

2.10 REFERENCE NO - 16/508231/REM			
APPLICATION PROPOSAL			
Approval of Reserved Matters (Part layout and landscaping being sought) related to internal access roads/spurs, following planning permission 15/510589/OUT - Outline application for access matters reserved for construction of Business Park (Use Classes B1(B), B1(C), B2 and B8) (research and development, light industrial, general industrial and storage or distribution) (up to a maximum of 46,600sqm), including associated accesses (including alterations to existing northern relief road), parking and servicing areas, landscaping, bunds, surface water storage areas, and related development.			
ADDRESS Eurolink V Land North Of Swale Way Sittingbourne Kent ME9 9AR			
RECOMMENDATION – That planning permission is GRANTED			
SUMMARY OF REASONS FOR RECOMMENDATION			
This reserved matters application relates solely to the access and spur roads serving the development, the design and layout of which are acceptable and in accordance with the terms of the outline planning permission. The details are in accordance with the development plan.			
REASON FOR REFERRAL TO COMMITTEE			
This application has been referred to committee by Cllr Hall			
WARD Lynsted	Teynham And	PARISH/TOWN Tonge	COUNCIL Trenport
		APPLICANT Investments Limited	AGENT Vincent And Gorbng
DECISION DUE DATE 23/03/17		PUBLICITY EXPIRY DATE 03/02/17	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
17/500454	Approval of Reserved Matters for the erection of a building for Class B8 Use (Access, Appearance, Landscaping, Layout and Scale being sought) pursuant to 15/5105890/OUT - Outline application for access matters reserved for construction of Business Park (Use Classes B1(B), B1(C), B2 and B8) (research and development, light industrial, general industrial and storage or distribution) (up to a maximum of 46,600sqm), including associated accesses (including alterations to existing northern relief road), parking and servicing areas, landscaping, bunds, surface water storage areas, and related development – Under consideration	Under consideration	
16/508262	Non material amendment to outline scheme to make variation to approved access	Approved	01/02/17
15/510589	Outline application for access matters reserved for construction of Business Park (Use Classes B1(B), B1(C), B2 and B8) (research and development, light industrial, general industrial and storage or distribution) (up to a maximum of 46,600sqm), including associated accesses (including alterations to existing northern relief road), parking and servicing areas, landscaping, bunds, surface water storage areas, and related development	Approved	11/11/16

SW/13/021 5	Construction of business park (use classes B1(B), B1(C), B2 and (B8), [research and development, light industrial, general industrial and storage or distribution], (up to a maximum of 43,000sqm), including associated accesses (including alteration to existing northern relief road), parking and servicing areas, landscaping, bunds, surface water storage area, and related development.	Approved	06/01/14
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MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The Eurolink V site is located to the north east of Sittingbourne and on the north side of Swale Way. It occupies an area of around 19 hectares. The land is relatively flat and open and consists mainly of grassland and scrubland. Most of the site comprises former brick-earth workings which have been restored to a lower level than natural ground level. As a result, there are more abrupt changes in levels at the site boundaries.
- 1.02 The East Hall residential estate is located to the south and west of the site, on the opposite side of Swale Way. Eurolink IV is to the west and north. A listed farmhouse and stables are located to the east of the site, together with a golf driving range. A new residential development (namely Parcels F,G and H) is under construction to the south of the site which also forms part of the wider East Hall residential development.
- 1.03 In the vicinity of the application site there are areas designated on account of their ecological importance: the SSSI, SPA and Ramsar site are located close to the application site – a minimum of 260 metres to the north-east of the ‘Employment Development Area’ and much closer to the area where ecological/landscape enhancements are proposed. There are also wetlands areas to the north and north west of the site.
- 1.04 The site is allocated in the emerging plan under policy MU2 (land at NE Sittingbourne) as part of a mixed use development (including land to the south of the application site for housing). The policy allocates the site for 43,000 sqm of “B” Use Class employment uses.

