic productivity and consequent social impacts are all relevant material considerations.

Using these figures the current estimated employment density for the existing nine B8 units, three combined B1c/B8 uses and three units in alternative B2 and Sui generis uses, comprises of 74 employees.

The current planning application in effect would allow all the units to convert to either B1c or B8 uses, should they become empty (and it is noted that none are currently vacant), should all units become occupied by B1c light industry the total estimated employee figure would increase by 25 to 99 employees, while a comprehensive change of all units to a B8 storage and distribution use would result in a loss of 10 employees down to a total of 63 staff.

The applicant has stated that it is highly unlikely that all of the units would change to the same use. However, if the Local Planning Authority grant such a blanket planning permission as is requested for this phase (and cumulatively all six phases) then the Council has lost control over the usage of the units and the comprehensive change of use to a B8 use could occur with subsequent consequences for employment potential.

The applicant's arguments in support of flexibility are noted, including their concerns that it has been difficult to let units, as demand for B1 and B2 uses is limited, however it is also noted that the Council do not consider that the facts corroborate this statement. For example within this current application site at Crusader Close out of the 15 units, none are empty (and some companies have been on the Business Park for many years such as Sergeant Bills, Brown Brothers, Crown Decorators, City Electrical); and cumulatively with all six application sites, out of total of 76 units, at the time of the case officers site visit only four were vacant. No further evidence in support has been submitted, or what demand/ or lack of demand there is for B1c or B8 uses.

There are already a number of B8 uses within the Gillingham Business Park and also within Crusader Close. It is also considered that the Council would certainly not want to see any additional units (notwithstanding that units 2 and 3, 4 and 5, 7 and 8, 10 and 11, 14 and 15 are already in one companies usage) combined to create larger warehouses, which provide less intense employment at lower skills levels.

Although it could be argued that because the applicants have stated that they will not be asking any existing tenants to move out, and in any case that would hardly be in their best interest to lose guaranteed income, and as some of the companies have been renting the units for some time, and therefore could be presumed to not want to

relocate out of the Business Park in the near future, it is highly unlikely that all the businesses would move out on mass. However, presumptions in the economic climate should never be made.

Cumulative Impact

This planning application forms part of a total of six planning applications, which seek to introduce similar operational flexibility within different phases of the business park. The employment assessment referred to earlier looked at the cumulative impact of all these in order to assess the possible potential consequences of approving all six planning applications.

The current estimated employee potential based on current uses equates to 715 employees. A comprehensive change of use of all units to a B1c Light Industry use would create an additional 139 potential jobs, whilst a comprehensive change of use to wholly B8 Storage and Distribution would equate to a reduction of 199 employees.

Of consideration is the fact that some of the phases, such as 21 (Bailey Drive) are very unlikely to be wholly converted to B8 use due to the fact that a proportion of the floorspace has been purposefully built as office floor space.

Notwithstanding this, whilst the potential increase in 139 jobs offered by the change in use to B1c (Light Industry) is positive, the worst-case scenario of all units changing to a B8 use will result in a significant loss of employment. Irrespective of the applicant's statement that this is unlikely to happen, once planning permission has been granted, any consequences would be hard to mitigate.

Such a significant loss of 199 jobs would be contrary to the long term strategic aims of the Medway Local Plan as evidenced in the explanatory memorandum supporting policy ED1; the needs and aspirations for the Gillingham Business Park based upon the Local Plan and contrary to the South East Regional Plan.

The cumulative loss of jobs as a consequence of the implementation of these six applications would not comply with the requirement for accessibility to employment opportunities for local populations, or the need to avoid unnecessary travel as required by Policies SP3 and KTG1 of the South East Plan.

Regional Policy RE2 seeks the provision and safeguarding of employment land in appropriate locations with good transport links and the continued provision of premises of an appropriate type, size, price and quality, such as that supplied by Gillingham Business Park. Policy RE3 advises that accessible and well-located industrial and commercial sites should be retained where there is a good prospect of employment use. Gillingham Business Park falls into that category

The role that Gillingham Business Park has in providing a flexible and wide range of small, medium and larger premises as well as a wide range of use classes with consequent job opportunities able to meet the varying needs of different economic sectors and easily accessible to the existing labour supply is important to retain in the context of Regional Plan policies RE2, RE3 and RE6. The consequences of a comprehensive change of use to a B8 use within these six phases in the Business

Park would not satisfy this policy as the local population seek jobs further afield. Nor would a comprehensive change of use to either a B1 use or a B8 use retain the current flexibility and variety of job opportunities associated with the varying use classes within the Business Park.

In order to off-set this potential loss of job opportunities, the Local Planning Authority would be obliged to find alternative employment sites, this could result in additional land allocation elsewhere and additional travel costs for the local population. This would not comply with the aims of policy CC1 of the Regional Plan with regard to sustainability or ensuring a good quality of life that includes employment opportunities. It is important to retain the existing balanced, mixed and integrated community offered by the variety of unit sizes and use classes within the Gillingham Business Park. The implementation of the six planning applications would have the potential to reduce the current mix with a move towards one main use class within 76 units.

There is the danger that a comprehensive change of use to B8 within the six phases being applied for, would lead to the perception of the Business Park as primarily a warehousing location, an open B8 consent could be seen as encouraging amalgamation of existing units to increase their size and suitability for warehousing purposes. In addition, the whole character of a phase could quickly change with existing tenants becoming disillusioned due to the impact upon their business and their amenities, in addition to the potential cumulative job losses having a detrimental impact upon the Business Park.

