

APPENDIX 2**TABLED UPDATE FOR ITEM 2.5****20/503707/HYBRID – Kent Science Park****Further responses**

Bredgar Parish Council has provided the following further comments – “We refer to our response of 16 September 2020, to the original planning application for this proposed development and confirm that many of our objections still apply. In particular, our concerns about traffic levels in the rural lanes around Bredgar are still very relevant and we support the instatement of a bus service. Many lanes in the vicinity of KSP are just not suitable for a further increase in traffic, not least during the building process. We accept that improvements have been made in terms of landscaping, but still have concerns about dark skies, and the overall size of the building. That was somewhat balanced in our view by the benefit to the community of the creation of a significant number of new jobs, so we were disappointed to see that this number is now considerably reduced.

A series of emails have been received from a local resident raising a wide range of concerns and issues, summarised as follows

- That the site remains heavily contaminated by the former Shell research use.
- That the approved scheme should be completed as that is what SBC gave permission for
- That the approved scheme has expired and cannot be built
- That the application is a new development and shouldn't be considered as being linked to the existing permission
- That the scheme will add to impacts on the M2 J5
- That you cant just “throw money” at an air quality issue – as evidenced by the court decision at Pond Farm, Newington.

In response to this, I would advise as follows –

- The application includes a contamination report, the detail of which is accepted by both SBC Environmental Health and the Environment Agency – and will be subject to further investigation and remediation where necessary as per the recommended planning conditions (namely numbers 28-30 in the report).
- Members will be well aware that an applicant is clearly entitled to make a number of applications for development and is not constrained to build the first scheme permitted.
- The approved scheme has not expired, and remains capable of implementation – the reserved matters for the outline element approved have to be submitted by the 1st May and the applicant has confirmed that they are preparing an application to submit this week.
- This application is a new development proposal. However the fact that the council has previously granted a scheme with a number of similarities – and which remains capable of implementation - is a material consideration.
- Highways England are satisfied that with appropriate conditions as recommended, the scheme would not cause unacceptable impacts on the strategic road network.
- The application includes an Air Quality Assessment which concludes that there would be no significant impacts on air quality and particularly the AQMA's within the Borough. However as required with most major developments, a damage cost

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calculation has been provided and this figure will be used to help advance schemes to further lower air quality impacts. The key difference with the Pond Farm scheme referred to by the objector is that Pond Farm was located very close to the AQMA at Newington and had direct negative impacts on this AQMA that had to be taken into account.

Updated plans – as advised in the main report, the applicant had agreed to provide updated plans with further mitigation measures to address the setting of the listed building at Woodstock Cottage Farm. These plans have now been received and, as set out in the report, include reducing the height of the proposed building on plot 3 to 10 metres, moving this building further west and amendments to the land level / bund and landscaping on the eastern boundary. These amendments are acceptable to the Council's Conservation and Design Manager.

Bus service – for clarity, members are advised that the proposed bus service would be a private service for KSP employees only, and not a public bus service. This is considered appropriate to help manage and mitigate the impacts of the proposal, and provide an alternative to car travel for some staff.

S106 Heads of Terms – The bus service to the site would be subsidised by the applicant for a period of three years. However, I am mindful that the operation of the bus service does not directly lie with the developer. As such, and in the unlikely event that problems arise with the service that are out of the control of the developer, they have agreed to a mechanism within the S106 that would enable an equivalent sum of money to be re-couped for other sustainable transport measures as an alternative. It is expected that the bus service will be successful and this is essentially a safeguard.

Other matters

In accordance with legal requirements, a screening opinion has been produced on the scheme and concludes that it does not represent development that requires an Environmental Impact Assessment.

Members will note that I refer to updated comments from Milstead Parish Council in paragraph 6.3 of my report. These are in fact updated comments from Tunstall Parish Council. When responding to the amended plans, Milstead Parish Council advised that their original comments remain valid.

Conditions

Following further review of the proposed conditions, I would advise that those referring to drawings will need to be updated to reflect the amended plans now received.

I would also recommend that two further conditions are added. One to prevent elements of both this scheme and the extant scheme from being built – i.e so only one planning permission can be implemented. I would also recommend that a further condition is added to control light spill from the building itself.

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Recommendation – my recommendation remains unchanged, but that conditions 3, 20 and 42 are amended to reflect the updated plans submitted, and that the following conditions are added –

45) This permission shall be an alternative to the permission granted under reference SW/03/0203 and shall not be in addition thereto, or in combination therewith.

Reason: The exercise of more than one permission would result in an over intensive use of the land.

46) No development beyond the construction of foundations shall take place on any plot or phase until a scheme to minimise light spill from glazed areas of the building(s) within that plot or phase has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to first use of the building(s)

Reason: To protect dark skies and rural amenity.