2.0 PROPOSAL

- 2.01 Outline planning permission has been granted for the development of a business park on the site under outline planning permission 15/510589. The outline permission consents to the construction of up to a maximum of 46,600 sqm of built form, together with associated parking, servicing, landscaping, water storage areas and other related works.
- 2.02 Whilst the emerging policy set a quantum of 43,000 sqm floorspace, this figure was partly informed by the need to construct a flood mitigation bund to the north and north east of the site. However the Environment Agency subsequently advised that the bund was not required for floor mitigation. The bund was reduced in size, and this allowed for a greater quantum of floorspace to be provided on the site to 46,000 sqm.
- 2.03 The outline permission under 15/510589 has secured the principle of such development on this site. The permission includes 37 conditions, and a copy of the decision notice is attached as Appendix 1. Reserved matters applications are required

to be submitted to secure the detailed layout, scale, design and landscaping of the site. This can sometimes be via a single reserved matters submission, or by a series of reserved matters applications covering different parts of the site.

- 2.04 The terms of the outline planning permission require the following information to be submitted with any reserved matters application –
- Details relating to scale, layout, appearance and landscaping (condition 1)
 - Details of existing and proposed site levels, including cross-sections (Condition 8)
 - A limitation on building heights (condition 12)
 - Details of lighting columns and luminance levels (condition 13)
 - Details of parking within each plot or part of the site (condition 16)
- 2.05 For the purposes of this application, which is restricted to the layout, appearance and landscaping of the access and spur roads only, conditions 12 and 16 do not apply.
- 2.06 In addition to the above, condition 4 of the outline permission requires the reserved matters to be submitted in accordance with the strategic site layout plan, which sets out the main access into the site from the roundabout on Swale Way, together with boundary landscaping and landscaping on the main access road into the site. The condition also requires the development to be in accordance with the Development Brief submitted with the outline scheme. This brief sets a number of parameters for the detailed development, including the allocation of an area of 12.54Ha as the Employment Development Area, 1.47 Ha for landscape buffers and 4.02 Ha as a Landscape / wildlife mitigation / water attenuation area.
- 2.07 The Brief sets out that the Employment Development Area will contain an access from the roundabout on Swale Way, which will accommodate a cycleway, drainage features and landscaping, and would be approximately 40 metres in width. It would be a formal avenue set in mown grass with linear swales, the swales being 1m deep, defined by gabion walls and hedges and containing a mix of aquatic and marginal plants.
- 2.08 This reserved matters application has been made solely for the layout, appearance and landscaping of the main access and spur roads within the Employment Development Area.
- 2.09 The access into the site would be from the roundabout on Swale Way. The reserved matters show that a road would lead from Swale Way to another roundabout within the site. The road between the two roundabouts has been designed as a tree-lined avenue with a cycle path on one side and a pavement, and swales / natural drainage features on either side. The road layout would then split at the roundabout in a north west and south east direction. This would also be tree and hedge lined, with pedestrian and cycle accessways. These spur roads would provide direct access to the units to be constructed within the development.
- 2.10 The details submitted include levels and cross sections of the roadways, details of lighting columns, and reference to compliance with the strategic site layout drawings and Development Brief, all of which are required as part of a reserved matters application under conditions 4, 8 and 13 of the outline scheme.

3.0 PLANNING CONSTRAINTS

Environment Agency Flood Zone 2
 Environment Agency Flood Zone 3
 A High Pressure Gas Pipe crosses the north of the site
 SSSI consult zone
 Adjacent listed buildings are sited to the east of the site.
 Within built up area of Emerging Plan
 Within a proposed mixed use allocation under the Emerging Plan

4.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)

- 4.01 The NPPF has at its core the presumption in favour of sustainable development, and describes three dimensions to this term: economic, social and environmental.
- 4.02 Paragraph 12 asserts that the Development Plan remains “the starting point for decision making.”
- 4.03 Paragraph 17 states that the “...conservation of heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations...” is a core planning principle “which should underpin decision taking”.
- 4.04 Paragraph 18 states that “the Government is committed to ensuring economic growth in order to create jobs and prosperity, building on the country’s inherent strengths, and to meet the twin challenges of global competition and of a low carbon future.”
- 4.05 Paragraphs 56 to 68 address ‘requiring good design’, and Paragraph 56 asserts that “Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”
- 4.06 Paragraph 100 stipulates that “Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary making it safe without increasing flood risk elsewhere.”
- 4.07 The conservation and enhancement of the natural environment is discussed at Paragraphs 109 to 125.
- 4.08 At Paragraph 109 it states, among other things, that “...the planning system should contribute to and enhance the natural and local environment by...minimising impacts on biodiversity and delivering net gains in biodiversity where possible.”
- 4.09 Paragraphs 126 to 141 deal with ‘conserving and enhancing the historic environment’.