The strategic significance and importance of Gillingham Business Park as the third largest industrial estate within Medway and with strategic road connections, is of material consideration as is the fact that it currently has a fairly well balanced ratio of units sizes therefore catering for small start up business, which can then expand to medium sized units and then larger sized units, as their business flourishes. This has been the experience of some of the long established companies at Gillingham Business Park and their consequent contribution to the employment market in Medway.

It is thus considered that the impact of this application, along with the other five similar planning applications encouraging the Business Park to be seen as a warehousing location would contradict the aspirations for the Business Park and would be in conflict with its role as one of Medway's highest quality employment locations.

It is considered that a comprehensive change of use to B8 would not support this and therefore the planning application at Crusader Close cannot be supported.

To avoid a comprehensive change of use to either a wholly B1 or wholly B8 use, the Council offered a compromise to the applicants, which could have satisfied the requirements of both parties. Advice was given upon what % ceiling should not be exceeded for each use class: B1, B2 or B8 of the total commercial floor area of the Business Park.

It was considered that an appropriate balance for the Park would be as follows:

- B1/B2 uses – 50%
- B8 uses – 40%
- Other uses – 10%.

What the above seek to do is to retain the diversity of employment and uses within the Gillingham Business Park.

This proposal was rejected by the applicant on the grounds that:

- An increase in vacancies would reduce the funds available for management and maintenance of common parts and landscaping, the current applications would keep such vacancies as low as possible.
- The applicant's requirement for a degree of flexibility.
- Section 106 is not necessary to make the proposed development acceptable.
- Section 106 is not reasonable or practicable given the significant number of commercial leasehold interests currently in place across the Park.
- As it is highly unlikely that all of the space would change to the same use, the chances of achieving the higher percentages quoted is relatively low.
- It would not be possible to manage changes of use to achieve such precise figures.
- The arrangement would be unwieldy and take away the flexibility sought.
- In their opinion the proposed planning obligation does not comply with the Circular tests and would therefore be open to challenge and not an appropriate course of action.

Having regard to all of the above it is considered that the suggestion of limiting the proportion of B1 and B8 uses within the Business Park is not unreasonable.

Amenity Considerations

Policy BNE2 of the adopted Local Plan seek to ensure that the amenities of prospective occupiers and those of existing occupiers and nearby residents are safeguarded.

Given the site's location away from any residential properties it is considered that a change of use to either a wholly B1 or wholly B8 use class within the application site would not generate any problems.

In amenity terms the proposal is therefore viewed as being acceptable and complies with the cited Development Plan Policies.

Highways Impact, Traffic and Car Parking

In terms of car parking provision, Policies T4 of the South East Plan, and T13 of the adopted local Plan set out parking standards (as maxima). Policy T1 of the South East Plan, and Policies T1 and T2 of the adopted Local Plan deal with the impact of

additional traffic caused by development and seek to ensure that the Highway network is adequate in terms of capacity and safety. Policies CC1 and CC6 of the South East Plan seek measures to promote sustainable development. This can include measures to reduce reliance on the use of cars.

As part of the application package the Transport Statement looks at the highway implications of the proposed flexible use including parking, likely traffic generation, and highway safety.

The submitted information has been carefully assessed and interrogated and it is found that the consequences of either a comprehensive change of use to a wholly B1 or wholly B8 use class as well as analysis of the potential worst case scenarios in terms of traffic assessment, would not have a detrimental impact upon car parking, servicing, access and traffic generation within the application site (at phase 4, Crusader Close).

The cumulative consequences of the implementation of all six planning applications was also considered, including worst case scenarios and again, it was found that there would be no detrimental impact upon car parking, servicing, access and traffic generation within the Business Park or adjacent roads.

It is considered that the analysis contained within the submitted Transport Assessments when cross referenced with the Council's own assessment, demonstrate that the development proposals will not trigger any material highway impact within or in the vicinity of Gillingham Business Park.

Therefore there are no policy objections with regards to Highways Impact, Traffic and Car Parking and the proposal is therefore viewed as being acceptable.

Conclusions and reasons for Refusal

Gillingham Business Park is an identified employment site, which greatly contributes to the local economy.

In the current economic climate, it is especially important for local authorities to support local economic development and job creation, unless it can be demonstrated that this would have a negative economic, employment, environmental or social impact.

Gillingham Business Park is an identified employment site, which greatly contributes to the Medway economy. There is generally a diverse range of uses occupying small units within the phase's concerned, and this should be supported and helped to flourish. It is also considered important to retain the current diversity of B1, B2 and B8 uses.

Notwithstanding the wording of Medway Local Plan policy ED1, with a potential loss of the above quoted employee spaces, it is considered that the proposal does not accord with the key aims and objectives of national, regional and local planning

policy as expressed in the Explanatory Memorandum of the Local Plan employment chapter. The wording of policy ED1 allows flexibility in-between the different use classes B1, B2 and B8. The potential consequence of the current planning application combined with the others in effect reduces this flexibility.

Policy EC10 of PPS4 is a material consideration and supports the Local Planning Authority's reasons for refusal with regard to impact on local employment; impact on economic, physical and social regeneration and the economic and employment aspirations for the borough of Medway as expressed in the Local Plan and the emerging Local development framework.

The application is considered to be contrary to the employment provisions of Planning Policy Statement No.4 and policies SP3, KTG1, RE2, RE3, RE6 and CC1 of the South East Plan, May 2009 and is accordingly recommended for refusal.

[This application would normally fall to be considered under officers' delegated powers but has been reported for Members' consideration at the request of Councilor Mrs Chambers as she would like members to consider the various issues in relation to the scheme being proposed.]
