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Sittingbourne, Kent ME10 3HT  
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TOWN AND COUNTRY PLANNING ACT 1990

Application: SW/13/1075 ✓

CASE NO. 00045

**NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND**

TO: Mr Richard Cope  
C/o Mr Michael Bedford  
Bedford Surveyors Ltd  
Bedford House  
62 London Road  
Maidstone  
Kent ME16 8QL

TAKE NOTICE that Swale Borough Council, in exercise of its powers as a Local Authority under the Town and Country Planning Acts, HAS GRANTED PERMISSION for development of land situated at:

Faversham Linen Services, 29 Ashford Road, Faversham, Kent, ME138XN

and being Reconstruction of industrial premises following demolition due to serious fire

referred to in your application for permission for development accepted as valid on the 22<sup>nd</sup> August 2013 and as amended by plans received on 9 October 2013 and as clarified by additional information received on 9<sup>th</sup> October 2013

SUBJECT TO THE CONDITIONS specified hereunder:-

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.

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

**Pre-commencement conditions**

2. No development shall take place until a programme for the suppression of dust during the demolition of existing buildings and construction of the development has been submitted to and approved by the Local Planning Authority. The measures shall be employed throughout the period of demolition and construction unless any variation has been approved by the Local Planning Authority

Grounds: In the interests of residential amenity.

3. During construction of the development adequate space shall be provided on site, in a position previously agreed, in writing by the Local Planning Authority to enable all employees and contractors vehicles to park, load and off load and turn within the site.

Grounds: In the interests of highway safety and convenience.

**FOR FURTHER CONDITIONS AND GROUNDS – PLEASE SEE ATTACHED SHEET**  
YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF

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Conditions & Grounds (Contd)

4. Prior to the works commencing on site details of parking for site personnel/operatives/visitors shall be submitted to and approved by the Local Planning Authority and thereafter shall be provided and retained throughout the construction of the development. The approved parking shall be provided prior to the commencement of the development

Grounds: In the interests of highway safety and convenience.

5. The development hereby approved shall not be occupied or the use commenced until details of cycle shelters have been submitted to and approved in writing by the Local Planning Authority, and the approved details have been implemented in full.

Grounds: In the interests of ensuring that proper provision is made for cycle parking.

6. Prior to the commencement of development, details in the form of samples and details of colouring of external facing finishing materials, to be used in the construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved details.

Grounds: In the interest of visual amenity and the special character and appearance of the Faversham conservation area and the setting of the listed building.

7. No development shall take place until details have been submitted to the Local Planning Authority and approved in writing, which set out what measures have been taken to ensure that the development incorporates sustainable construction techniques such as water conservation and recycling, renewable energy production including the inclusion of solar thermal or solar photo voltaic installations, and energy efficiency. Upon approval, the details shall be incorporated into the development as approved.

Grounds: In the interest of promoting energy efficiency and sustainable development

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Conditions & Grounds (Contd)

8. Details of any mechanical ventilation system that is to be installed shall be submitted to and approved by the Local Planning Authority and upon approval shall be installed, maintained and operated in a manner that prevents the transmission of odours, fumes, noise and vibration to neighbouring premises.

Grounds: In the interests of residential amenity

9. No dust or fume extraction or filtration equipment, or air conditioning, heating or ventilation equipment shall be installed until full details of its design, siting, discharge points and predicted acoustic performance have been submitted to and approved by the Local Planning Authority and it shall be implemented in strict accordance with the agreed details.

Grounds: To safeguard the amenities of nearby residential properties

10. No development shall take place until full details of the method of disposal of foul and surface waters have been submitted to and approved by the Local Planning Authority. The approved details shall be implemented before the first use of the development hereby permitted.

Grounds: In order to prevent pollution of water supplies

11. No development shall take place until full details of means of enclosure and soft landscape works, including details of the replacement hedge along the northern boundary, have been submitted to and approved in writing by the Local Planning Authority. These details shall include existing trees, shrubs and other features, planting schedules of plants, noting species, plant sizes and numbers where appropriate, means of enclosure and an implementation programme.

Grounds: In the interests of the visual amenities of the area.

12. A scheme of soundproofing, including the recommended additional noise insulation as outlined in the Acoustic Consultancy report dated 9<sup>th</sup> October 2013, for the building shall be submitted to and approved by the Local Planning Authority and upon approval shall be carried out to the satisfaction of the Local Planning Authority before the use hereby permitted is commenced.

Grounds: In the interests of local amenity.

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Conditions & Grounds (Contd)

13. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
  1. A preliminary risk assessment which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site.
  2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Grounds: To protect groundwater because the site is located on a Principal Aquifer and within a source protection zone. The site investigation identified the presence of VOCs in the ground but did not identify any of the same VOC's in the groundwater. The groundwater contained concentrations of BTEX, TPH, SVOC's and VOC's but no source of hydrocarbon was identified in the site investigation. Therefore, we recommend submitting the desk study written by South East Steel Ltd and providing additional information to indicate where the contaminants have come from.

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Conditions & Grounds (Contd)

14. Details in the form of cross-sectional drawings through the site, of the existing and proposed finished floor levels shall be submitted to and approved in writing by the Local Planning Authority before work commences and the development shall be completed strictly in accordance with the approved levels.