Development Plan:

- 4.10 **The adopted Swale Borough Local Plan:** The following policies are relevant to the determination of the application:

Policy E1 - General development Criteria;
 Policy E12 - Site designated for their importance to biodiversity and geological conservation;

Policy T3 - Vehicle Parking for New Development; and
 Policy T8: Sittingbourne Northern Relief Road.

4.11 The Emerging Swale Borough Local Plan “Bearing Fruits” - The following policies are relevant to the determination of the application:

ST1 - Delivering sustainable development in Swale
 Policy MU 2 Land at north-east Sittingbourne specifically states: *Planning permission will be granted for mixed use development comprising 43,000 sqm of ‘B’ use class employment uses, a minimum of approximately 106 dwellings, together with 31.1 ha of open space, flooding, biodiversity and landscape enhancements on land in North-East Sittingbourne as shown on the Proposals Map.*
 CP1- building a strong and competitive economy
 CP4 – requiring Good Design
 DM6 – Managing Transport Demand
 DM14 – General development Criteria
 DM28 – Biodiversity and geological conservation

5.0 LOCAL REPRESENTATIONS

5.01 The application has been referred to committee by Cllr Hall on the basis that consideration must be given to the points raised by local residents (see below).

5.02 A site notice has been displayed by the site and 246 letters sent to surrounding properties.

- 5.03 A total of 9 representations have been received, raising the following concerns –
- Additional traffic on Swale Way
 - Additional pollution in the area and worsening of air quality
 - The Northern relief road has not been completed
 - The land should be used for housing
 - Buses and lorries park on Swale Way, causing access difficulties for residents
 - The wetland area and local wildlife will be adversely affected
 - Concern over the type of businesses that may locate to the site
 - Disruption during construction
 - Lack of landscaping
 - Impact upon residents of the East Hall estate
 - Swale Way is the only road in and out of the site and a second road should be provided (such as opening the bus lane on Oak Rd)
 - Increased noise and light pollution

6.0 CONSULTATIONS

KCC Highways and Transportation

6.01 The proposed road layout and alignment is consistent with previously approved permission for this site. The provision of a shared cycleway/footway is included which serves each plot of the development aiding sustainable access.

6.02 Track drawings have been provided to demonstrate that an articulated vehicle can access the site and negotiate the proposed roundabout and turning head which are acceptable. Detailed proposals for each land parcel will need to demonstrate internal turning for HGV's as and when applications come forward.

- 6.03 As stated under comments provided for planning applications 15/510589 and 16/508262, the limit of public adoption by the Highway Authority will be to the limit of the spur to the new arm of the roundabout at Great East Hall Way/Swale Way.
- 6.04 As well as the additional arm onto the Swale Way roundabout, the scheme proposal includes the extension of the existing footway/cycleway and revision of the roundabout splitter island to provide a crossing point. Such alterations to the public highway will need to be carried out through the Section 278 Agreement process, for which separate approval must be gained.
- 6.05 Consequently, I have no objection to the proposals, subject to a condition requiring the implementation of the highway works prior to the use of the development site commencing. I am satisfied that no other conditions attached are required beyond those already attached to the outline approval granted under application 15/510589.

KCC Ecology

- 6.06 No objection raised to the proposed lighting plan for the spur / access roads.

SBC Tree Consultant

- 6.07 No objections to proposed landscaping details

7.0 BACKGROUND PAPERS AND PLANS

- 7.01 The application includes a number of details plans showing the layout of the access roads and landscaping, cross sections and levels details, and details of lighting.

8.0 APPRAISAL

Principle of Development

- 8.01 The site benefits from outline planning permission for a major business park development, and Members will be aware that such permission clearly establishes the principle of the development.
- 8.02 The only matters for consideration under this particular reserved matters application are the layout, appearance and landscaping of the access and spur roads, and whether they comply with the terms of the outline permission.

