

PLANNING COMMITTEE – 21st May 2026**PART 4**

Report of the Head of Planning

PART 4

Swale Borough Council's own development; observation on County Council's development; observation of development by Statutory Undertakers and by Government Departments; and recommendations to the County Council on 'County Matter' applications.

4.1 REFERENCE NO - 26/500901/FULL		
PROPOSAL Change of Use of the existing building from a multi-storey car park to a mixed use comprised of a multi-storey car park and a non-ancillary CCTV control room.		
SITE LOCATION Spirit of Sittingbourne Multi Storey Car Park, Station Street, Sittingbourne, Kent. ME10 3LF		
RECOMMENDATION Delegate to the Head of Planning to grant planning permission subject to appropriate safeguarding conditions as set out in the report, with further delegation to the Head of Planning to negotiate the precise wording of conditions, including adding or amending such conditions as may be consequently necessary and appropriate.		
APPLICATION TYPE Full (Minor)		
REASON FOR REFERRAL TO COMMITTEE Application submitted by Swale Borough Council.		
CASE OFFICER Kelly Sharp		
WARD Chalkwell	PARISH/TOWN COUNCIL N/A	APPLICANT Swale Borough Council AGENT Mr Suchindra Reddy - Airey Miller
DATE REGISTERED 9/03/2026		TARGET DATE 04/05/2026
BA CKGROUND PAPERS AND INFORMATION: Documents referenced in report are as follows: - All drawings submitted All representations received The full suite of documents submitted pursuant to the above application are available via the link below: - 26/500901/FULL Change of Use of the existing building from a multi-storey car park to a mixed use comprised of a multi-storey car park and a non-ancillary CCTV		

[control room. | Spirit Of Sittingbourne Multi Storey Car Park Station Street
Sittingbourne Kent ME10 3LF](#)

1. SITE LOCATION AND DESCRIPTION

- 1.1 The Spirit of Sittingbourne Multi Storey Car Park (MSCP) is situated within the built up area boundary of Sittingbourne. It lies within the defined Sittingbourne Town Centre boundary and a regeneration area, as defined by Policy Regen 1 in the Local Plan. It is located on St Michaels Road, positioned immediately to the north of the eastern end of The Forum.
- 1.2 The surrounding area is characterised by a mix of town centre uses, predominantly retail and commercial, consistent with its central urban location.
- 1.3 The MSCP consists of five levels with the existing parking comprising of 22 disabled bays, 10 motorcycle bays, 4 parent and child bays, 4 electric bays and 2 waiting bays at ground floor and 287 standard parking bays divided across the first, second, third floor and the roof top.
- 1.4 The vehicle entrance is situated on the eastern elevation with pedestrian entrances on the east elevation and on the west elevation at the north west corner of the building. The west elevation of the MSCP adjoins The Forum with a covered pedestrian access into the shopping centre.
- 1.5 Adjacent to the pedestrian entrance to the MSCP on the north western side is an existing internal control room measuring approximately 7.7m by 9.8m.
- 1.6 The MSCP is adjacent to the Sittingbourne High Street Conservation Area, however it does not fall within it.

2. PLANNING HISTORY

- 2.1 14/505440/FULL - Spirit of Sittingbourne – regeneration across six sites, including cinema and multi-storey car park (The MSCP relates to Site 5). Approved.

3. PROPOSED DEVELOPMENT

- 3.1 This application seeks planning permission for the change of use of the existing building from a multi-storey car park to a mixed use comprised of a multi-storey car park and a non-ancillary CCTV control room. As set out above, there is already a control room in place at the site and it is known that this was used for purposes that were ancillary to the car park but that it has also been partially used for wider operational purposes connected with the safety and security of the area.
- 3.2 The drawings submitted show that the existing internal control room within the car park will be enlarged on the south western side by 11.07m with a matching depth as the existing control room. An access ramp will be sited on the southwest side of the control room.

- 3.3 The works will be constructed in masonry with a render and painted white finish to match the existing. An aluminium framed metal door is proposed which will match the existing windows on the control room.
- 3.4 As the resultant control room will be entirely within the existing MSCP it should be noted that the physical works do not require planning permission. However, as the floorspace is to be used for purposes that are not associated with the existing MSCP, it is considered that the proposal represents a partial change of use of the overall building. The application has been submitted to seek planning permission for this.
- 3.5 To accommodate the extension three disabled parking bays will be removed from the location of the enlarged control room. Replacement disabled bays are proposed with one positioned on the first floor, one on the second and one on the third floor to maintain the overall number of disabled bays provided within the MSCP. These will be sited on the north eastern side in close proximity to the lift on each floor.
- 3.6 The proposed parking will comprise of 19 disabled bays, 10 motorcycle bays, 4 electric bays, 4 parent and child bays and 2 waiting bays at ground floor. First, second and third floors will each have 1 disabled bay and 69 standard parking bays. The roof top will have 74 standard parking bays. The proposal will see the loss of 6 standard parking bays.
- 3.7 A supporting statement has been submitted with the proposal stating:

‘The client has taken a cautious and informed approach, recognising that standard bays within the facility are currently underutilised. The resulting minor reduction in standard parking spaces is therefore considered a justified and reasonable measure that maintains compliance with the Equality Act 2010 and local planning policies, while supporting the functional enhancement of the car park without any external visual change.’