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

15. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Grounds: To ensure that features of archaeological interest are properly examined and recorded

During construction

16. Adequate precautions shall be taken during the period of demolition and construction to prevent the deposit of mud and/or other debris on the public highway.

Grounds: In the interests of highway safety and convenience

17. 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.

Grounds: In the interests of residential amenity

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Conditions & Grounds (Contd)

18. 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.

Grounds: In the interests of residential amenity

Post construction

19. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Grounds: To protect groundwater because the site is located on a Principal Aquifer and within a source protection zone.

20. Before any part or agreed phase of the development is occupied, all remediation works identified in the contaminated land assessment and approved by the Local Planning Authority shall be carried out in full (or in phases as agreed in writing by the Local Planning Authority) on site under a quality assured scheme to demonstrate compliance with the proposed methodology and best practice guidance. If, during the works, contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.

Grounds: To ensure any land contaminated is adequately dealt with.

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Conditions & Grounds (Contd)

21. Upon completion of the works identified in the contaminated land assessment, and before any part or agreed phase of the development is occupied, a closure report shall be submitted which shall include details of the proposed remediation works with quality assurance certificates to show that the works have been carried out in accordance with the approved methodology. Details of any post-remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

Grounds: To ensure any contaminated land is adequately dealt with.

22. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Grounds: To protect groundwater because the site is located on a Principal Aquifer and within a source protection zone.

23. No infiltration of surface water drainage into the ground at the site 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.

Grounds: To protect groundwater because the site is located on a Principal Aquifer and within a source protection zone. Unless carefully managed surface water can enter and pollute controlled waters. For example, percolating surface water drainage from a soakaway may open up pore spaces reducing the attenuation capacity to remove dissolved contaminants in the drainage percolating through the of the unsaturated zone. There must be no direct discharge to groundwater or discharge through land affected by contamination.

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Conditions & Grounds (Contd)

24. All means of enclosure and soft landscape works shall be carried out in accordance with the approved details. The works 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.

Grounds: In the interests of the visual amenities of the area

25. 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.

Grounds: In the interests of the visual amenities of the area.

26. No floodlighting, security lighting or other external lighting shall be installed or operated at the site, other than in accordance with details that have first been submitted to and agreed in writing by the Local Planning Authority. These details shall include:

- A statement of why lighting is required, the proposed frequency of the use and the hours of illumination.
- A site plan showing the area to be lit relative to the surrounding area, indicating parking or access arrangements where appropriate, and highlighting any significant existing or proposed landscape or boundary features.
- Details of the number, location and height of the lighting columns or other fixtures.
- The type, number, mounting height and alignment of the luminaries.
- The beam angles and upwards waste light ratio for each light.
- An isolux diagram showing the predicted luminance levels at critical locations on the boundary of the site and where the site abuts residential properties.

Grounds: In the interests of visual amenity and the residential amenities of occupiers of nearby dwellings.

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Conditions & Grounds (Contd)

27. The access details shown on the approved plans shall be completed prior to the commencement of any other works authorised by this permission, the occupation of any buildings hereby approved, the use of the site being commenced and the access shall thereafter be maintained.

Grounds: In the interests of highway safety.

28. The area shown on the submitted plan as loading, off-loading and parking space shall be used for or be available for such use at all times when the premises are in use and no 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 that area of land or in such a position as to preclude vehicular access to this reserved area; such land and access thereto shall be provided prior to the commencement of the use hereby permitted.

Grounds: The development without the provision of the loading, off-loading and parking 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 amenity

29. The area shown on the submitted layout as vehicle parking space shall be provided, surfaced and drained before the use is commenced or the premises occupied, and shall be retained for the use of the occupiers of, and visitors to, the premises, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Grounds: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenience to other road users and be detrimental to highway safety and amenity.

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Conditions & Grounds (Contd)

30. The use of the premises hereby permitted shall be restricted to the hours of 8 am to 10.30 pm on weekdays and 8 am to 4.30 pm on Saturdays; vehicle loading shall not take place outside of the hours of 6pm and 8am on any day; no more than four lorry or van movements are permitted between the hours of 10.30pm and 7am on any day and these lorry / van movements shall only take place between the hours of 4am and 7am; and the use shall not operate on Sundays or Bank Holidays unless for planned maintenance that has first been agreed in writing by the Local Planning Authority.

Grounds: In the interests of the amenities of the area.

31. The roller shutter doors shall be kept closed except for when vehicles need to pass in or out of the building.

Grounds: In the interests of the amenities of the area.

Council's Approach to this Application

The Council recognises the advice in paragraphs 186 and 187 of the National Planning Policy Framework and seeks to work with applicants in a positive and proactive manner by offering a pre-application advice service; having a duty planner service; and seeking to find solutions to any obstacles to approval of applications having due regard to the responses to consultation, where it can reasonably be expected that amendments to an application will result in an approval without resulting in a significant change to the nature of the application and the application can then be amended and determined in accordance with statutory timescales.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

20<sup>th</sup> December 2013

Dated: .....

James Freeman  
Head of Planning



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