Visual Impact

- 8.03 The main access into the site is via the roundabout on Swale Way and the Development Brief under the outline application sets out that this access road would be designed as a landscaped corridor with swales and drainage features to each side, before splitting into two spur roads in a north west and south east direction.
- 8.04 The reserved matters application shows the detail of the landscaping and margins for the access road. The access would also provide pedestrian and cycle routes into the site, as well as swales and shrub planting on either side. The main visual feature will be rows of trees on either side of the road, creating a tree lined approach to the business park. This corridor, incorporating the main access, pavements and cyclepaths, landscaping and swales would measure 40 metres in width, in accordance with the Development Brief approved as part of the outline permission.

- 8.05 The spur roads would also benefit from tree and hedge planting on either side of the road, and these in turn would lead to the access points into the business units.
- 8.06 The submitted details include levels and cross sections for the access and spur roads. These show that the roads would generally be built at a level of between 0.3 and 1.2 metres above existing land levels. This is partly driven by the surface water drainage strategy and need to connect to the ditch on the north east boundary of the site, at a controlled rate in accordance with the strategy, and also by the nature of the existing ground levels that fall from west to east. The levels are also determined by the existing road level at the roundabout onto Swale Way, which is at a higher level than the application site.
- 8.07 The Development Brief specified that site levels would need to be changed to address the site topography and the potential for large building footprints, and that such levels changes would be limited to +/- 1 to 2 metres. The levels for the access and spur roads would accord with these parameters.
- 8.08 The reserved matters also include details of the lighting columns and luminance levels for the access and spur roads. These would be 10 metres in height and use LED lighting, which are dark sky friendly with no upward light. The lighting is shown to be dimmed to 50% from midnight to 6am. The height would be commensurate with existing street lighting on Swale Way. In addition, Members will note that the nearest dwellings, at East Hall Farm, would be in excess of 100 metres from the nearest part of this development.
- 8.09 I am satisfied that the layout and design of the access and spur roads would provide an attractive landscaped entrance into the site, and that this would be in accordance with the parameters of the outline planning permission.

Residential Amenity

- 8.10 The impact of a large scale business park on surrounding residential properties, including those at East Hall and at West Tonge Farm was considered acceptable as part of the assessment of the outline planning application. This included matters relating to traffic generation on Swale Way.
- 8.11 Consideration of the current reserved matters application is restricted to the layout and design of the access and spur roads, and lighting to these roads. There is no reason to suggest that the design of this part of the development would lead to any unacceptable adverse impacts on neighbouring properties, that would not have been considered under the outline permission.

Highways

- 8.12 Kent County Council Highways have provided detailed comments in paragraphs 6.01 to 6.05 above. Members will note that the layout of the access and spur roads is acceptable and provides an appropriate internal layout for the site, and that the pavements and cycle paths provide safe options for other means of travel.

Landscaping

- 8.13 The Council's Tree Consultant has considered the detailed information provided with the application for landscaping of the access corridor and spur roads, and considers the species, size and density of planting to be appropriate.

Other Matters

- 8.14 Ecology – the County Ecologist is satisfied that the level of lighting from the access corridor and spur roads would not have an adverse impact upon ecology or biodiversity.
- 8.15 Members will note the list of concerns raised by objectors under paragraph 6.02 of the report. Many of these relate to matters of principle that have been assessed at outline stage. This includes traffic generation, noise and air quality impacts, ecology impacts and amenity impacts. Members will again note that such impacts that were considered acceptable under the outline planning application, cannot be re-considered again at reserved matters stage.

9.0 CONCLUSION

- 9.01 This application for reserved matters covers a small part of the detailed development of this proposed business park, limited to the appearance, layout and landscaping of the access corridor and spur roads only. I consider the details to be in accordance with the terms of the outline planning permission, and no specific issues arise in the detail of the reserved matters that would be in conflict with the development plan.
- 9.02 On this basis, I would recommend that permission should be granted for the reserved matters.

10.0 RECOMMENDATION – GRANT Subject to the following conditions

- 1) The development shall be carried out in accordance with the following approved plans: ITL 11264-GA-002, 2102-004E, 2102-007C, 363525/2008/001, 36352/2008/SK002 Rev C, and 36352/2008/003.

Reason: In the interests of proper planning

- 2) No plot or building shall be occupied until the vehicular, pedestrian and cycle access leading from Swale Way to that plot or building has been completed and landscaped in accordance with the approved plans.
Reason: In the interests of highways safety.