- 3.8 No external changes to the multi storey car park are proposed.

4. REPRESENTATIONS

- 4.1 Two rounds of consultation have been undertaken (one of which follows a revision to the description), during which letters were sent to neighbouring occupiers and a notice was displayed at the application site.
- 4.2 No representations were received from neighbouring residents.

5. CONSULTATIONS

- 5.1 Ward Councillors - No representations received.

6. DEVELOPMENT PLAN POLICIES

Bearing Fruits 2031: The Swale Borough Council Local Plan 2017 (the Local Plan)

ST1 Delivering sustainable development in Swale
ST3 The Swale settlement strategy
ST4 Meeting the local plan development targets
ST5 The Sittingbourne area strategy
CP1 Building a strong, competitive economy
CP2 Promoting sustainable transport
CP4 Requiring good design
Regen 1 Central Sittingbourne: Regeneration Area
DM2 Proposals for main town centre uses
DM6 Managing transport demand and impact
DM7 Vehicle parking
DM14 General development criteria
DM28 Biodiversity and geological conservation
DM33 Development affecting a conservation area

Supplementary Planning Documents (SPD)

Sittingbourne Town Centre SPD Swale Borough Council Parking Standards 2020

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

7. ASSESSMENT

7.1 The main considerations involved in the assessment of the application are:

- Principle of Development
- Visual Impact
- Living Conditions
- Parking
- Biodiversity
- Other Matters

Principle of Development

7.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 sets out that the starting point for decision making is the development plan unless material considerations indicate otherwise.

7.3 The National Planning Policy Framework provides the national policy context for the proposed development and is a material consideration of considerable weight in the determination of the application. The NPPF states that any proposed development that

accords with an up-to-date local plan should be approved without delay. At the heart of the NPPF is a presumption in favour of sustainable development and for decision-taking this means approving development that accords with the development plan.

- 7.4 The application site lies within the built-up area boundary of Sittingbourne where development is generally supported under Policy ST3 of the Local Plan.
- 7.5 The Sittingbourne Town Centre SPD identifies opportunities to create new mixed use developments on St Michaels Road and it is noted that this opportunity was taken as part of the wider Spirit of Sittingbourne development that has previously been approved and undertaken. This proposal seeks an amendment to the use of the building but does not conflict with the approach of supporting mixed use developments and, therefore, the principle of the change of use of the existing building from a multi-storey car park to a mixed use comprising of a multi-storey car park and a non-ancillary CCTV control room is considered acceptable and in compliance with the SPD.
- 7.6 The site is located within the Sittingbourne Regeneration Area and Policy Regen 1 sets out that proposals providing for suitable car parking that will support existing and new uses and which are in accordance with an overall parking strategy for the centre will be permitted. Policy DM2 of the Local Plan states, amongst other things, that development should not materially prejudice the provision of other land uses, particularly the supply of commercial uses, housing, community use and open space. It also states that non-retail uses will be permitted provided that they would not lead to a significant concentration of non-retail floorspace or housing or the loss of significant retail frontage; or result in the loss of existing residential accommodation or a use important to the community. There would be no loss of retail use as the change of use is in relation to the existing MSCP. The increase in floor area of the internal control room would result in the loss of three disabled parking spaces at ground floor level, however these would be relocated within the MSCP. Although this will result in the loss of 6 standard parking spaces it is considered that this loss would not have a significantly harmful impact on the important parking provision serving the town centre and community use which is assessed further within the report.
- 7.7 For these reasons, the proposal accords with policies ST3, DM2 and Regen 1 of the Local Plan as well as the Sittingbourne Town Centre SPD.

Visual Impact

- 7.8 Policies CP4 and DM14 of the Local Plan require development proposals to be of high-quality design and to be in keeping with the character of the area. They state that particular regard should be paid to the scale, height, materials, detailing, mass, bulk, articulation and site coverage of any proposals.
- 7.9 This section of St Michaels Road is characterised by a range of commercial activities including open car sales, parking and tyre and exhaust centres. The proposed physical works will be sited within the MSCP and therefore there will be no visual changes to the streetscene. The proposal will therefore not detract from the character or appearance of the building or its setting. The proposal does not involve any increase in building height, footprint, or massing, and retains the building's overall form and urban presence.