- 3) Upon completion of the landscaping as shown on the approved plans, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.
Reasons: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

INFORMATIVES

1) This development must be carried out in accordance with the above conditions and the conditions and terms of outline planning permission 15/510589.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

APPENDIX A

Mr Chris Hall
 C/O Vincent & Gorbing
 FAO: Mr Richard Lewis
 Vincent & Gorbing
 Sterling Court
 Norton Road
 Stevenage
 Hertfordshire
 SG1 2JY



11 November 2016

PLANNING DECISION NOTICE

APPLICANT:	Mr Chris Hall
DEVELOPMENT TYPE:	Large Maj Retail Distribution/Serviceing
APPLICATION REFERENCE:	15/510589/OUT
PROPOSAL:	Outline application for access matters reserved for construction of Business Park (Use Classes B1(B), B1(C), B2 and B8) (research and development, light industrial, general industrial and storage or distribution) (up to a maximum of 46,600sqm), including associated accesses (including alterations to existing northern relief road), parking and servicing areas, landscaping, bunds, surface water storage areas, and related development.
ADDRESS:	Eurolink V Land North Of Swale Way Sittingbourne Kent ME9 9AR

The Council hereby **GRANTS** OUTLINE planning permission subject to the following Condition(s):

- (1) Details relating to the layout, scale and appearance of the proposed building(s), and proposed landscaping, on any plot or part of the site, shall be submitted to and approved by the Local Planning Authority before any development on that plot or part of the site is commenced.

MKPS – Working in Partnership with: Swale Borough Council
Please Note: All planning related correspondence for SBC should be sent to:
 Mid Kent Planning Support, Maidstone House, King Street, Maidstone ME15 6JQ
 Email: planningsupport@midkent.gov.uk
 Access planning services online at: www.swale.gov.uk or submit an application via www.planningportal.gov.uk

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (2) Application for approval of reserved matters referred to in Condition (1) above must be made not later than the expiration of five years beginning with the date of the grant of outline planning permission.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (3) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (4) The details submitted pursuant to condition (1) shall be in accordance with Strategic Site Layout drawing 7519 A120 B and the Development Brief (Revised) January 2016.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (5) The details submitted pursuant to condition (1) shall show no more than a cumulative total of 46,600 square metres gross external floor space, and this floor space shall be provided within the 'Employment Development Area' identified on drawing title 'Eurolink V: Development parameters' (drawing reference 4536/602E).

Reason: In the interests of highways safety and convenience, and residential amenity.

- (6) None of the built development hereby approved shall be first occupied until a landscape bund to the north and north-east site boundaries and a landscape buffer to the east and south site boundaries have been provided, and these shall be as shown indicatively on Eurolink V: Development Parameters' (drawing reference 602E) and with minimum specification as follows:
- Bund - width 10 metres and height to 2 metres AOD.
 - Bund (eastern end near West Tonge Farm) 30 metres wide and 6.06 metres AOD.
 - Buffer - width 10 metres.

Reason: In the interests of visual, landscape and residential amenity.

- (7) The details submitted pursuant to condition (1) shall show the servicing yards positioned such that they do not project closer to Swale Way, on the west site boundary, than the building elevation closest to that boundary, and along the southern site boundary such that they do not project closer than the nearest building to the 'Corridor Reserved For The Northern Relief Road' as shown on 'Eurolink V Illustrative Site Layout' (A010 Revision P5).

Reason: In the interests of visual and landscape amenity.

- (8) The details submitted pursuant to condition (1) above shall include cross-sectional drawings through the plots or part of the site, of the existing and proposed site levels. The development shall then be completed strictly in accordance with the approved site levels ("the Approved Site Levels").

Reason: In order to secure a satisfactory form of development having regard to the nature of the site.

- (9) Each of the buildings hereby approved shall be constructed to BREEAM 'very good' standard or an equivalent standard: prior to the commencement of each of the buildings that comprise the development, certification shall be submitted to and approved by the Local Planning Authority demonstrating how the 'very good' rating is to be achieved and prior to the first use of each of the buildings the relevant certification shall be submitted to the Local Planning Authority confirming that 'very good' rating has been achieved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of promoting energy efficiency and sustainable development, and in pursuance of policies E1 and U3 of the Swale Borough Local Plan 2008.

- (10) Notwithstanding the information set out in the 'Planning, Design and Access Statement' (December 2015), details of the package of on-site renewable energy generating measures to be incorporated in the development of any plot or part of the site shall be submitted to and approved by the Local Planning Authority before any part of the development on that plot or part of the site is commenced. Such agreed measures - which shall be designed to contribute to an overall, development-wide objective of generating 10% of the development's energy requirement from decentralised / renewable sources - shall be fully implemented for each of the buildings before the particular building is first used. The installed measures shall then be retained in perpetuity.

Reason: In the interest of maximising the use of on-site renewable energy and sustainable development.

- (11) No development of the scheme hereby approved shall take place until a strategic Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement will provide details of the Construction and Environmental Method for the strategic site wide works and a framework for construction on the individual plots or parts of the site. No development shall take place on individual plots or parts of the site until a detailed Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority for the individual plots or parts of the site to be developed.

These Statements shall be adhered to throughout the construction period and shall include details relating to:

- (i) The control of noise and vibration emissions from construction activities including groundwork and the formation of infrastructure, along with arrangements to monitor noise emissions from the development site during the construction phase.

- (ii) The loading and unloading and storage of plant and materials on site.
- (iii) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (iv) The control and suppression of dust and noise including arrangements to monitor dust emissions from the development site during the construction phase;
- (v) Measures for controlling pollution/sedimentation and responding to any spillages/incidents during the construction phase;
- (vi) Measures to control mud deposition off-site from vehicles leaving the site;
- (vii) The control of surface water drainage from parking and hard-standing areas including the design and construction of oil interceptors (including during the operational phase);
- (viii) The use if any of impervious bases and impervious bund walls for the storage of oils, fuels or chemicals on-site;
- (ix) The location and size of temporary parking and details of operatives and construction vehicle loading, off-loading and turning and personal, operatives and visitor parking; and
- (x) Lighting strategy for the construction phase, designed to minimise light spillage from the application site.

Reason: To ensure the development does not prejudice conditions of residential amenity, highway safety and convenience, and local ecology, through adverse levels of noise and disturbance during.

- (12) The details submitted pursuant to condition (1) shall accord with the following:
 - (a) There shall be no buildings within the 'no building zone' (to protect West Tonge Farmhouse) as shown on 'Eurolink V: Development Parameters' (drawing reference 602E).
 - (b) Any building located to the south / east of the 'access / landscape corridor as marked on 'Eurolink V: Development Parameters' (drawing reference 602E) shall be no more than 12 metres in height above the Approved Site Levels; and
 - (c) The maximum building height anywhere on the site shall be no more than 15 metres above the Approved Site Levels.

Reason: In the interests of visual and landscape amenity, and preserving the setting of West Tonge Farmhouse and other local heritage assets.

- (13) The details submitted pursuant to condition (1) above shall include details of the lighting columns, the type and luminance of the lighting units with glare shields and details of lux levels, both inside and outside the plots and parts of the site. The development shall then be implemented in accordance with the agreed details, and no additional lighting (or material amendments to the approved lighting) shall be introduced without the prior written approval of the Local Planning Authority.

Reason: In the interests of residential and visual amenity, landscape quality, and ecology.

- (14) No development shall take place on areas not previously excavated for brickearth (as identified in Figure 16 of the Cultural Heritage Desk-Based Assessment prepared by CgMs) until the applicant, or their agents or successors in title, has secured the

implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded in pursuance.

- (15) No building work shall commence on any plot or part of the site until background noise surveys have been carried out, including an octave band analysis (whole/third), for that plot or part of the site.

The monitoring protocol to be used for the surveys shall be submitted to the Local Planning Authority for approval prior to the site surveys being undertaken.

The rating level of the noise emitted from all fixed plant and premises calculated in accordance with BS:4142 (1997) shall be at or below the existing background level at any time, determined at the façade of the nearest noise sensitive residential dwelling. No plot or part of the development shall be commenced until a scheme (accompanied by measurements and assessments in accordance with BS4142:1997 identifying how the rating level is to be achieved and subsequently maintained for that part of the development) have been submitted to and approved in writing by the Local Planning Authority. No plot or part of the development shall be occupied until the approved mitigation measures for the plot or part of the development have been carried out. Thereafter the mitigation measures for that plot or part of the development shall be maintained in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity.