- 7.10 Overall, the visual impact of the proposal is considered acceptable and accords with policies CP4 and DM14 of the Local Plan.

Living Conditions

- 7.11 Policy DM14 of the Local Plan states that any new proposed developments should not cause significant harm to the amenities of surrounding uses or areas and due consideration will be given to the impact of the proposed development upon neighbouring properties. Any new proposed schemes should not result in significant overshadowing through a loss of daylight or sunlight, give rise to an unreasonable loss of privacy, or result in an unreasonable loss of outlook or in excessive noise or odour pollution.
- 7.12 Given the character of the surrounding area which is predominantly retail and commercial and noting that no external changes are proposed to the MSCP, the proposal is considered to comply with policy DM14 of the Local Plan, and would not result in undue harm to the amenity of neighbouring residents.

Parking

- 7.13 Policy DM7 of the Local Plan requires parking provision to be in accordance with the Council's Parking SPD which provides guidelines for vehicle parking for non-residential uses which will take into account the need to maintain an adequate level of car parking within town centres to ensure that viability of the centres is not compromised.
- 7.14 The proposed extension will see three disabled spaces relocated within the MSCP which will result in the loss of 6 standard parking spaces. This is considered to be a minor loss of standard car parking spaces. When noting the justification provided within the supporting statement that maintaining the overall number of disabled bays is considered essential to uphold accessibility standards and when considering that the standard bays within the facility are currently underutilised, the loss of standard parking spaces rather than disabled spaces is considered to be appropriate. The retention of the remaining 281 standard parking spaces will ensure that there is sufficient parking on site.
- 7.15 The proposal is therefore considered to be in accordance with Policy DM7 of the Local Plan.

Biodiversity Net Gain

- 7.16 In terms of the Local Plan, Policy DM28 requires that development proposals will conserve, enhance and extend biodiversity, provide for net gains in biodiversity where possible, minimise any adverse impacts and compensate where impacts cannot be mitigated.
- 7.17 The NPPF states amongst other matters that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. From February 2024, developments are required

to provide at least 10% Biodiversity Net Gain (BNG) as set out under paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990. There are exemptions to this, including the de minimis exemption. To qualify for this exemption, the development must not impact on any onsite priority habitat and secondly, if there is an impact on other onsite habitat, that impact must be on less than 25 square metres with a biodiversity value greater than zero and on less than 5 metres of onsite linear habitat (such as a hedgerow).

- 7.18 The proposals are for a change of use with no external alterations proposed to the existing building. The proposals fall under the de minimis exemption, such that the proposal is exempt from being required to provide BNG.
- 7.19 The proposals are considered to be in accordance with policies DM28 of the Local Plan, as well as the NPPF.

Other Matters

- 7.20 As set out above, the site is near to the Sittingbourne Conservation Area. However, the site is not within it and, given the nature of the works, the proposal would have no effect on the setting of the Conservation Area. Consequently, no objections are raised to the proposal on the grounds of any effects on heritage assets.

CONCLUSION

- 7.20 The proposed change of use of the existing building from a MSCP to a mixed use comprised of a MSCP and a non-ancillary CCTV control room has been assessed against relevant national and local planning policies and is considered acceptable in principle according with policies ST3, Regen 1 and DM2 of the Local Plan as well as the Sittingbourne Town Centre SPD. It would not result in unacceptable harm to visual or residential amenities. Furthermore, it would not result in an unacceptable loss of standard parking within the MSCP and, as such, the development would not have a detrimental impact on parking provision serving the town centre. As such, it is recommended that planning permission be granted.

RECOMMENDATION

- 7.21 Grant Planning Permission subject to the following conditions:

CONDITIONS

(1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

(2) The development hereby approved shall be carried out in accordance with the following approved drawings / details:

- SCR-AMSL-XX-00-DP-A-1105 Rev P1 – Proposed Floor Plan

- SCR-AMSL-XX-XX-DE-A-2100 Rev P1 – Section A-A' &B-B'
- SCR-AMSL-XX-XX-DE-A-3000 Rev P1 – Existing and Proposed Car Park Elevations
- SCR-AMSL-XX-XX-DE-A-3002 Rev P1 – Proposed Control Room Elevations
- SCR-AMSL-XX-XX-DP-A-1104 Rev P1 – Proposed Car Park GA Plans

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

- (3) The three relocated disabled parking bays shown on drawing SCR-AMSL-XX-XX-DP-A-1104 Rev P1 shall be provided prior to the construction of the internal control room extension and once provided shall be maintained as such thereafter.

Reason: In the interests of maintaining the overall number of disabled bays.