- (16) The details submitted pursuant to condition (1) above shall show adequate land reserved for the parking of vehicles within each plot or part of the site (in accordance, where appropriate, with the currently adopted Kent County Council Vehicle parking standards for the particular development proposed) and for the loading and off-loading of commercial vehicles, and upon approval of the details these areas shall be provided, surfaced and drained to the satisfaction of the Local Planning Authority. No permanent development, whether permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order) or not, shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved space; such land and access thereto shall be provided prior to the occupation of the building hereby permitted and shall be used for or be available for use for the parking, loading and off-loading of vehicles at all times when the premises are in use.

Reason: The development, without the provision of parking, loading and off-loading space, would be detrimental to amenity and likely to lead to inconvenience and danger to road users by virtue of vehicles parked on the public highway.

- (17) No development shall take place on any of the buildings on individual plots or parts of the site until details of shelters for the cycle and motorcycle parking areas for the particular building have been submitted to and approved by the Local Planning Authority.

The agreed details shall then be implemented in full before the particular building is first occupied and thereafter retained together with the spaces themselves in perpetuity.

Reason: In the interests of encouraging the use of non-car modes of travel.

- (18) The Reptile Mitigation Strategy and Relocation Scheme dated May 2016 must be fully implemented in accordance with the submitted details.

Reason: To ensure that the development includes adequate mitigation for any reptiles that may be present on the site.

- (19) The bat mitigation strategy as detailed in Updated Baseline Survey Report dated May 2016 must be fully implemented in accordance with the submitted details.

Reason: To ensure that the development includes adequate mitigation for any bats that may be present on the site.

- (20) The Badger Mitigation Strategy dated December 2015 as amended by the Updated Baseline Survey report dated May 2016 must be fully implemented in accordance with the submitted details.

Reason: To ensure that the development includes adequate mitigation for any badgers that may be present on the site.

- (21) The Mitigation Strategy for breeding birds as set out in the Updated Baseline Survey report dated May 2016 must be fully implemented in accordance with the submitted details.

Reason: To ensure that the development includes adequate mitigation for any birds that may be present on the site.

- (22) The Biodiversity Enhancement Strategy dated December 2015, Landscape Planting Plan 2102/002 G and the Landscape Management and Maintenance Plan dated 10 February 2015 must be fully implemented in accordance with the submitted details.

Reason: In the interests of encouraging biodiversity.

- (23) No development on particular plots or parts of the site shall take place until full details of a scheme to manage air quality impacts - with particular regard to potential impacts for particular plots or parts of the site on local ecology, and covering both the construction and the operational phases - has been submitted to and approved by the Local Planning Authority. The development shall then be constructed and subsequently operated in accordance with the approved details.

Reason: In order to avoid adverse air quality impacts on local ecology.

- (24) The development hereby permitted shall be carried out fully in accordance with the details of the submitted strategic site wide surface water drainage, (WSP Strategic Surface Water Drainage Strategy May 2016 reference 1101683) unless otherwise approved in writing by the Local Planning Authority. The construction on individual plots

or parts of the site shall not be commenced until details of the proposed means of surface water drainage for individual plots or parts of the site have been submitted to and approved in writing by the Local Planning Authority and the details shall accord with the submitted Strategic Surface Water Drainage Strategy. Thereafter the development shall be carried out in accordance with approved details.

With regard to surface water drainage, the agreed details shall consist of a scheme using SuDS principles and shall consist of a scheme that will limit runoff rates to those from the existing site and ensures that pollutants are contained within the 'Employment Development Area', unless it has been demonstrated to the satisfaction of the Local Planning Authority that such a scheme cannot be delivered for the development hereby approved. The development shall then be implemented in accordance with the approved details.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure ongoing efficacy of the drainage provisions, to protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

- (25) No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme for each individual plot or parts of the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
- (i) A timetable for its implementation, and
 - (ii) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure ongoing efficacy of the drainage provisions, to protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

- (26) No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority (in consultation with the Environment Agency); this may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure ongoing efficacy of the drainage provisions, to protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

- (27) The development shall be carried out and fully implemented out in accordance with the approved Environmental Geotechnical Assessment (revised September 2014).

Reason: To protect vulnerable groundwater resources.

- (28) Details of any open storage including the locations, maximum heights and screening arrangements shall have been submitted to and approved by the Local Planning Authority before the first occupation of any of the buildings hereby approved. The development shall then be operated in accordance with the agreed details. If no open storage is proposed on a particular plot or parts of the site the Local Planning Authority shall be notified in writing prior to the first occupation of any buildings on the particular plot or parts of the site.

Reason: In the interests of visual and landscape amenity.

- (29) No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To protect vulnerable groundwater resources.

- (30) The access details shown on drawing ITB8075-GA-001 A shall be completed to the satisfaction of the Local Planning Authority prior to the commencement of any other works or building operations authorised by this permission and the access shall thereafter be maintained.

Reason: To ensure that a satisfactory means of access is provided for the site and in the interests of highway safety.

- (31) The strategic landscape works as shown on drawings 2102/001F, 2102/002G, 2102/003B, 2102/004B, 2102/005D, 2102/006 shall be carried out in accordance with the approved details. The works for the landscape bund, landscape buffer, landscape / ecological mitigation area and the access/landscape corridor/access shown on the development parameters drawing (drawing 4536/602E) shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority. The details of the landscaping relating to individual plots or parts of the site shall be submitted to and approved by the Local Planning Authority and the approved details shall be carried out prior to the occupation of any building on the particular plot or part of the site.

Reason: In the interests of the visual amenities and landscape quality of the area.

- (32) Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenities and landscape quality of the area.

- (33) Notwithstanding the provisions of Class A, Part 2, Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no gates, fences, walls or other means of enclosure shall be erected or provided in advance of any wall or

any building fronting on a highway, or the route of the proposed Northern Relief Road, without the consent in writing of the Local Planning Authority.

Reason: In the interests of visual amenity.

- (34) Details of any mechanical ventilation system that will be installed, including details of the predicted acoustic performance shall be submitted for approval by the Local Planning Authority. No building on a particular plot or part of the site shall be occupied until such approval has been given by the Local Planning Authority for the system on that plot or part of the site. Upon approval, the system shall be installed, maintained and operated so as to prevent the emission of odours, fumes noise and vibration to neighbouring properties.

Reason: In the interests of residential amenity.

- (35) Before a B2 (general industrial) Use Class business occupies any unit - detailed information relating to:

- Noise levels to be produced from the curtilage of premises and the predicted noise levels at the site boundary.
- The siting of machinery and their associated noise levels.
- The provision to be made for the insulation of the building against the transmission of the noise and/or vibration.
- The times during which noise producing activities will be carried out.
- The times during which the premises shall be operated.

Shall be submitted to, and approved by, the Local Planning Authority prior to the occupation of the units. The development shall be carried out, completed and used in accordance with the aforementioned approved details.

Reason: In the interest of residential amenity.

- (36) If during development, contamination not previously identified is found to be present at the site, then no further development on that part of the site where contamination has been identified (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted details of how this unsuspected contamination shall be dealt with, and obtained written approval from the Local Planning Authority. The agreed remediation strategy shall be implemented as approved.

Reason: To ensure that the development complies with the approved details in the interests of protection of Controlled Waters.

- (37) No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:- Monday to Friday 0730 - 1900 hours, Saturdays 0730 - 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- (38) No impact pile driving in connection with the construction of the development shall take place on the site on any Saturday, Sunday or Bank Holiday, nor any other day except between the following times:-
Monday to Friday 0900-1700hours unless in association with an emergency or with the written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- (39) The development hereby permitted shall incorporate measures to minimise the risk of crime. Details of such measures shall accord with the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) and shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is occupied and thereafter retained.

Reason: In the interest of Security, Crime Prevention and Community Safety and in accordance with the guidance within The Kent Design Initiative (KDI) and protocol dated April 2013.

Informative(s):

- (1) It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.
- (2) A formal application for connection to the public sewerage system and water supply system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2 SW (Tel: 0330 303 0119) or www.southernwater.co.uk
- (3) This development is also subject to an agreement under Section 106 of the Town and Country Planning Act,

Please note you must comply with all the conditions attached to this permission. Otherwise the permission may not be valid and any development may be unauthorised.

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:
Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.
As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:
The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.



James Freeman
Head of Planning Services
Swale Borough Council

IMPORTANT - YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES