

**EXTRAORDINARY
MEETING
OF THE COUNCIL**



Thursday, 9th October, 2008

6.00 pm

**Council Chamber
Thanet District Council
Margate**

**www.thanet.gov.uk
01843 577000**

We may be able to provide this document in a different format such as Braille, audio or large print, or in another language. Please call 01843 577165 for details.

Date: 29 September 2008
Our ref:
Ask For: Eileen Richford
Direct Dial: (01843) 577199
Email: eileen.richford@thanet.gov.uk



You are hereby summoned to attend the meeting of the Thanet District Council to be held in Council Chamber, Cecil Street, Margate, Kent the on Thursday, 9 October 2008 at 6.00 pm for the purpose of transacting the business mentioned below.

Members are advised that the scheduled meeting of the Thanet District Council will convene at 8pm or on the rising of the Extraordinary meeting and following a short recess.

A handwritten signature in black ink, appearing to read "G. Bach".

Democratic Services Manager

To: The Members of Thanet District Council

AGENDA

Item
No

Subject

1. **DECLARATIONS OF INTEREST**

In accordance with Council Procedure Rule 1.1(x), to receive any declarations of interest from Members.

2. **SUSPENSION OF COUNCIL PROCEDURE RULES** (Pages 1 - 2)

In accordance with Council Procedure Rule 29.1 to suspend Council Procedure Rules and adopt the Protocols for Planning Committee for the duration of this Extraordinary Meeting of Council.

3. **LAND AT MANSTON BUSINESS PARK, MANSTON ROAD, MANSTON, RAMSGATE** (Pages 3 - 68)

F/TA/08/0400 Redevelopment of land for B1c, B2, and B8 (Industrial and warehouse uses) mixed commercial use with ancillary parking and landscaping.

SUSPENSION OF COUNCIL PROCEDURE RULES

To: **Extraordinary Council – 9 October 2008**

By: **Democratic Services and Scrutiny Manager**

Classification: **Unrestricted**

Summary: **This report invites Members to suspend Council Procedure Rules in order to allow public speaking at this Extraordinary Meeting of Council**

For Decision

1.0 Introduction and Background

- 1.1 Planning Committee, at the meeting held on 20 August 2008, agreed to refer Planning application F/TH/08/0400 - Land at Manston Business Park, Manston Road, Manston, Ramsgate to full Council for decision.
- 1.2 This Extraordinary Meeting of Council was arranged to deal specifically with the referred planning application.

2.0 The Current Situation

- 2.1 The Protocol for Planning Committee does allow public speaking for scheduled applications. As this application is a major application the number of speakers raising points of concern is three, with one speaker for the applicant (or agent).
- 2.3 Council Procedure Rules do not allow public speaking at meetings of Full Council.
- 2.4 To allow all Members to hear the representations of objectors and applicant the Council Procedure Rules would need to be suspended in accordance with Council Procedure Rule 29.1.

3.0 Options

- 3.1 To suspend Council Procedure Rules and adopt the Protocol for Planning Committee for the duration of this Extraordinary Meeting of Council to allow public speaking to take place.
- 3.2 Members may decide not to suspend Council Procedure Rules which will prevent public speaking from taking place.

4.0 Corporate Implications

4.1 Financial

- 4.1.1 None

4.2 Legal

4.2.1 Because the Council's Constitution provides no general right for members of the public to address a Council meeting, it would be necessary for Council Procedure Rules to be suspended in order for public speaking to take place at a meeting of Council.

4.3 Corporate

None

4.4 Equity and Equalities

None

5.0 Recommendation(s)

5.1 Members are invited to consider whether to adopt option 3.1 or option 3.2

6.0 Decision Making Process

6.1 The decision is for full Council.

Contact Officer:	Eileen Richford, Senior Democratic Services Officer
Reporting to:	Glenn Back, Democratic Services and Scrutiny Manager

Background Papers

Title	Details of where to access copy
The Constitution for the Governance of Thanet District Council	Thanet District Council Website or from Democratic Services Team

LAND AT MANSTON BUSINESS PARK, MANSTON, RAMSGATE

Redevelopment of land for B1c, B2 and B8 (Industrial and Warehouse use) mixed commercial use with ancillary parking and landscaping

To: **Full Council - 9 October 2008**

Main Portfolio Area: **Development Services**

By: **Head of Development Services**

Classification: **Unrestricted**

Ward: **Thanet Villages**

Summary: Following the decision by Planning Committee on 20 August to refer the application to Full Council for determination, this report provides a background to that decision, introduces the Planning Committee report and summarises issues raised by the public and Members at Planning Committee, and provides more detail on matters covered in the Section 106 Agreement required should permission be granted, to enable Full Council to take the role of Planning Committee in considering the planning application.

For Decision

1.0 Introduction and Background

- 1.1 The planning application was considered by Planning Committee on 20 August 2008. At the meeting, following public speaking by the applicant, three members of the public and the Chairman of Manston Parish Council, Members resolved to refer the application to Full Council for determination. This right is conferred by Part 4 of the Council Constitution (Council Procedure Rules), paragraph 4.2, stating that:
- 1.2 The reason for the decision was based upon a concern that the scale and potential impact of the proposal merited determination by Full Council.
- 1.3 The Officer report appended to this report details the application and discusses the planning issues relating to the proposal, in order to inform Members of issues raised by the public and Planning Committee; these issues are referred to in this report.

2.0 Representations received following preparation of the Planning Committee report

2.1 Further representations were received following distribution of the Planning Committee report which are summarised below:

- 71 additional generic letters objecting on the grounds of the threat of the water supply and the need for mains sewerage, traffic generation and non-compliance with Policies CC2, EP13 and CC9 of the Local Plan;
- 3 additional people have asked for the removal of their details, as a letter had been signed in their name by someone else.
- 61 letters were received from Acol residents, with diagrams requesting a change in the layout of the site switching the X-Type distribution buildings with the A-Type buildings due to the light and noise pollution that the X-Type units will generate. This issue was specifically referred to in the presentation to Planning Committee, and will be referred to within the presentation to Council.

2.2 Individual letters were received from Trees for Thanet Group, Green Party for the South East of England and 12 further neighbours raising the additional points:

- (i) The application should be called in by the Secretary of State;
- (ii) Permission should not be granted until the Masterplan for the Airport is completed;
- (iii) Concern that advice given by the Environment Agency is inadequate;
- (iv) There are procedural concerns because the applicants have made donations to both the Council and Labour Group;
- (v) The development is piecemeal;
- (vi) The causal effects of the development have not been fully considered.

2.3 SEEDA have also commented upon the proposal. They support the application which they comment is generally well aligned to the Regional Economic Strategy. They welcome references to:

- Establishment of job training opportunities for local residents complimenting targets to maximize people ready for employment at all skill levels and improving access to workplace learning for low skilled, low paid, low status workers to enable labour market progression;
- Provision of employment units to meet the needs of the region and support its competitiveness and create a climate for long term investment.
- Achieving BREEAM very good.

SEEDA welcome the job creation, both during construction and following completion and occupation, and consider it will act as a catalyst to help deliver a step change in the economic performance of the District.

3.0 Issues raised at Planning Committee

3.1 Public speakers against the application raised the following matters of concern:

- Is Phase 1 truly 'stand-alone';
- Why have the standards imposed upon development by Cummins not been adhered to for this development;
- The proposal is an over-development of the site;
- There are concerns over impacts to the water supply due to the location of a potentially polluting development over the aquifer;
- The development will have a detrimental impact upon Acol residents as a result particularly of noise and disturbance from the distribution buildings to the north west corner of the development;
- Has the impact of Thanet Earth been taken into account;
- The transport impacts will be severe;
- The development will visually harm the countryside;
- There is insufficient infrastructure;
- The scheme is not viable;
- The scheme should be considered in the context of the Airport Masterplan.

3.2 Members raised concerns relating to:

- The level of HGV traffic to and from the site, requesting the imposition of a condition limiting HGV movements;
- The hours of use of the site, particularly with regard to lorry movements;
- Concern over the lack of information, particularly relating to the type of employment to be created;
- Concern over the lack of deliverability of the scheme due to the location of Theatrical Pyrotechnics within the site.

3.3 The majority of these concerns are referred to within the appended report. In order to directly respond, the following clarification is offered:

Is Phase 1 'stand-alone'

The site forming the subject of the application is a 'stand-alone' application which the applicant has confirmed can proceed in advance of any proposals that may arise for further phases. The total site is on land allocated for employment purposes in both the Thanet Local Plan and Kent and Medway Structure Plan.

Why do development standards differ from those imposed on Cummins

The standards imposed on the Cummins' development will be adhered to where applicable. In some cases there is a need to change them. For example , attenuation ponds are not appropriate because they attract flocking birds to the detriment of the Airport, and linear tree belts are not sympathetic to the character of the area, clumps of trees being more typical.

Where details have not been submitted, conditions have been imposed to ensure relevant statutory consultees, who have not objected to the proposal, have an input to detailed proposals.

Is the proposal over-development

The development provides for nearly 138,000 sq metres of floor space, sufficient car parking and substantial landscaped areas. It is not therefore considered that the level of development proposed is an over-development of the site.

Protection of the aquifer

The possibility of pollution of the aquifer is fully recognised, and stringent conditions have been imposed to avoid the potential for such pollution. The applicants have confirmed that off-site disposal of foul water is now being pursued. Conditions have also been imposed to ensure that the amenity of Acol residents is protected with regard to noise disturbance and lighting.

Transport Impacts

In terms of transport impacts, Kent County Council's Highway Manager is content that the impact of the development, taking into account the existence of Thanet Earth, can be made acceptable through the imposition of a Travel Plan to reduce reliance upon the private car and control the movement of HGV's. A major element of the Travel Plan, developed after completion of the Planning Committee report, relates to the introduction of the shuttle bus service. Rather than focusing upon Ramsgate Station, routes will be tailored to enable the local population employed within the development to access them. This will be achieved through regular reviews, the first taking place prior to first occupation when there will be some certainty over the location of the workforce, and the bus route can be determined based upon that information.

Visual Impact

The visual impact of the development will be significant, and this impact is acknowledged in the Site Designation Policy which requires landscaping proposals to be submitted, and Policy CC2 which refers to the need to avoid skyline intrusion. The development will generally be seen within long distance views, and it is imperative that landscape proposals mitigate the impact by providing clumps of trees in locations that provide visual relief to these views. The need to take account of the proximity of the airfield in relation to limiting habitat for birds also has to be taken into account.

Infrastructure Provision

The provision of infrastructure to the site as well as transport, training and site management measures, will be a requirement of both conditions and a Legal Agreement. These requirements are needed to adequately address the impact of the development. There is no potential not to insist upon their provision as failure to provide such safeguards would not enable permission to be granted.

Is the scheme viable

Viability of a development is not a planning issue.

Airport Masterplan

The provision of a Masterplan for the Airport is awaited by the Council and will, following appropriate consultation, form an important Policy document in relation to future development. However, at present no document has been submitted, and decisions have to be taken on the information available that is relevant to determination of the application.

HGV Traffic

The concerns over the level of HGV movements are appreciated. In terms of general movements, the site is allocated in the Local Plan and the impact of the development has been taken into account through the Local Plan process. The improved East Kent Access Road will increase capacity along the principal route for HGV traffic, which is calculated to comprise between 948 and 1352 trips per day.

In terms of the routes taken by HGVs, it is considered that these can be covered by providing route maps to Haulage Companies. Advice was taken from the County Council's Waste and Minerals Planners who confirm they only limit numbers of vehicle movements if access to a site is poor and the route passes houses. In this case access to the primary network is good and does not go close to residential property. It is also important that measures are put in place to restrict HGV movements through Acol village, and that the potential for the future provision of an Acol by-pass is secured.

Limiting hours of HGV movements

The request to limit the hours of use of the site relates to concerns over noise and disturbance, and intrusive security and operational lighting. Conditions are proposed to require mitigation measures to be put in place to limit noise and lighting impact.

Employment Creation

There is presently a shortage of detail relating to the nature of the jobs to be created, with concern being expressed that the jobs would only, or largely be, low paid warehouse jobs. The applicants have given assurances that this will not be the case and that there will be a mix of job opportunities, from management through to manufacturing. Training proposals will need to be tailored to meet the jobs available to ensure local people have the opportunity to obtain these jobs.

3.4 In a letter dated 28 August, the applicants state that they envisage the breakdown of jobs to be provided, based upon the 'typical Chinese model', and assuming 18 separate Companies, would comprise approximately 108 directorial posts, 252 marketing and sales positions, 80 finance jobs, 72 Human Resources positions and 120 Customer Care posts. Many of these positions would be based within the Gateway building. In addition, it is anticipated that approximately 700 semi-skilled and unskilled jobs would be created, including:

- Order processing;
- Reception staff;
- Manufacture and assembly;
- Fork Lift operators;
- Packaging;
- Replenishment;
- Factory hands.

Other jobs created would include site maintenance and landscaping, catering, restaurant and cleaning positions.

In terms of training, current thinking to ensure local people have the opportunity for employment includes:

- Partnerships with local Colleges and training establishments;
- Establishment of a Working Group including bodies such as Job Centre Plus, Learning and Skills Council, SEEDA, East Kent LSP, Colleges and Universities;
- Development of customised courses, including pre-employment courses;
- On the job training;
- Apprenticeships;
- Recruitment/discovery days.

- 3.5 In addition, the applicants have forwarded the attached table indicating a more detailed breakdown of anticipated job creation:

CHINA GATEWAY, MANSTON - PHASE 1 – ENVISAGED JOB CREATION			
Job Title	No. of each Company	No. of Companies	Total Number
Executive Manager	1	18	18
PA	1		18
Assistant	1		18
Sales Director	1		18
Sales	10		180
Marketing/ Branding Director	1		18
Marketing/ Branding specialist	4		72
Financial Director	1		18
Finance specialist	5		80
Human Resources Manager	1		18
HR specialist	3		54
Customer Services Manager	1		18
Customer Services specialist	6		102
Top tier employment in total:			632
Machine Operators			72
Trainee/Apprentice Operators			30
Assembly/Manufacture			216
Finishers			54
Replenishment			36
Pick and Pack + Shipping			36
Catering			12
Secretarial			24
Security			8
Reception			6
Maintenance Department			18
Trend Order Analysts			4
Fork Lift Operators			22
Drivers/Transport			38
Facilities Manager			14
Floor Supervisor			36
IT Control			27
Product Testing and QS			8
Area Supervisors			36
Lower tier employment in total:			697
Total employment:			1329

- 3.6 The retention of Theatrical Pyrotechnics, until their lease expires, will prevent early development of the south east corner of the site unless Members resolve not to adhere to Health and Safety Executive recommendations. This issue is covered by a condition of planning permission, should permission be granted.

4.0 The Section 106 Agreement

- 4.1 A Section 106 Agreement will be imposed, should permission be granted, covering the following matters:

Travel Plan

The Travel Plan will relate to the total development, and individual Companies will be required to sign up to the Plan. The Travel Plan implementation will be supported by a Travel Plan Co-Ordinator and Concierge Service.

There will be a detailed Implementation and Monitoring Plan, with regular reviews of the Plan's effectiveness during and after site development. The Travel Plan Co-Ordinator will have a budget, to be established, to implement initiatives to increase effectiveness of the Plan, based upon review information.

The Travel Plan Co-Ordinator will provide KCC transportation with annual monitoring reports, including information based upon trip information.

At the end of the first five years of operation a review will identify a basket of measures to address any shortfalls or concerns with the implementation of the Travel Plan.

Shuttle Bus

There will be six month reviews relating to the operation of the shuttle bus whose route will be tailored to visit areas of demand, thereby ensuring maximum use. More than one bus will be provided if demand requires.

Cycle Use

In order to aim to achieve a 5% increase in cycle use, 150 bikes are to be provided, including electric bikes and folding bikes for combined cyclists/shuttle bus users. A financial contribution will be made towards the improvement of a Public Footpath link to Westgate to cycle path standards.

Car Sharing

Promoted through a Company database, guaranteed parking space and guaranteed lift home.

Travel Information

Provision of a Travel Information Board and Travel Packs to encourage use of alternative means of travel.

Shift Patterns

Establishing shift patterns to avoid congested times.

HGV Strategy

Provision of Route Maps to direct HGV movements to suitable routes.

Travel Plan Targets

Mode share targets of 20% car share, 60% single occupant car use, 15% public transport and 5% cycle use by 2015.

Off-site Highway Improvements

The provision of a left turn lane to the Tothill Street leg of the Mount Pleasant roundabout will be a requirement. Works to be funded by the developer and implemented by Kent County Council, preferably based upon commencement of use.

The provision of HGV control gateways, including cycle access to Acol Village and implementation of Traffic Regulation Orders limiting HGV movements through the village for the purposes of access only.

Agreement to the provision of a southern loop road to the site, on land within the applicant's control, to be provided at the same time as the provision of the remainder of the road on land not within the applicant's control.

On Site Management

Details of management regimes to be established relating to maintenance of private drainage infrastructure, landscaping and ecological measures. Initial monitoring of the impact of the development on the local Nature Reserve, and implementation of management measures to mitigate impacts. Agreements to be with Thanet District Council, who will liaise with the Environment Agency and Natural England.

Public Art

A sum of £30,000 for the commissioning of three pieces of public art through a competition open to local artists based upon a brief from Chinamex.

Training

The identification of local training needs on an ongoing basis, and the establishment of regular meetings between employers and training agencies to identify and ensure provision of appropriate training.

The applicants have confirmed a willingness to assist in the provision of training opportunities for local people, principally to increase basic skill levels. This offer is to limit the impact of the development on local services due to the influx of population if there are not employment opportunities for local people. It is also to help improve skills levels, particularly for manufacturing jobs. This issue will be considered in the details of the Section 106 Agreement.

The number and location of local people employed will also be monitored, and that information provided to the Council. This information will assist in the identification of local training needs required to enable local people to compete for jobs and, as mentioned above, will help target green travel initiatives.

Planning Conditions

Planning Conditions required are appended to the Planning Committee report. Minor amendments have been made to condition 15 to include a requirement for an Environmental Management Plan during construction, to condition 25 to refer to the Gateway building, restaurant and amenity blocks, and condition 31 to refer to the impact of foundation design on groundwater.

The applicants have also confirmed a willingness to investigate additional sustainable construction measures. As a result it is proposed to add a further condition as follows, to enable agreement to such measures;

Full details of the proposed sustainability measures to be incorporated into buildings and areas of the site granted by this permission shall be agreed in writing prior to commencement of development of each building and area. Measures to be investigated include wind turbines, solar panels, solar wall technology, grey wastewater systems, high thermal insulation, high efficiency boilers and conservation technology applied to water and energy use.

5.0 Options

5.1 Through the normal Planning Committee process, Members have the option to either:

- (i) Approve the application as proposed, or
- (ii) in accordance with amendments proposed by Planning Committee, refuse the application (possible reasons for refusal are appended to the report),
or
- (iii) defer the application for clarification of issues of concern.

6.0 Corporate Implications

6.1 Financial

6.1.1 Refusal, or failure to determine the application, may result in the submission of an appeal by the applicant with the potential for considerable resultant costs relating to legal representation, possible use of Planning Consultants and the potential award of costs against the

Council should an Inspector determine that refusal of the application was not reasonable.

6.2 Legal

6.2.1 The development of the site for employment purposes is in accordance with both the Corporate Plan and Thanet Local Plan. There is therefore the potential for a Planning Appeal to succeed unless an Inspector considers other material considerations outweigh the Policy support.

6.3 Corporate

6.3.1 Theme 1 of the Corporate plan includes the aspiration to develop Manston Business Park as one of the key industrial and employment sites, and the proposal accords with this aspiration.

7.0 Equities and Equalities

7.1 There are no specific Equity or Equality considerations relating to the application, although it is important that training is put in place to enable local people to benefit from job opportunities created.

8.0 Recommendation

8.1 That Members grant planning permission for the development, subject to safeguarding conditions and a Section 106 Agreement as proposed in the attached report.

9.0 Decision Making Process

9.1 Members to decide.

Contact Officer: Doug Brown - Planning (Strategic Sites) Manager - Extension 7153

Background Papers

1. *See Planning Committee report – Annex 1*
2. *SEEDA letter dated 25 September 2008*

This page is intentionally left blank

A01 F/TH/08/0400

PROPOSAL: Redevelopment of land for B1c, B2, and B8 (Industrial and warehouse uses) mixed commercial use with ancillary parking and landscaping

LOCATION: LAND AT MANSTON BUSINESS PARK, MANSTON ROAD, MANSTON, RAMSGATE

WARD: Multiple Wards

AGENT: PRC Group

APPLICANT: Commercial Group Properties Plc

RECOMMENDATION: Approve

Subject to the provision of an access road to the south of Block 15 to provide the facility for a southern link road for the Business Park within the applicant's site, a Section 106 Agreement covering:

- provision of a Travel Plan;
- highway improvements;
- pedestrian and cycle links;
- HGV route control
- education and training provision;
- landscape, ecology and drainage management and monitoring;
- public art provision.

and the following safeguarding conditions:

1 **UTILITIES AND SURFACE WATER**

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 only be given for those parts of the sites where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

GROUND:

To prevent pollution of the water environment, in accordance with Policy EP1 and EP13 of the Thanet Local Plan.

- 2** Construction of the development shall not commence until details of the proposed means of foul water disposal, which shall be via connection to the public sewer, have been submitted to, and approved in writing by, the Local Planning Authority.

GROUND:

To prevent pollution of the water environment, in accordance with Policy EP1 and EP13 of the Thanet Local Plan.

- 3** No occupation of any of the buildings hereby permitted shall take place until the Local Planning Authority is satisfied that the necessary foul drainage, surface water and water supply infrastructure capacity is available to adequately service the development.

GROUND:

To prevent pollution of controlled waters, in accordance with Policy EP1 and EP13 of the Thanet Local Plan.

- 4** Construction of the development shall not commence until details of the proposed means of surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority. Surface water drainage proposals shall include details of disposal of surface water from car park areas and details of capacity calculations to demonstrate that the proposed means of surface water drainage will not result in flooding.

GROUND:

To ensure that the development has adequate infrastructure, in accordance with Policy EP1 and EP13 of the Thanet Local Plan.

- 5** The surface water drainage strategy submitted in accordance with condition 7 above, shall detail measures which will be implemented to ensure no contaminated runoff from the application site enters the Sandwich Bay to Hecklinge Marshes site of special scientific interest (SSSI), Thanet Coast and Sandwich Bay Special Protection Area (SPA), the Wetland of International Importance under the RAMSAR Convention (RAMSAR Site), and the Thanet Coast Special Area of Conservation (SAC).

GROUND:

To protect the special nature conservation quality of the named sites, in accordance with Policy EP1 and EP13 of the Thanet Local Plan.

- 6** Where the use of sustainable urban drainage systems (SUDS) are proposed, a management plan identifying specific responsibilities of each party for the implementation of the SUDS scheme, a timetable for implementation and a management and maintenance plan for the lifetime of the development, including arrangements for adoption by any Public Authority or statutory undertaker and any other arrangements to secure the operation of a scheme throughout its lifetime, shall be submitted to, and approved in writing by, the Local Planning Authority.

GROUND:

To ensure the future effective operation of sustainable urban drainage systems and to prevent the potential for future flooding, or ground water pollution, in accordance with Policy EP1 and EP13 of the Thanet Local Plan.

- 7** Construction of the development shall not commence until details of the proposed water supply infrastructure plans to serve the development have been submitted to, and approved in writing by, the Local Planning

Authority.

GROUND:

To ensure that adequate infrastructure is in place to serve the development proposed, in accordance with Policy EP1 and EP13 of the Thanet Local Plan.

- 8** Prior to commencement of the development hereby permitted, the following components of a scheme to deal with the risks associated with the 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 contaminates associated with such uses;

A conceptual model of siting indicated sources, pathways and receptors;

Potentially unacceptable risks arising from contamination of the site.

- 2. A site investigation scheme based on 1. above, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.**

- 3. The site investigation results and the detailed risk assessment (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 work set out in (3) are complete, and identifying any requirements for longer term monitoring of pollution linkages, maintenance and arrangements for contingency action. Any changes to these components must be the subject of written agreement of the Local Planning Authority.**

GROUND:

To ensure that the development comprises with approved details, in the interests of protection of the environment and to prevent harm to human health, in accordance with Policy EP1 and EP13 of the Thanet Local Plan.

- 9** Prior to commencement of development, a verification report demonstrating completion of the 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 details 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 and for the reporting of this to the Local Planning Authority.

GROUND:

To ensure that the development complies with approved details in the interests of protection of the environment and to prevent harm to human health, in accordance with Policy EP1 and EP13 of the Thanet Local Plan.

- 10 Reports on monitoring, maintenance and any contingency action carried out in accordance with the long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met, and documenting the decision to cease monitoring, should be submitted to, and approved in writing by, the Local Planning Authority.

GROUND:

To ensure that the development complies with the approved details in the interests of protection of the environment and harm to human health, in accordance with Policy EP1 and EP13 of the Thanet Local Plan.

- 11 **NOISE AND LIGHTING**

Noise from the site shall not exceed the existing background level expressed as L90 (10 minutes) by more than 3dB, measured at the boundary of any residential property.

GROUND:

In the interests of the amenity of nearby residential properties, in accordance with Policy EP6.

- 12 Prior to commencement of the development hereby permitted, a noise impact assessment of the proposed uses shall be carried out in accordance with details to be submitted and approved by the Local Planning Authority. In determining the noise impact regard shall be given to relevant standards including BS4142 (1997), 'Method of creating industrial noise affecting mixed residential and industrial areas'. Use of the units hereby permitted shall not commence until noise insulation/attenuation works have been carried out to the satisfaction of the Local Planning Authority.

GROUND:

In the interests of the amenities of nearby residential properties, in accordance with Policy EP6.

- 13 Prior to commencement of use of buildings 2 and 3 (distribution centres), details of a Noise Attenuation scheme relating to the vehicle parking and servicing areas shall be submitted to, and approved in writing by, the Local Planning Authority. Unless it can be demonstrated to the reasonable satisfaction of the Local Planning Authority that the scheme can prevent the spread of noise or light to nearby residential areas, commercial vehicles, including forklift trucks, shall only be started up, manoeuvred, loaded or unloaded between the hours of 7am and 11pm.

GROUND:

In the interests of the amenities of nearby residential properties, in accordance with Policy EP6.

- 14 Prior to commencement of the development hereby permitted, details of full external lighting, including floodlighting to be used, specifying the siting and appearance of the lights and their fittings, illumination levels and spread of light shall be submitted to, and approved in writing by, the Local Planning Authority. The lighting installation shall then be carried out in accordance with the approved details.

GROUND:

To protect the amenity of nearby residential property, in accordance with Policy EP9.

- 15 Prior to commencement of the development, a scheme for the control of noise and dust during construction shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall comply with guidance in BS 5228 Noise Vibration and Control on Construction and Open Sites. Upon commencement of the development, work shall be carried out in accordance with the approved scheme.

GROUND:

In the interests of the amenity of adjacent residents and occupants, in accordance with Policy EP6.

- 16 During the demolition and construction phase, the hours of working shall be restricted to Monday to Friday 08.00 hours - 18.00 hours, on Saturday 08.00 hours - 13.00 hours, with no work on Sundays or Public Holidays unless otherwise agreed, in writing, by the Local Planning Authority.

GROUND:

In the interests of the amenity of adjacent residents and occupants, in accordance with Policy EP6.

17 **LANDSCAPE ECOLOGY AND MATERIALS**

Habitats created as part of landscaping proposals for the development hereby permitted shall be the subject of a management plan and monitoring programme. The management and monitoring programme shall be submitted to, and agreed in writing by, the Local Planning Authority prior to commencement of the development hereby permitted, and thereafter implemented in accordance with the permitted strategy.

GROUND:

To retain and improve the ecology of the area, in accordance with Policy NC4.

- 18 No development shall take place until full details of both hard and soft landscape works have been submitted to, and approved in writing by, the

Local Planning Authority and these works shall be carried out as approved. The landscape proposals shall be based upon the strategy within the Design and Access Statement, supplemented by reference to the 'Landscape Assessment of Kent' (Kent County Council 2004). The details shall include:-

- (1) details of existing trees, shrubs and hedges to be retained.
- (2) details of new trees, shrubs, hedges and grassed areas to be planted, together with details of the species and method of planting to be adopted.
- (3) measures to be taken to protect existing and new landscape work, which shall in the case of trees means adequate staking and guarding.
- (4) arrangements to be made for the permanent maintenance of landscaped areas.
- (5) details of ground preparation, including methods of planting and details of proposed weed control.
- (6) a detailed survey of levels on the site indicating specific features.
- (7) details of earth works to be carried out on the site including details of proposed finish levels or contours.
- (8) details of the treatment proposed for all hard surfaced areas beyond the limits of the highway.
- (9) details of proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc., indicating lines manholes, supports etc.,).
- (10) details of walls, fences, other means of enclosure proposed, together with details of materials and construction and details of other minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.)
- (11) Public Art installations.

GROUND:

In the interests of the visual amenities of the area, and to adequately integrate the development into the environment in accordance with Policy D1 of the Thanet Local Plan.

- 19 All hard 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 a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with

others of a similar size and species, unless the Local Planning Authority gives any written consent to any variation.

GROUND:

In the interests of the visual amenities of the area in accordance with Policy D1 of the Thanet Local Plan.

- 20 A Landscape Management Plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaping areas shall be submitted to, and approved in writing by, the Local Planning Authority prior to the occupation of the development. The Landscape Management Plan shall be implemented as approved.

GROUND:

In the interests of the visual amenity of the area, in accordance with Policies D1 and D2 of the Thanet Local Plan.

- 21 No development shall take place until details of earthworks have been submitted to, and approved in writing by, the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding land form. The development shall be carried out in accordance with the approved details.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

- 22 The development hereby permitted shall be carried out in conformity with a scheme of site levels in respect of the finished site works, the details of which shall be submitted concurrently with those matters set out in condition 23 above, and agreed in writing by the Local Planning Authority.

GROUND:

In order to secure a satisfactory standard of development, in accordance with Policy D1 of the Thanet Local Plan.

- 23 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

- 24 **TRANSPORT**

Prior to commencement of the development hereby permitted, precise details of the geometry of internal estate roads, including swept vehicle paths, for all changes in direction, and details of the temporary turning head to the south east of Block 15 shall be submitted to, and approved in writing by, the Local Planning Authority.

GROUND:

In the interests of highway safety.

- 25 Prior to commencement of the development hereby permitted, the precise use of each of each of the permitted buildings, which shall comprise a mix of Use Classes B1(c), B2 and B8 use, and the level of parking provision for each building shall be submitted to, and approved in writing by, the Local Planning Authority. This shall be verified prior to the occupation of each building. The level of provision of all forms of vehicle parking, including Heavy Goods Vehicles, cars, disabled vehicles, motorcycles and cycles, shall be in accordance with that approval. On occupation of that building, the confirmed initial use shall comprise the permitted use for the building in accordance with the Town and Country Planning (Use Classes) order 1987 as amended, or any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order, with or without modification.

GROUND:

To ensure the level of parking provided is appropriate for the final use of the building in the interests of a sustainable Transport Policy, in accordance with Policy TR16 of the Thanet Local Plan and TP19 of the Kent and Medway Structure Plan.

- 26 The design and method of construction of the means of access shall be submitted to, and agreed in writing by, the Local Planning Authority prior to commencement of the construction of the access hereby permitted.

GROUND:

In the interests of highway safety.

- 27 Prior to the commencement of use of the new vehicular access hereby permitted, the existing redundant means of vehicular access to the site shall be permanently closed with a suitable barrier and the footpath and verge reinstated in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

GROUND:

In the interests of highway safety and pedestrian amenity.

- 28 Prior to the occupation of any building upon the site, the highway shall be constructed from that building to the adopted highway.

GROUND:

In the interests of highway safety and to ensure the proper development of

the site.

- 29 Details pursuant to each respective development phase shall include detailed proposals relating to construction traffic, including identification of haul routes and methods of preventing the deposit of construction material onto the highway.

GROUND:

In the interests of highway safety.

30 **ARCHEOLOGY**

No development shall take place until the applicant or their agent or successors in title have secured the implementation of:

(1) Archaeological Field Evaluation works in accordance with a specification and written timetable which has been submitted to, and approved in writing by, the Local Planning Authority, and

(2) Following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to, and approved in writing by, the Local Planning Authority.

GROUND:

In order to protect the archaeological heritage of the site, in accordance with policies HE11 and HE12 of the Thanet Local Plan.

- 31 No development shall take place until details of foundation designs and any other proposals involving below ground excavation have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:

In order to protect important archaeological remains, in accordance with Policies HE11 and HE12 of the Thanet Local Plan.

32 **OTHER**

The development hereby permitted shall be constructed to achieve a BREEAM rating of 'Very Good' or higher. Details of how this is to be achieved shall be submitted to, and approved in writing by, the Local Planning Authority.

GROUND:

In the interests of achieving a sustainable development.

- 33 Part of the site forming the subject of this permission presently contains a Pyrotechnic Company which is the subject of Health and Safety Executive

safeguarding requirements. A copy of the safeguarding plan relating to these premises is attached. No development that breaches the requirements of the safeguarding plan shall be carried out while the Pyrotechnic Company remains in operation on the site unless otherwise agreed, in writing, with the Local Planning Authority.

GROUND:

In the interests of Health and Safety.

- 34 The proposed development shall be carried out in accordance with the submitted application as amended by:

The Environmental Statement – Addendum, Chapter 8 – Ecology, dated 24 June 2008

Transport Assessment: Additional Information and Travel Plan (June 2008) and accompanying letter dated 13 June 2008.

Water and Sewage Strategy

Revised plans changing parking levels, road widths and landscaping provision

The full list of permitted plans is as follows:

7 April 2008

PL_001	Location Plan - Rev A
PL_009	Colour Coded Unit Types
PL_010	Detail of Emergency Access
PL_011	Cycle Paths Details
PL_101	Elevations, Floor Plans & Section 'X' Type 1 - Rev 1
PL_101/1	Elevations, Floor Plans & Section 'X' Type 2 - Rev 1
PL_102	Elevations, Floor Plans & Section 'A' Type
PL_103	Elevations, Floor Plans & Section 'B' Type
PL_104	Elevations, Floor Plans & Section 'C' Type
PL_105	Elevations, Floor Plans & Section 'D' Type
PL_106	Elevations, Floor Plans & Section 'E' Type
PL_107	Elevations & Floor Plans Gateway Building Sheet 1 of 2
PL_107	Sections & Floor Plans Gateway Building Sheet 2 of 2 - Rev 1
PL_108	Elevations and Floor Plans Ancillary Restaurant Building - Rev 1
PL_109	Elevations, Floor Plan & Section Amenity Building

13 June 2008

PL_004	Phase 1 Landscape Plan - Rev B
PL_005	Highways Hierarchy - Rev A
PL012	Landscape and Biodiversity Plan
PL013	Public Cycle Paths and Footpaths

20 June 2008

PL_002	Indicative Master Plan – “for illustrative purposes only” - Rev
--------	---

C	
PL_003	Phase 1 Site Layout - Rev C
PL_201	Revised floor plans for the 'X' Type units – Blocks 2 & 3 - Rev A
PL_202	Revised floor plans for the 'A' Type units – Blocks 4, 5 & 6 - Rev A
PL_203	Revised floor plans for the 'C' Type units Block 8 - Rev A
PL_204	Revised floor plans for the 'ancillary restaurant' building – Block 9 - Rev A
PL_205	Revised floor plans for the 'D' Type units Block 10 - Rev A
PL_206	Revised floor plans for the 'E' Type units Blocks 12 & 13 - Rev A
PL_207	Revised floor plans for the 'D' Type units Blocks 14 & 15 - Rev A
PL_208	Revised floor plans for the 'Gateway' building Block 1 - Rev A
PL_209	Revised floor plans for the 'B' Type units Block 7 - Rev A
PL_210	Building Plans - Rev A

- 35 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 36 The development of units 2 and 3 shall not commence unless and until public footpath TE16 has been diverted to an approved alternative route.

GROUND:

To ensure the retention of this public amenity.

INFORMATIVES:

1. The applicant/developer shall enter into a formal agreement with Southern Water to provide the necessary sewage infrastructure required to serve this development. Please contact Atkins Ltd, Anglo St James House, 39a Southgate Street, Winchester, Hampshire SO23 9EH (Tel: 01962 858688) or e-mail: www.southernwater.co.uk
2. The development hereby permitted requires the diversion of footpath TE16 to enable the construction of unit numbers 2 and 3. Prior to commencement of development of these units, and associated development, the applicants must obtain permission for the diversion of that footpath.
3. Prior to carrying out any site investigation or remediation, the developer is recommended to contact the Contaminated Land Officer at Thanet District Council for guidance on the requirements for such investigations or remediation. Investigations which do not adequately fulfil recommendations may result in additional work.

4. **Most contaminated soils are regarded as controlled waste. If controlled waste is to be deposited on the site, then either a Waste Management licence will be required or the applicant will need to register an exemption to licensing with the Environment Agency. Developers must ensure that all contaminated materials are adequately characterised, both chemically and physically, and that the licensable status of any proposed on-site operations are clear.**
5. **Most contaminated soils are regarded as controlled waste. Handling, transport, treatment and disposal are subject to waste management legislation, which includes:**
 1. **Duty of Care Regulations 1991;**
 2. **Special Waste Regulations 1996;**
 3. **Waste Management Licensing Regulations 1994 (as amended).**
6. **Developers must ensure that all contaminated materials are adequately characterised, both chemically and physically, and that the licensable status of any proposed off-site operations is clear.**
7. **All imported soil and clay brought into the site as clean cover must be certified to be suitable for use. To demonstrate this, a sample of the imported material must be analysed for potentially harmful contamination by a suitably accredited laboratory, and a Certificate of Analysis submitted to the Local Planning Authority within four months of the sampling date. A Contaminated Land Officer is available to provide advice on sampling techniques and storage, should this be required.**

SITE, LOCATION AND DESCRIPTION

The site is located to the south west of the island, to the immediate east of Acol village. To the south, south of the B2190, is Kent International Airport. The predominant adjacent land use is agricultural, with small pockets of residential and low level rural employment use. The site comprises just over 50% of land allocated for business use, known as 'Manston Business Park'.

On the remaining land to the west and south are existing employment developments, together with vacant plots in the ownership of Kent County Council. The principal access to the site is from the A253 located to the south west, south of the Airport. A dual carriageway road runs from the Mount Pleasant roundabout into the site.

The application site has an area of 31.87 hectares.

PLANNING HISTORY

Outline planning permission was granted for the construction of buildings, roads and sewers to create a Business Park for uses falling within classes B1, B2 and B8 in 1989 (OL/TH/88/1790), and was then renewed in 1994 (OL/TH/93/0364). Outline permission for the extension of the Business Park was then granted in

1996 (OL/TH/95/0838). All of the Reserved Matters pursuant to these outline permissions were not submitted, and the permissions have lapsed.

Provision of 620 metres of dual carriageway, two roundabouts, surface water and foul drainage and landscaping to serve the first 20 hectares of Manston Business Park was granted in 1996 (F/TH/96/0495), and subsequently implemented. Permission was then granted for spur roads in 1998 (F/TH/98/0939), which were also implemented.

Theatrical Pyrotechnics Limited was granted permission in 1982 for the erection of timber and steel storage buildings and the manufacture of pyrotechnic effects.

Kent Motorcycle Training Centre was initially granted temporary use of land at The Loop for motorcycle training in 1991, which was later renewed in 1996 and 1998.

The Hanger (the Black Barn) was granted permission for change of use from a hanger to storage and manufacture uses in 1995, with a later change of use permission granted in 2000 for the use of part of the Hanger for helicopter maintenance and with the provision of a helicopter landing pad.

Initial detailed planning permissions were granted for Cummins and Cohline in 1996, each with subsequent phased extensions.

Invicta Produce Limited was granted planning permission in 2003 and subsequently extended, and Air Atlanta was granted permission in 2005 for developments off Columbus Avenue.

Summit Aviation was granted consent in 2007 for a helicopter maintenance facility with associated parking on land to the south of The Loop; the building is currently under construction.

PROPOSED DEVELOPMENT

This application relates to a site of nearly 32 hectares, within which it is proposed to accommodate 137,664 square metres of employment floor space comprising light industrial, general industrial and warehouse uses. The development also includes a Gateway building (building 01) which will act as a showroom for all the goods produced at the Business Park, and will also act as an incubator for other businesses who will display their goods for sale prior to locating within the Park. The Gateway building has a floor area of 4,645 square metres, and a maximum building height of 14.5 metres.

The development also includes two distribution buildings (buildings 2 and 3). It is understood that one of these buildings will receive goods into the Park, and the other will be the main distribution centre of products both produced and sold from the Park. The two distribution buildings have a total floor area of in excess of 44,000 square metres, with a roof height of 12.8 metres.

In addition, a further 18 no. employment units are proposed, together with 2 no. freestanding amenity blocks and a restaurant building. The employment units range in size from just over 1,000 square metres (the 'E' type) to just over 18,000

square metres (the 'A' type). The 'A' type unit is the highest building on the site, with a roof height of nearly 17 metres; the 'B', 'C', 'D' and 'E' types have roof heights ranging from 8.5 - 9.125 metres.

The development is served by a new road which comprises an extension of the existing Columbus Avenue which runs to the east of the existing Cummins site, to a roundabout adjacent to the northern site boundary which serves a western spur to the two distribution buildings and an eastern road which runs along the site's northern boundary and then heads south along the eastern site boundary.

Each of the units has its own HGV, private car, motorcycle and cycle parking. The presently submitted plans show an estimated parking provision which will be amended based upon the specific requirements and uses contained within each of the units.

A draft Landscape Strategy has been submitted as part of the application. This is also supported by ecological proposals and proposals for the use of sustainable urban drainage systems where appropriate. Landscaping proposals also include open space areas.

It is understood that the proposed developers, Commercial Group Properties plc, have an agreement with Chinamex, a commercial arm of the Chinese Government, to develop the site. Whilst no specific details of goods to be produced have been provided, it is understood that they will focus on largely high end mechanical and electrical products. It is understood that on-site manufacture will comprise the final assembly of parts.

In order to give Members a more full understanding of this scheme and its potential impact, a Design and Access Statement and an Environment Statement submitted with the application, which also refer to a potentially larger development, should further phases be pursued, are summarised below.

Design and Access Statement Summary

Context: Surrounding Land Use

The application site is within a designated employment site (Policy EC1 of the Thanet Local Plan 2006). It comprises the first phase of a total development that would extend into unallocated land within the Landscape Character Area adjoining the EC1 site.

The site is flat, open and undeveloped. To the west, within the EC1 site, are industrial developments including Cummins, and to the east are sporadic residential and farm developments.

To the south and south east of the B2190 Manston Road are Kent International Airport (Policy EC2) and Airside Development (Policy EC4), and to the north of the B2050 Manston Road is a Fire Training School (policy EC6). To the west of the site is Acol Village, part of which is designated as a Conservation Area (policy HE5); 2 no. Ancient Monuments are located to the north east and north west of the site (Policy HE10).

To the east of the site along Alland Grange Lane are a cluster of detached and semi-detached properties. On the western side, backing onto the site, are business uses. Manston Riding Centre & Tack Shop is located slightly further east behind these dwellings on the eastern side of Alland Grange Lane.

Context: Movement Framework

Vehicle Movement – The site is to the north of the A299 Canterbury Road East with links to Ramsgate, Canterbury and the A28. The site is accessed off of the B2190 via Columbus Avenue (dual carriageway).

Pedestrian & Cycle Movement – A public footpath runs through the north west part of the site (TE16). The existing pedestrian and cycle links are from the B2190 via Columbus Avenue.

Public Transport Network – the B2190 has a limited service from local bus routes 38 and 38B to Acol, Manston and Ramsgate.

The site is approximately 2.5km from Minster train station, 3.7km from Birchington station and 5km from Ramsgate station. Redevelopment proposals need to include improved access to public transport facilities and the quality of transport provision.

The land outside of the EC1 site is designated a Landscape Character Area. A plan submitted with the application identifies the existing hedgerows, natural grassed areas, groups of trees and individual mature trees which have influenced the design of the proposal.

Planning Implications

Phase 1 of the application site, consisting of 137,664 sq m, falls entirely within designated employment land (Policy EC1). Information has, however, been provided relating to the proposed larger overall development from the outset. The applicant's strategy is to submit additional phases of development on the remaining land following determination of Phase 1 which has been confirmed as a 'stand alone' development not reliant upon further phases.

Transport

The overriding aims are:

1. Sustainable approach to the movement of employees and freight;
2. Ensure the impact of the development on locals roads is kept to a minimum.

The strategy aims to:

3. **Reduce the dependency on car usage by limiting the number of parking spaces**
4. **Improve bus services and pedestrian/cycle links to the surrounding areas, incorporating local community access to these improved services;**
5. **Ensure freight movement on local roads is minimised by including signage and road improvement measures to stop HGVs using Minster Road (the B2050) and the B2190 to Acol and Manston, directing HGV movements along Columbus Avenue to the A299.**

Design Principles

The development seeks to diversify the function of the existing Business Park.

A varied size and scale of built form is proposed to meet the varied commercial use requirements, and different employment densities will be provided to promote a variety of employment uses in the Business Park which, it is envisaged, will stimulate the local economy as a whole.

The street hierarchy is designed to encourage walking and cycling in conjunction with freight movement. Vehicle speed will be restricted by design. Service areas are to be functional locations and behind buildings hidden from public view.

Each building type has HGV, car and cycle parking. Cycle paths and shelters have been integrated into the proposed layout.

Landscape features, such as hedgerows, trees, banks, ditches and areas of grassland, are proposed within the design to sustain wildlife and provide habitats and movement corridors, with the aim of providing an established appearance to the development.

The main aims are to visually soften the built environment and act as a buffer, screening views of the development from the surrounding area and retaining, where possible, existing trees and shrubs, and developing natural drainage systems including SUDS, swales and soakaways.

Security

Discussions have taken place with the Crime Prevention Design Advisor of East Kent Police in order to provide a robust Security Strategy. Measures to be considered are fencing and gating, vehicle patrol, lighting and treatment of the entrance, whilst maintaining a high degree of permeability through the site for employees and local people.

Environmental Statement Summary

The Environmental Statement initially considers a variety of forms of development as part of the consideration of the Environmental Impact. They have looked at development options varying from 'do nothing', to development of the allocated site, to the option proposing a total development of nearly 72 hectares.

The applicant contends that the site chosen has locational advantages due to Airport and Port proximity and good road infrastructure. Whilst there are other employment sites within the South East available, “It is essential that this scheme be viewed as a separate and unique development” which is a direct result of a Chinese Government-led consortium to set up a flagship base in the UK.

Landscape & Visual Impact

Their landscape appraisal has identified 6 no. specific character areas:

6. Manston Business Park;
7. Central Chalk Plateau;
8. Acol Village;
9. Kent International Airport;
10. Quex Park;
11. Coastal Urban Area.

This is based on a Visual Impact Assessment and has been carried out from 40 no. identified locations referred to as ‘visual receptors’. It concludes the development will have a negative long term impact on character areas and visual receptors, particularly those in close proximity. The applicant states that positioning of buildings, together with extensive landscape mitigation measures, will help minimise the impact and enable assimilation into the broader landscape.

Archaeology

They have carried out a desktop assessment which has indicated the probability of local or regionally significant archaeological features ranging from Palaeolithic to First World War archaeology. Proposed mitigation includes preservation in situ and preservation by record, with the possible need for redesign to protect major finds.

Ecology

In terms of flora and fauna, the present site has negligible ecological value apart from hedgerows and standard trees. Boundary trees and hedges are proposed to be retained, but all other habitats will be lost. The Landscape Masterplan results in a gain in grassland and significant planting of native trees, which is considered likely to have a beneficial effect. Without knowledge of end-user businesses, it is not possible to determine whether there will be any ecological impact on the Thanet coast. There may be a requirement for a Mitigation/Compensation Strategy in relation to the landside Nature Reserve on the A299.

Contamination

A Desk Study indicates some localised sources of contamination (RAF use, chalk pits, adjacent industrial use). Ground investigation and necessary remediation will be implemented where required.

Hydrology

The ground water approximately 20 - 40metres under the site is a major aquifer. Parts of the site are located in source protection zones 1 and 2. An Environmental Management Plan is proposed to prevent pollution during and after construction. A Drainage Strategy to prevent an increase in run-off rates is also proposed. These measures, it is contended, mean that the impact on groundwater and surface water is negligible.

Noise and Vibration

Potential noise and vibration has been assessed by identifying existing ambient conditions during construction and subsequently operation, and the impact of the change in traffic movements resulting from the proposed development. Phase 1 construction is 170 metres away from the closest noise sensitive receptor, and does not have a significant impact. Operation of the site will increase background noise levels. The applicant contends it would be reasonable to assume that a 5dB increase above existing levels is acceptable. The existing background noise is approximately 43 dB during the day, and 36dB at night. In terms of increased road traffic noise, the applicant contends that noise increases are unlikely to have a noticeable effect.

Transport

Transport impact has been calculated on the basis of two land use scenarios:

- (a) Scenario 1 – 70% B1c, 10% B2, 20% B8.
- (b) Scenario 2 – 20% B1c, 10% B2, 70% B8.

Phase 1 generates 7,843 no. trips per day (Scenario 1), or 6,257 trips per day (Scenario 2). Under Scenario 1 948 HGV trips are generated per day, and under Scenario 2, there would be 1,352 HGV trips per day.

These figures do not take into account the proposed Travel Plan which includes the provision of a shuttle bus service from Ramsgate Station at shift change times, measures which aim to increase car sharing by 20% by 2015, increased public transport use to 15% and increased cycle use to 5%, reducing the numbers that drive to work to 1,800 of the 3,000 staff predicted.

The Transport Impact Assessment identifies junction capacity issues at Mount Pleasant roundabout (Tothill Street leg), the Spitfire Museum junction and Lord of the Manor junction. The applicant contends that the level of impact can be considered satisfactory, particularly with the forthcoming East Kent Access improvements.

Air Quality

The Air Quality Assessment considers road exhaust emissions, dust and Nitrogen Dioxide effects. On the basis of predicted road traffic levels and other emissions, studies indicate that the impact on air quality will not be significant.

Construction activities will potentially cause air quality degeneration; however, management measures are proposed to control these impacts.

Sustainability

In terms of construction, the developer aims to achieve a BREEAM rating of 'very good' - an assessment of how this will be achieved is included in the Environmental Statement. A range of sustainable design measures relating to energy conservation, water conservation, pollution, materials and waste, transport and land use, and biodiversity are proposed.

The application of energy efficiency measures is anticipated to reduce carbon emissions by 10% over current UK building regulations. A mixture of renewable energy measures is proposed (solar heating, biomass CHP and photovoltaics) to offset 12% of the development's carbon emissions.

Socio-Economic

The applicant contends that the scheme will generate substantial employment and inward migration. This has a positive impact on the local economy and strengthens the labour market; however, it will also result in reduced housing affordability and create extra pressure on local Health and Education infrastructure. It is therefore important to give local residents the opportunity to gain employment. Mitigation in the form of job training would help recruit local employees.

The local population has high unemployment and low education levels which will be addressed through job training, reducing the strain on existing social infrastructure and housing provision. A contribution towards Health and Education may be needed to offset the impact of in-migration.

PLANNING POLICIES

Kent and Medway Structure Plan

Policy TH1 of the Structure Plan seeks to address long-standing economic and social problems within Thanet by strengthening and diversifying the local economy and employment base. It encourages enhancing the rate of inward investment in the economy.

It acknowledges that improvements to infrastructure will be required to support economic growth and improve accessibility, including the East Kent Access, rail infrastructure and service improvements between Thanet and Canterbury, Dover, Ashford and London, and an eventual direct rail link to Manston Airport.

Policy QL1 relates to the quality of development and design, and seeks to apply the principles of the Kent Design Guide.

Policy EP2 gives priority to developing sites in Kent with planning consent or identified in Local Plans for business use, and states that existing employment sites that are well located and otherwise well suited to employment use should be retained for this purpose.

Policy EP4 specifically gives priority to Manston Park as a strategic employment location.

Policy TP7 discourages through traffic, particularly goods vehicles, from travelling on minor roads through the use of traffic management measures, regulatory measures, the control of development and freight quality partnerships.

Policy TP9 supports public transport and promotes it through partnerships such as that existing within Thanet.

Policy TP11 promotes facilities for pedestrians and cyclists.

Policy TP15 requires development which generates significant increases in traffic and Heavy Goods Vehicles to be well related to the primary and secondary road network.

Policy TP19 requires development proposals to comply with maximum vehicle parking standards adopted by the County Council.

Policy MR1 requires proposals for development to incorporate sustainable construction techniques.

Policy MR8 states that development would not be permitted where it would give rise to an unacceptable impact on the quality or yield of Kent's water courses and ground water resources.

Policy MR9 supports the expansion of water supply and waste water facilities where there is a demonstrable need to serve development proposed in accordance with the Development Plan.

Thanet Local Plan

The Local Plan adopts a self-containment approach, with a continued emphasis on employment development, particularly the development of the Central Island, the Airport and adjacent Business Parks. It comments that more rapid development will help strengthen and broaden the area's economic base, making it less vulnerable to economic change in the future and reduce the level of commuting from the district to other centres.

Policy EC1 allocates Manston Park, within which the site is located, for Classes B1 (Business), B2 (General Industry) and B8 (Storage and Distribution). It requires a Landscape Scheme appropriate to the scale, location and character of the site to provide an attractive environment. It also requires that applications be accompanied by Traffic Impact Studies and Green Travel Plans.

Policy EC7 relates to economic development infrastructure, and seeks to ensure that development opportunities are assisted through infrastructure and utility provision through the Spatial Development Company. This policy seeks to enable forward funding of infrastructure on the basis that incoming development covers the cost of forward provision to serve its sites.

Policy TR2 relates to the road hierarchy, and seeks to ensure that traffic can be channeled onto the most appropriate route to the road hierarchy through road improvements, junction improvements and appropriate Traffic Management Schemes.

Policy TR3 seeks to ensure that proper provision is made for transport infrastructure that is necessary and relevant to developments to be permitted. Such proposals will be assessed in terms of their impact upon capacity and safety of the transport network, together with their social and economic impacts.

Policy TR7 supports proposals to facilitate use of public transport, and requires all new development to take into account the needs of public transport and, where opportunities arise, improving facilities for waiting passengers.

Policy TR11 seeks to provide for safe convenient access and movement by pedestrians in new development proposals.

Policy TR12 promotes increased use of cycling and the provision of a network of cycle routes, with substantial development generating travel demand being required to provide convenient and secure cycle parking and changing facilities.

Policy TR14 promotes sustainable transport measures, and requires development to incorporate or contribute to the cost of their provision.

Policy TR15 promotes Travel Plan measures.

Policy TR16 requires new development to make satisfactory provision for the parking of vehicles based upon Kent Vehicle Parking Standards, as amended within the Plan.

Policy D1 establishes design principles for new development which are required to provide high quality and inclusive design, sustainability and good quality layout and materials.

New development is required to:

- **respect or enhance the character or appearance of the surrounding area;**
- **be compatible with neighbouring buildings and spaces;**
- **incorporate a high degree of permeability for pedestrians and cyclists;**
- **incorporate provision for disabled access;**
- **retain open spaces and gaps in development and new landscaping;**
- **incorporate, where appropriate, wildlife habitats and corridors;**
- **incorporate measures to prevent crime and disorder;**

- incorporate, where practical, high quality integrated public art;
- provide safe and satisfactory means of pedestrian and vehicular access;
- incorporate sustainable drainage.

Policy D2 requires integrated landscaping proposals.

Policy D4 requires the submission of Design and Access Statements in support of development.

Policy CC2 relates to landscape character areas.

The site is within the central chalk plateau where care should be taken to avoid skyline intrusion and the loss or interruption of long views to the coast and sea. Development proposals that conflict with the above will be permitted where it can be demonstrated they are essential for the economic or social wellbeing of the area.

Policy NC1, NC2 and NC3 relate to protection of natural habitats.

Policy NC4 relates to habitat management and creation, and encourages positive contributions to the retention, creation and management of wildlife habitats which could contribute to a network of wildlife corridors and stepping stones.

Policy EP1 relates to potentially polluting development which will be permitted only where applicable statutory pollution controls and siting will effectively and adequately minimise the impact upon land use and environment resulting from the release of pollutants. In determining proposals, regard will be paid to the economic and wider social need for the development.

Policy EP6 relates to noise levels, and development proposals that generate significant levels of noise must be accompanied by a scheme to mitigate such effects, bearing in mind the nature of surrounding uses. Proposals that would have an unacceptable impact on noise-sensitive uses will not be permitted.

Policy EP9 relates to light pollution, and requires that development that includes the provision of outdoor lighting should be designed to minimise light glare, light trespass, spillage and sky glow so as to preserve residential amenity, the character of the surroundings and prevent disturbance to identify wildlife areas.

Policy EP12 relates to surface water run-off, and requires that development contributing to an unacceptable flood risk due to surface water run-off will not be permitted. It requires that, wherever practical, the inclusion of sustainable drainage systems be employed to ensure surface water run-off is not increased.

Policy EP13 states that development in the ground water protection zones that have the potential to result in an increased risk of contamination of ground water sources will not be permitted unless adequate mitigation measures can be incorporated to prevent such contamination taking place.

Policy CF2 relates to development contributions. This requires that where development directly results in the need to provide new or upgraded facilities, including transport infrastructure and educational facilities, the applicant will be required to make a contribution towards the cost of such provision which is fairly and reasonably related in scale and in kind to the proposed development.

NOTIFICATIONS

Minster Parish Council supports the proposal, subject to an approved programme of landscaping to safeguard the amenities of the residents in the area.

Birchington Parish Council raises concern about the road infrastructure of the site and whether a road will be included in the plan to divert traffic access away from Birchington and Acol.

Acol Parish Council raised the following concerns in relation to:

Water supply and waste water disposal – there are regular water shortages and frequent hosepipe bans in the area, and they have serious concerns over potential contamination of the water supply.

Increased traffic – 4,500 vehicular movements have been counted in one day from 7am – 7pm through Acol village. There would be a further increase in traffic from the development. Double glazing should be seriously considered to mitigate the noise pollution created by the development and the lighting should be directed onto the building, not pointing outwards towards Acol, to reduce the effects of the inevitable light pollution. Acol Parish Council questions compliance with Local Plan policies in relation to the site. Residents have contacted the parish council enquiring about compensation in terms of property depreciation and discounts on Council Tax if the project is approved. Although the Business Park is in Manston Parish, it has more of an impact on the Acol residents.

Manston Parish Council makes the following comments:

They accept that Phase 1 is within allocated employment land in accordance with the Thanet Local Plan and the Kent and Medway Structure. They request that adequate buffer zones and substantial planting be provided to soften the impact on the landscape and local residents, particularly in relation to the reduction of noise and light pollution.

The impact of these proposals depends greatly on the associated Section 106 Agreement, particularly in relation to the employees travelling to the site from Thanet towns and in terms of traffic management and road improvement. HGVs should be routed along the East Kent Access/A299, and should be prevented from using the B2050 through Manston; the Spitfire Junction should be improved; minimal car usage should be encouraged for commuters, and dedicated bus services provided.

They are not convinced that the Traffic Management proposals will be sufficient to mitigate the detrimental effect of the volume of traffic on the highway network as a result of the development, and request:

22. **The Traffic Management Plan and Co-ordinator to be ongoing as a condition of the permission and not given a time limit;**
23. **Early completion of the carriageway strengthening at Spratling Street, a designated cycle route, which is currently unsuitable for cyclists;**
24. **They doubt the numbers of employees to cycle to work will be as high as anticipated;**
25. **They are concerned that the Traffic Management Scheme has no proposals for cycling from Margate;**
26. **The Spitfire junction should be improved. with joint funding from CGP and the Airport at an early stage to avoid two stages, even if China Gateway and the Airport proposals do not proceed simultaneously;**
27. **The Travel Plan refers to bus links to Ramsgate Railway Station, when Birchington is closer. They consider a bus service tailored to the employee catchment areas and work times is the only means of reducing commuting by car.**
28. **An effective training partnership between the Employment Service and the organisations to be based on the development should be created, to ensure effective training is available to the local workforce.**
29. **Pollution should be avoided as the site lies in the open countryside and within the water catchment.**
30. **Drainage proposals are still a concern, particularly regarding the disposal of foul water and the use of mains drainage to accommodate the large amount of waste water is essential to protect the aquifer. Compliance with expert recommendations is paramount.**

Manston Parish Council will object strongly to Phases 2 and 3 of the development as the site lies in designated open countryside and the central chalk plateau and they do not want any approval for Phase 1 to create a precedent and make way for Phases 2 & 3.

They also comment that:

31. **The Ecological Survey makes reference that a Section 106 agreement with the developer will impact on areas outside of the control of the developer or the public authorities, which is felt to be unreliable and unachievable.**
32. **The Ecological Report states that the survey of the invertebrates was done in one day, which is too brief for a thorough study, and the reptile survey was done at the wrong time of year to be accurate. More protection for species indigenous to this site is required.**

33. The report states the fields to be intensively farmed, and Manston Parish Council oppose the use of this productive farmland for development, given the current climate of food shortages.

The Pegwell & District Association accepts that Phase 1 is on allocated employment land. They are concerned that should consent be granted for Phase 1, Phases 2 and 3 will be granted on the grounds there will then be a linkage between the phases. The take up of greenfield land for phases 2 and 3 is a radical departure from the Local Plan. It appears that there is currently a surplus of land in Thanet for employment use, and no justification can be provided for the use of the much valued open land.

Kent International Airport (Infratil) is in favour of high quality employment floorspace and job opportunities at Manston Business Park, but they feel the Environmental Statement submitted lacks sufficient information in relation to:

34. Lack of reference to the future growth of KIA – The existing airport capacity and that there are plans for future growth are acknowledged, but there are no specific future projections of the airport. KIA argues that future growth of KIA should be taken as a commitment against which potential impacts of Phases 2 and 3 are assessed.
35. Traffic impacts – If Phase 1 is approved and East Kent Access (EKA) will not be complete until 2014, junction capacity would be significantly exceeded until the EKA is completed at Mount Pleasant and the Spitfire Junction. The applicant has failed to take into consideration the effects of future KIA traffic numbers and they argue the Transport Assessment will be insufficient to deal with the resultant traffic increases.
36. Car Parking – The parking figures are unclear and vary throughout the ES. KIA is concerned that excessive spaces will increase traffic volumes and excessive availability could encourage off airport parking to the detriment of the airport's operation and increase overall vehicle movements in the area. The parking strategy needs to be clearer.
37. Airport Access Road – the potential for a dual carriageway running eastwards from the junction at Columbus Avenue to the Spitfire Junction was previously proposed, but does not appear on the submitted plans. Space set aside and designated as a dual carriageway should be a minimum provision, and the route of the Airport access road must be agreed with the Airport and the Council before the application in question is determined.
38. Planting and Water Environment – The trees and planting must be low growing and unsuitable for roosting or flocking birds, as birds fly at levels dangerous to aircraft. The council should consult with the Airport on any decisions regarding planting schemes.
39. Capacity of local services – They are concerned that the capacity of local utilities has not been adequately considered.

40. **Aerodrome Safeguarding Requirements – They are currently reviewing the submitted drawings to ascertain whether they comply with the Civil Aviation Authority, and will submit these comments in due course.**
41. **Indicative Masterplan – The Environmental Statement could be subject to change as the overall Masterplan is only indicative. This may result in the need for a review or resubmission of the ES.**

Clague on behalf of Cohline raised concern over Cohline’s right of access to the loop road, and that the red line of the application includes the loop road within the development site. Any removal of their right of access would create key operational difficulties.

They questioned the location of building 07, which they regard as very close to Cohline, and the level difference makes them question an achievable relationship. They were interested in which conditions would be implemented in terms of the landscaping on the proposed development, to ensure it was planted at the earlier phase. They requested clarification over the KCC land ownership where the Gateway building is proposed, and any potential access from the adjacent roundabout.

Robinson Allfree Solicitors on behalf of Theatrical Pyrotechnics Ltd detail the lease of Theatrical Pyrotechnics Ltd from the freeholder, Commercial Group Properties Ltd., which expires in 2013, and argue the proposed development up to the boundary of the premises will compromise the business. They consider the proposed development would be a breach of the landlord’s obligations. The safeguarding zone relating to the business will extend into land owned by CGP Ltd., and Theatrical Pyrotechnics have submitted a safeguarding plan to demonstrate the safe zones for public traffic routes, inhabited buildings and buildings of vulnerable construction.

Neighbour Representations

At the time of completion of this report, in total 408 representations have been received - 1 in support and 407 in objection.

The letter in support of the application considers that the development will bring much needed business and employment to Thanet and East Kent, improving the economic prosperity.

Of the objections:

42. **30 of the total representations were a generic letter relating to all 3 phases.**
43. **57 were a generic letter objecting specifically to Phase 3.**
44. **238 were a generic letter objecting on the grounds of the threat to the water supply and the need for mains sewerage, traffic generation and non compliance with Policies CC2, EP13 and CC9 of the Local Plan. Two people asked for the removal of their details, as a letter had been signed in their name by someone else.**

45. 84 were individual letters and emails.

46. 2 petitions were received, one with 20 names and the other with 36 names.

The main issues and concerns from the objectors are as follows:

Traffic

There are existing problems with the large amount of traffic, both domestic vehicles and HGVs, using the B2190 Minster roundabout, and traffic through Acol which will only increase with the development during construction and on completion.

The increased traffic generation from the development will cause problems on the insufficient road infrastructure and for the local residents.

How will HGV movements be prevented on the narrow country lanes?

Concern as to whether alternative modes of transport other than the car, such as cycling and buses, will be utilised and the extent of cycleways and footpaths beyond the boundary of the site.

The proposed subsidised bus is unlikely to encourage employees not to use their cars.

There is too much car parking and the site is over-developed.

Public Transport Schemes should be considered to prevent congestion on the local roads.

The roads are unsafe, it is unrealistic to expect people to cycle to the site and there is concern as to whether the developer will pay for the road improvements or not.

Concern over the potential increased traffic movements along Alland Grange Lane from HGVs and commuter traffic, which will jeopardise the safety of the residents and also cause damage to the verges and hedgerows. Mitigation measures should be put in place as the lane could not cope with the predicted traffic movements.

Concern regarding the wider impact of increased traffic travelling through Thanet as well as in the locality of the site.

The generation of more traffic on the local roads will increase the potential for accidents.

Water

The water supply would be put at risk from contamination/pollution/chemical spillage as the development would lie on top of the major Grade A aquifer and

water supply for Thanet, which would be at risk during the construction period and operation of the site.

Flooding could occur with natural soakage being concreted over, and heavy rainfall could cause flooding of the sewers.

The existing water shortage would be increased by the supply of water to the development.

Despite investment by the Water Company, previous problems with sewage and waste water are only just being resolved.

Noise, Air and Light Pollution

Noise levels were not measured in Acol and predicted levels were only measured in the day time, not at night.

The air quality will be affected by the increased vehicular movements and the potential fumes or smoke from the industrial units.

Concern was raised over the 24 hour shift operation and its associated vehicular movements, which will cause noise and disturbance at night as well as during the day.

The 24 hour operation will also cause light pollution from the lighting across the site, and the buildings will create a loss of natural light and a loss of darkness at night.

There is considered to be a lack of information about the noise and light impact on the residents of Acol and noise levels should be measured further, with possible working hour restrictions, and further information is required regarding night-time light pollution.

Manston Business Park already has a detrimental impact on the local residents in terms of light and noise pollution, which will be made worse by the proposed development.

Visual

The visual impact of the landscape and the “green belt” land will be destroyed, with ugly buildings/sheds/warehouses changing the rural character of the area and taking away the open space.

The long views across the countryside will disappear.

Irreversible damage will be cause to the countryside, which we should be preserving.

Sufficient planting to screen the buildings is required. The Cummins planting is inadequate, and the proposals for the development do not adequately screen the site.

A 30 metre landscape screen should be required.

The building heights are of concern.

Concern in relation to the design of the X-type buildings and associated lorry parking and their impact on Acol, both visual and in terms of noise, could they not be relocated elsewhere on the site.

General Concerns

There is recognition that Phase 1 is on allocated employment land.

The land should be retained for farmland and agricultural uses, especially in relation to the world food shortage.

Existing brownfield sites such as Richborough Power Station and land already designated for employment use and existing business parks should be used first before constructing on greenfield sites.

Concern over the sustainability of the site and the developer's long term interest.

The jobs created from the development will only be low skilled and minimum wage jobs, with no long term security or career prospects and there is concern as to whether the jobs will be for local people or external workers.

Concerned with the reputability of the Chinese companies that will be on the site and the human rights and environmental issues associated with China.

Concern over the council's involvement with the Chinese and the visits to China that have occurred.

The development should be located on the other side of the Airport runway, as there is a main road (A256) to service the development and there are dangers that landing aircraft could mistake the development for the proposed runway.

The development could create anti-social behaviour, particularly vandalism, to any unoccupied units, and with associated lorry parking problems and whether there are sufficient facilities on site for them.

A fence should be built round the site for security reasons.

There is a lack of information regarding the use types of the building and therefore a lack of understanding of their effects.

Concern over the firework factory on Manston Business Park, which is in close proximity to the development.

The application should be considered by an independent planning body, to avoid any bias.

The existing business area of Manston Business Park has not yet been fully developed.

The development would put added strain on the already struggling refuse services.

The development will create detrimental long term effects to Thanet and is not of long term interest to the local community.

Industry should be kept in the same place, for example at Westwood.

The wildlife habitats and local environment will be irreversibly damaged by the development.

Thanet Local Plan policies CC2 (Central Chalk Plateau Landscape Character Area), EP13 (groundwater protection) and CC9 (protection of best farmland) are being ignored by the development proposals.

The application should not have been submitted in phases as it sets a precedent for the unallocated land not designated for development and over rules the Local Plan.

Concern over the developer's financial standing in the current climate, and whether the development will actually go ahead.

The development will damage the tourist industry of Thanet.

The scale of the development is too large for the area.

Concern over where the Chinese workers would live.

It is unclear whether Phase 1 could be a 'stand alone' application.

Will an Environmental Study be carried out to assess whether residents will receive compensation from noise levels?

TDC should commission its own Environmental Impact Assessment as CGP's could be biased.

If the Chinese decide to move elsewhere from the site, then there could be a residential development on the industrial site.

One representation asks the following questions of the application:

- 1. No mention of Kent Highways, who do not have to obtain discharge consent for the drainage in this area and who are one of the prime polluters;**

2. No mention is made that Kent Highway has tapped into the drainage system in this area, that exits into a Ramsar site (Pegwell Bay);
3. No mention is made in the CGP reports that Thanet's underground water is poor;
4. No mention is made in the CGP report of the Ground Water Quality pollution besides the Nitrates. Why?
5. No mention is made of the Bulk Fuel Installation posing a significant risk which is very near the site;
6. No mention is made of fuel pipes that may run under this land;
7. No mention is made of emergency shut-off valves in the road drainage system entering and exiting both CGP and KIA Manston. Why?
8. No mention is made of the KIA Masterplan. Why?

The applicant has responded directly to these questions, and the Environment Agency have confirmed they have nothing to add to the applicant's response.

CONSULTATIONS

The County Planning Officer comments that the economic development and employment case for the development is very strong, yet its scale and location are likely to have significant visual impact. Mitigation measures are therefore a key consideration.

The impacts on landscape character areas have not been fully analysed, with no reference made to the Landscape Assessment of Kent (Kent County Council 2004) (LAK), which identifies landscape character of Thanet as 'an open and exposed island landscape'. Its sensitivity is assessed as 'very high', whilst the condition of the landscape is assessed as 'poor'.

It is considered that the Environmental Statement provides an insufficient basis upon which to assess the landscape impacts. The assessment of the extent and accuracy of the visual envelope is considered reasonable. The night-time visual impact of additional lighting within the landscape has not been assessed. They feel that the extensive blocks of planting, hedgerows and avenues of street tree planting would be out of character within the surrounding landscape; any planting associated with built development should accentuate and respect the land form, and be applicable to the wider landscape character of sporadic clusters and clumps of native trees and shrubs with varied widths, heights and densities, whilst also providing a screening role. Swales and bunds should be sympathetically and subtly designed so as not to conflict with the large-scale open and gently sloping landscape.

Mitigation measures are proposed to reduce the impact of the development, with archaeological deposits either being preserved in-situ or by record, which would satisfy the requirements of the Kent and Medway Structure Plan Policy QL9.

In assessing the design from an Urban Design perspective, and in accordance with Kent Design, the proposed development has been designed specifically for this site. It is recognised that certain elements of the scheme, notably the Gateway Building, promote a brand image and share common design with similar projects being put forward in several locations worldwide.

The strong landscape character within the proposal connects the development with its surrounding context, with a sense of openness, but it needs to be more fully considered and better integrated into the site. A more responsive approach could be achieved by increasing the amount of open space and strengthening the proposed planting structure, with consideration given to advanced planting. The commissioning opportunities for public art are welcomed.

The focus appears to be on the proposed road layout rather than links through the site, and there are opportunities to link the proposed footways. The layout does not apply methods to pinpoint important corners to create a distinctive place.

There is a relatively high plot ratio and changes to the current built form and a proposed high intensity of use and floor areas should be considered to accord more effectively with strategic policy objectives. Thought has been given to the size and heights of the buildings in relation to their immediate surroundings, with a variety of forms, types and sizes of premises, with larger structures located within the site. The proposed layout is dictated by the existing road layout and buildings, which could be visually overwhelming. The 'X' Type building forms will undoubtedly impact on long views, unless a strong landscape structure is implemented.

There is an anonymous building style with expanses of blank 'dead' walls and elevations which should be avoided unless incorporated with a strong landscape structure. Little detailing is applied to visually mark entrances so that they are more prominent, and it is difficult to distinguish fronts and backs. They consider there to be a limited materials palette; a materials board should be submitted and detailing carefully conditioned. A strong framework, using Design Codes that control the location, heights, fronts and backs, main entrances etc, which are important to the site's overall economic success, should be incorporated.

Management regimes should be integral in terms of landscape management, and the design layout should be revisited in terms of landscape structure and the intensity of use.

The Renewable Energy Assessment indicates the proposed energy efficiency measures, to include measures proposed to reduce waste and water consumption.

The use of Sustainable Urban Drainage Systems (SUDS) is welcomed. Balancing ponds are considered inappropriate due to wildfowl being attracted and increasing bird strike risk. The creation of native chalk grassland is welcomed; it is stated it should connect to adjacent habitats, and its future management should be ensured. The use of green roofs is recommended.

The need for measures to protect the aquifer are requested.

In conclusion, the County fully supports the economic benefits of the proposal and makes the following recommendations:

- Implementation of the Travel Plan, with individual units within the development bound by its provisions;
- Funding of public transport measures /services to support sustainable travel;
- Traffic management measures in place in ACL and Manston prior to first occupation;
- Improvement to the Spitfire junction (B2190/B2050) prior to first occupation;
- Creation of more footways across, beyond and out of the site linking with the PROW network;
- Job training measures appropriate to the skills mix associated with the emerging development that enhance access and availability to local people (within Thanet);
- The submission of a revised Landscape Scheme that provides for mitigation measures that integrate the development more effectively with the surrounding countryside and take account of the landscape action priorities for the area identified in the Landscape Assessment of Kent. The CPA considers that the mitigation measures put forward in the Jacobs report and summarised above should be implemented in order to make the development acceptable in terms of KMSP Policy EN3;
- Revision to design details to incorporate mitigation measures set out under the 'Design & Access' section of this letter (above) and to be of a standard to achieve at least BREEAM 'very good' rating;
- Creation and subsequent management of semi improved grassland in mitigation for the loss of chalk grassland (a Kent BAP priority habitat) arising from the development of the Phase 1 proposal;
- Full protection of the aquifer from discharges from the scheme.

The Kent Transportation Manager - comments that, in terms of procedure, the Transport Assessment and Travel Plan submitted with the application are acceptable.

There is some concern over the validity of some assessment work. However, it is considered that the Transport Assessment is a useful basis upon which to make judgments relating to the transportation needs arising from the development.

It is commented that the Transport Assessment effectively is an attempt at sensitivity testing for the development, as the final uses on site are not yet established in any detail.

As a result of the relative lack of information, a balanced approach has been taken with an emphasis placed upon identifying outcomes to ensure that development proposes the sustainable forms of transport to mitigate against the impact of the scheme.

Only Phase 1 has been considered, as Phases 2 and 3 are not the subject of the submitted application, and further detailed technical work is required to support any proposals on that land.

The major issue is whether the Travel Plan measures proposed reduce car based trips to mitigate against poor performance at three key junctions - the Spitfire junction, the Mount Pleasant roundabout and Lord of the Manor. The later two junctions' performance is taken into account through the proposed East Kent Access, whose design is based upon committed future traffic growth, including that of the identified Business Park.

The Transport Assessment confirms the need for improvement at these junctions, but proposes Travel Plan measures to deal with capacity issues. The exception is the proposed minor improvement to the Tothill Street leg of the Mount Pleasant junction which would not impinge upon East Kent Access proposals.

Improvements to the Spitfire junction would also urgently be required to deal with local traffic. This junction improvement will be implemented by a third party (Kent International Airport) before Phase 1 is operational, in accordance with a Section 106 Agreement relating to the provision of the Airport car park.

In addition, road treatments to restrict Heavy Goods Vehicle movements, particularly through Acol, will be required. Whilst there is an indication of intent to implement these works by the developer, the final scheme will require refinement, and this issue should be covered through a Section 106 Agreement.

The Travel Plan requires links to shift patterns to ensure that shift changes occur outside normal peak hours. This requirement will need to be covered through either a planning condition relating to the time of shift changes or inclusion within a Section 106 Agreement.

Some refinements are still required to the Travel Plan in terms of the following issues:

Clarification of Public Transport improvement proposals;

A contribution towards cycling and walking strategies related to the development;

The Section 106 will need to include a sum for monitoring of the operation of the Travel Plan, and survey work to assess compliance.

A time limited Bond will be required to ensure that, should the Travel Plan targets not be met, alternative measures can be put in place. Initially, these would be in the form of measures to support mitigation, but would also enable compensatory measures to be implemented on surrounding roads to deal with network problems as a result of failure to meet Travel Plan targets.

There remains concern over the lack of knowledge of the precise functioning of the development, which cannot be fully assessed from the information provided. There is no similar operational example to compare the development with either. Because of this there will be a need for additional time to be spent assessing the operational impact of the development. This will need to be reflected within monitoring and survey fees required in the Section 106 Agreement.

It is commented that Phases 2 and 3 would create significant additional development, and that approval of Phase 1 is not a green light for permitting the longer term illustrative expansion plans.

In terms of the detailed layout requirements, it is considered that the layout of Phase 1 as a 'stand-alone' development is not acceptable. It provides a circuitous route which could be significantly improved through the creation of a loop road by including an additional leg of road fronting Unit 15 and the Gateway building. It is considered that it would be possible to achieve this within land within the applicant's ownership. Should this not be achieved, it is suggested that a strip of land to the south of Unit 15, and north of the Summit Aviation building, should be safeguarded to accommodate such a link in the future.

The turning head proposed to accommodate turning vehicles to the south east of Unit 15 and north of the B2190 should be subject to provision of detailed drawings providing a turning head with a minimum length of 16 metres and minimum 9 metre radius.

Details are also required of the type of restrictions to be placed upon the emergency vehicle and bus route access to the B2190.

It is requested that the strip of land adjacent to Unit 3 (X type) to the north west of the site is safeguarded to enable it to form potentially part of a new north-south link to Acol village.

It is requested that the continuation of Columbus Avenue to the north of the site should be as adopted highway, with the remaining land remaining as private with access to authorised vehicles only, thereby preventing use by joyriders.

It is requested that the main spine carriageway should not exceed 7.3 metres in width, and that it be conditioned that vehicle swept paths be provided where there are curves in the road alignment.

It is pointed out that the lack of clarity relating to specific end uses means that conditions must be imposed relating to parking provision to ensure that all forms of vehicle parking are provided in compliance with the Kent Vehicle Parking Standards as amended by the Thanet Local Plan.

It is requested that showers and locker rooms be provided to the front of each unit to encourage cycling and walking to work. It is also requested that consideration is given to appropriate expansion of the footpath network to create direct access on foot to local residential areas.

Pram crossings are requested to all junction radiuses, and it is also requested that there are indications on where buses can stop within the development.

In summary, the following matters are required to be covered through a Section 106 Agreement:

- A Travel Plan monitoring charge;
- A Travel Plan Penalty Bond;
- Public transport provision in the form of a regular bus service to and from the site across the day to meet the demands of the workforce;
- Off-site highway improvements in the form of:
 - (a) cycling and walking links;
 - (b) Acol Gateway treatments and HGV restrictions;
 - (c) An improvement to the Tothill Street approach to the Mount Pleasant junction;
 - (d) Improvements to the B2190/B2050 Spitfire junction (if not provided by others).

The Environment Agency - raises no objection in principle. They comment, in terms of ground water and contaminated land, that the site lies on the upper chalk formation, classified as a major aquifer, and in Source Protection Zones 1, 2 and 3 for the Sparrows Castle public water supply. This is a vulnerable location in terms of ground water protection, and all precautions should be taken to prevent accidental spillages and discharges to the ground during and after construction.

All foul drainage should be directed to the mains foul sewer. On-site treatment would not be acceptable, and the EA would object to an application made under the Water Resources Act 1991 for consent to discharge. The volume of treated sewage would be large enough to pose an unacceptable risk to the ground water and underlying aquifer.

They request a condition is imposed that no infiltration of surface water drainage into the ground is permitted other than with written consent of the Local Planning Authority. The site lies in a nitrate vulnerable zone - a designated area where agricultural nitrate pollution of surface and ground waters is known to be high or rising. The EA have been working to try and reduce the amount of nitrates entering the ground, and groundwater and a discharge of this volume of treated sewage effluent would only increase the nitrate loading in this area.

The Ground Water and Contaminated Land team have no objection, in principle, to the use of infiltration systems, but with restrictions:

61. drainage into the ground is unacceptable until results prove that there is no contamination in the areas proposed for drainage;

62. there should be no discharge into waste materials (landfills - this would be unacceptable);
63. the pollution prevention interceptors require regular maintenance;
64. activities producing potentially polluting run-off should be sited on impermeable hardstanding areas that drain to the foul sewer.

They also require an investigation of potential contaminants including fuel tanks, adjacent industries and aircraft parking.

They agree with the drainage strategy proposed that there should be no infiltration to the ground in SPZ1, and surface water should be diverted away from SPZ1 or discharged to the foul sewer.

In relation to contamination concerns, the EA would be obliged to object to the proposal unless a condition is imposed that, prior to the commencement of development, a Risk Assessment and a Site Investigation resulting in an Options Appraisal and a Remediation Strategy and Verification Plan are provided. On completion of the monitoring programme, a report should be submitted and approved to the LPA in writing.

They comment further on removal of material and the management legislation to be adhered to. The foundations and piling methods should be approved in writing by the LPA. Fuel, oil and chemical storage areas should not drain to any surface water system.

The EA raised no objection to the proposal on flood risk grounds.

In response to the additional information submitted, the EA reiterated they will object to any proposed discharge of treated sewage effluent to the ground at the site. The EA confirmed this would be an unacceptable option to the developers at a meeting held on 16 June. The nitrate levels are already very high, and any additional discharge would be unacceptable; alternative methods for foul drainage must be sought. Infiltration of surface water drainage to ground will only be acceptable in locations proven not to be impacted by contamination. The discharge of roof water to ground is acceptable, but must be kept as shallow as possible and no deeper than 1 metre below ground level in SPZ1, and no deeper than 3 metres below ground level in SPZ2 and 3. The discharge of car park drainage to ground is not acceptable in SPZ1, and only in SPZ2 and 3 with effective pollution control measures.

Further information is required in relation to the removal of pollutants from car park drainage. The highest form of pollution prevention methods are required; interceptors would be acceptable.

The proposed strategy for the disposal of surface water comprises infiltration to ground, with storage for excess water in high intensity rainfall events, which means there is no increase in flood risk and the EA do not object on flood grounds.

They consider that there is the potential to create balancing ponds of high ecological value as part of the development.

Natural England - are unclear as to where the surface water drainage is to be discharged from the information submitted in the Environmental Statement. They comment that if the applicant is proposing to discharge into Pegwell Bay, like the Airport, which forms part of the Sandwich Bay to Hacklinge Marshes Sites of Special Scientific Interest (SSSI, Thanet Coast and Sandwich Bay Special Protection Area (SPA) and Wetland of International Importance under the Ramsar Convention and the Thanet Coast Special Area of Conservation (SAC), they would expect any drainage proposal to incorporate measures that will prevent any contaminated run-off entering these sites. Therefore, they recommend the inclusion of a condition on any consent to secure the production of a drainage strategy.

They emphasise that their comments are associated with the mixed commercial use development, and not any potential associated increase in air, road or sea freight which may result when the end users of the units are identified. Natural England would not expect to see any increase in air movements (above those currently licensed for by the Airport).

Natural England has submitted two annexes providing more detailed comments. Annex One recommends measures to enhance the biodiversity of the site are secured from the applicant. Any habitats created should be subject to long-term management and monitoring which would be covered by a condition, and suggest that a Section 106 Agreement could secure the funds for this. Annex Two details the legislation relevant to the application.

Following the submission of the revised Protected Species surveys, Natural England are satisfied this proposal should not be detrimental to local populations of protected species or the statutory Nature Conservation Sites. They remain concerned regarding any potential associated increase in air, road or sea freight which may result when the end users of the units are identified.

Southern Water - highlight the limited foul sewer capacity at the existing Acol Pumping Station of 12 litres per second. The full flow from the proposed development would exceed the available capacity, increasing the risk for foul flooding. The developer should requisition off-site sewerage to enable the development to connect to a point on the sewerage system with adequate capacity.

They request an Informative, should the application be approved, detailing that the developer should enter into a Formal Agreement with Southern Water to provide the necessary sewerage infrastructure to service the development.

They request a condition stating that construction of the development shall not commence until details of the proposed means of foul sewerage disposal have been submitted to, and approved in writing by, TDC in consultation with Southern Water.

They request a condition stating that occupation will not occur until TDC is satisfied that the necessary infrastructure capacity is available to adequately service the development.

The Sustainable Urban Drainage Systems (SUDS) proposed are not adoptable by sewerage undertakers, but long term maintenance is required. The drainage details submitted to the Council should:

65. specify the responsibilities of each party for the implementation of the SUDS scheme;
66. specify a timetable for implementation;
67. provide a Management and Maintenance Plan for the lifetime of the development.

There is currently inadequate capacity in the local network to provide a water supply to service the proposed development. Additional off-site mains or improvements will be required. An Informative should be included that a formal application to requisition water infrastructure is required.

They request a condition that construction of the development shall not commence until details of the proposed water infrastructure plans have been submitted to, and approved in writing by, the LPA in consultation with Southern Water.

In relation to the additional information submitted, Southern Water comment that groundwater levels are around 25 metres below ground level and the close proximity of the water supply, along with the daily foul water discharge volumes to soakaway and the existing high levels of nitrate, all suggest that this proposal would represent an increased risk to pumped water quality at the water supply works and a risk to the ground water within the aquifer in general. Southern Water would therefore recommend that all foul water is discharged to the foul sewer.

There is inadequate capacity in the local network to provide foul sewage disposal, and increased flows would result in existing properties and land being subject to a greater risk of flooding. Additional off-site sewers or improvements to existing sewers will be required to provide sufficient capacity to service the development. Section 98 of the Water Industry Act 1991 provides a legal mechanism through which the appropriate infrastructure can be requested by the developer and provided to drain to a specific location.

It is advised that no car park drainage is directed to soakaways. Oil interceptors are recommended in car park areas, and drainage water should not be discharged to ground. As current information is limited on the type of businesses using the proposed site, and subsequently the type of fuels/chemicals that may be stored or delivered, then a precautionary approach is warranted. Southern Water would not object to roof water drainage being discharged direct to ground, or the use of permeable paving in pedestrian areas. They request a condition is attached to the consent that the construction of the development shall not commence until details of the proposed means of surface water disposal have been submitted to, and

approved in writing by, the local Planning Authority in consultation with Southern Water.

TDC Contaminated Land Officer - is satisfied that the primary sources of contamination have been identified. However, the vulnerable ground water resources do not appear to have been listed as a potential receptor for a number of sources/contaminants, and a revised conceptual model which addresses the omission must be included in the ground investigation report.

Should the application be granted planning permission, conditions should be attached relating to contaminated land to ensure the potential for contamination has been investigated and the necessary action taken to make the development site suitable for its proposed end use and completing the following:

68. Site investigation and remediation recommendations;
69. Development in accordance with approved remediation strategy;
70. Unsuspected contamination;
71. Completion of remediation.

A number of Informatives should also be included relating to:

72. Environmental Health Consultation;
73. Environment Agency Consultation;
74. Waste on-site;
75. Waste to be taken off-site;
76. Imported material.

TDC Environmental Protection Officer - comments that the Acoustic Report shows the current background noise levels are low, and requests a condition to safeguard noise levels. Each new unit occupier should carry out a BS4142 assessment to ensure the condition is not breached, and a condition requiring noise mitigation to be reviewed for each unit should be included.

There is concern over the distribution buildings 02 and 03 in relation to vehicle movements, loading, unloading and forklift movement between 11pm – 7am, and it is considered that a time restriction or purpose-built shielded delivery area be considered. There is also concern relating to potential odour problems in relation to spray-shops, particularly with unit types D and E, and perhaps such uses should not be permitted in these units.

Reference has been made to complaints received from residents in Acol relating to light pollution from industrial units in Manston Business Park, and details should be submitted of any floodlighting for prior approval to ensure the potential for additional light pollution is minimised.

Health and Safety Executive - commented that a licensed explosives facility that impacts on the development and new development in the vicinity would be incompatible with the explosives operations. Based upon HSE criteria, the operator of the facility has prepared a Safeguarding Plan which shows areas within which different forms of development would not be permissible. The types

of development restricted comprise public traffic routes, inhabited buildings and buildings of vulnerable construction.

HSE advise that, should planning permission be granted without taking these criteria into account, the Explosives Inspectorate would have to review the facilities of the Explosives Licence. They make it clear that the Council, as Planning Authority, can decide, on balance, not to maintain safeguarding boundaries. The HSE would then amend the licence, possibly extinguishing the use.

Kent Fire and Rescue Service - raises no objections, and considers the means of access as satisfactory.

Kent Police - have no formal observations or objections.

Ministry of Defence - have no safeguarding objections to the proposal.

Public Rights of Way - indicate that footpath TE16 runs through the site and, should consent be granted for the development a diversion of the footpath, would need to be undertaken. If the footpath is to be diverted, temporary closure of the footpath prior to the confirmation of a permanent Diversion Order will not be considered. The applicant does make reference to the footpath but does not detail what is proposed, which should be covered by a condition.

Campaign to Protect Rural England - submitted comments through their Thanet and Kent branch.

CPRE Thanet - objects to the proposal. In terms of sustainability, they object on the following grounds:

77. There is little chance of a balanced consideration of the subsequent phases, should Phase 1 be approved;
78. The water supply that lies beneath the development and significant diversion of rainfall run-off if the area is concrete;
79. Large areas of prime agricultural land will be lost at a time when there are food shortages and there is a drive to source food locally.

In terms of landscape quality they object as the proposal will:

80. turn the centre of Thanet from a rural to an urban area;
81. the infrastructure of the country roads is inadequate for the predicted traffic generation;
82. the quality of environment for the residents of Acol, Minster, Birchington and Woodchurch will be seriously compromised.
83. In terms of Urban Sprawl, the parcels of land left around the development will be uneconomic to farm, leaving a temptation for residential development;

84. The proposed development will compromise the balance of dense coastal urban development and the rural hinterland.

CPRE Kent - objects to the application. They acknowledge that the application for Phase 1 is in allocated employment land in accordance with Policy EC1 of the Local Plan 2006, but the application is being promoted as part of a significantly large development that has no status in the Statutory Development Plan process.

Chapter 4 of the ES seeks to make a case for providing additional employment land. This case should be made through the LDF process, not a planning application. CPRE argue that Thanet already has sufficient employment land supply covering up to the period of the Local Plan to 2011, and any need to identify further employment land should be made through the LDF process.

They state it is unclear as to whether Phase 1 could be developed as a 'stand alone' development and what its impact would be alone, as it is presented in the context of a 3-phase proposal, and they argue that approval of Phase 1 would give implicit support to Phases 2 and 3, which is unacceptable and would undermine the forthcoming LDF. They raise the following concerns for Phase 1:

85. The Greenfield status of the land is not sufficiently recognised and referred to incorrectly within Chapter 3 of the ES;

86. The Local Plan indicate the outstanding commitment at Manston Park is for 128,789 sq m of employment land, but the submitted application is for 137,664 sq m, a higher density;

87. The precise uses for the site are uncertain, and the Transport Assessment considers two vastly different scenarios. The uncertainty of uses creates a danger that the high-tech manufacturing detailed by the applicant will focus more on storage and distribution. The information does not give the council assurance in accordance with their economic objectives;

88. The Travel Plan is too ambitious, given the uncertainty of the mix of uses on the site;

89. The proposed building heights are too tall, and the proposed landscaping will not hide the buildings on the skyline. The standard design approach fails to respond to the surrounding landscape, and will make it particularly visible in long distance views;

90. The specific mitigation measures in terms of ground water protection are unclear for Phase 1.

91. The statutory development plan does not propose the larger scheme and they do not consider the Council has the appropriate information or policy commitment if it is the larger development that makes Phase 1 viable.

CPRE Kent commented further on the amended plans, reiterating their view that it is not possible for the Council to consider Phase 1 as a 'stand alone' development

and it should be a matter for the Development Plan process. They are still concerned about the threat to the SPZ and the uncertainty of how the drainage and foul water disposal should be managed, given the serious implications for ground water pollution and the uncertain nature of the composition of the development.

The section proposing the shuttle bus has been removed, raising concern as it is integral to achieving the modal transfer target. The cycle parking provision appears to be unnecessarily high. There appears to be some confusion over the number of people to be employed on the site ranging from 2,000 to 3,000 employees (or higher based upon water and sewage strategy figures), which requires clarification. The inconsistencies in the supporting documentation do not give the proposals robustness or confidence to the local residents.

The Ramblers' Association - object to the application, commenting that:

92. the infrastructure of the area is inadequate for the development;
93. the generation of traffic which will overwhelm the minor country roads;
94. the quality of life to residents of Acol, Birchington and Minster;
95. the main water supply for Thanet lies beneath the site;
96. the landscape quality of the area will be compromised;
97. the reduction of the farmland will reduce Thanet's ability to source food locally;
98. there will be increased pressure to develop the small parcels of land left for housing;
99. the development will obliterate the only public footpath across the centre of Thanet.

Kent International Airport have confirmed that building heights are acceptable with regard to airport safeguarding. The views of the County Archaeologist are also awaited. However, the County Planning Officer has confirmed the acceptability in principle of proposed mitigation within the Environmental Statement.

COMMENTS

The main issues to consider with regard to the development proposal are as follows:

- (a) the acceptability, in principle, of development;
- (b) transportation implications, including vehicle movements, parking provision, pedestrian and cycle movements and the impact of the Travel Plan;
- (c) protection of the aquifer and other contamination issues;
- (d) the impact of the development in terms of noise, vibration and lighting both during construction and following completion;
- (e) the visual impact;
- (f) ecology and landscape issues;
- (g) the relationship with existing uses;
- (h) the socio economic impact of the development.

The principle of development

The application site is entirely within land allocated for economic development use by policy EC1 of the Thanet Local Plan 2006. This policy restricts uses to Class B1 (Business), B2 (General Industry) and B8 (Storage and Distribution). A requirement for a new development is the submission of a Landscaping Scheme appropriate to the scale, location and character of the site, to ensure the provision of an attractive environment. It is also a requirement that any planning application is accompanied by a Traffic Impact Study and Green Travel Plan. This application is supported by an Environmental Impact Assessment which includes a Traffic Impact Study and Travel Plan, and a Landscape and Ecological Assessment together with a Design and Access Statement and plans which demonstrate landscaping proposals in support of the development.

Within the Local Plan, the Manston Park site has an allocation for 120,789 square metres of development. Whilst this proposal exceeds that allocation, the figure in the Local Plan is purely illustrative based upon a high level assessment of possible floor space provision. The amount of development proposed has to be considered in the context of the ability of the site to accommodate the buildings proposed in an acceptable setting, and in relation to the environmental impacts, including traffic impacts created by the development proposal. These are considered in more detail below.

The development of this site for employment purposes is one of the principal development proposals within the Local Plan which places a continued emphasis on employment development, particularly within the centre of the island including the Airport and adjacent Business Parks where it is considered that more rapid development will help strengthen and broaden the area's economic base, making it less vulnerable to economic change. The unique relationship of Manston Park to the Port and Airport, within easy reach of the main population centres of Thanet, will provide a new focus for retaining skills within Thanet.

Transport Issues

The development proposed will clearly have a significant impact in terms of the number of vehicle trips generated daily. The Transport Impact Assessment has identified the potential for between 6,257 and 7,843 car trips per day, and for between 1,352 and 948 Heavy Goods Vehicle trips per day for the development. This level of traffic has been identified as having the potential to generate additional congestion within the highway network on the Tothill Street leg of the Mount Pleasant roundabout, at the Spitfire junction, and at the Lord of the Manor roundabout.

In order to reduce this impact, the application proposes the implementation of a Travel Plan for the site which includes the provision of a bus service at shift change times, the provision of on-site cycling facilities and changing facilities together with other incentives, the promotion of car sharing and the appointment of a Transport Co-Ordinator to organise and distribute bus and cycle vouchers, prepare and distribute Travel Information packs, organise and update travel information, organise Monitoring Surveys, act as a focal point for tenants and business representatives, and review the Travel Plan effectiveness.

A major plank of the Travel Plan is a proposal to include existing bus routes within the area by providing additional funding, probably in the form of an initial shuttle bus service, and subsequently through the provision of two buses per hour during key shift changes. This provision would be reviewed and, if required, the developer would fund additional buses. All staff would be provided with free bus passes, and there would be bus stop facilities on site. The buses would also be available to the local community.

As referred to above, car share would be encouraged through the provision of a Company database, with incentives including guaranteed parking spaces and a guaranteed lift home. The Travel Plan also indicates a willingness to investigate widening access to the car share scheme proposed.

Cycling incentives include the provision of on-site cycle facilities, cycle parking spaces, provision of discount cycles, a guaranteed ride home, cycle to work days, a Cycle User Group and incentive schemes.

Travel information would be provided through the intranet and Travel Information Boards. Tenants would be provided with information packs, and journey planning information and shift patterns would be established to ensure they avoid peak traffic times.

The expectation is that the implementation of the Travel Plan will ultimately result in a 40% reduction in cars, a 20% car share increase, a 5% cycle increase and 15% public transport increase. It is also proposed to run a shift pattern aimed at off-peak travel times to further reduce the impact of congestion.

It is imperative that there is a strong requirement for all these measures, and an approach built into a Section 106 Agreement that imposes appropriate financial and Travel Plan measures should targets specified in that Plan not be achieved.

In addition to these measures, the applicants have also been required to put forward proposals for the Mount Pleasant roundabout and Spitfire junction. As well as the general impact of additional vehicles upon the existing road network, there are specific concerns relating to routes that vehicles may be tempted to use, particularly Heavy Goods Vehicles, which will be dealt with in the Travel Plan through information to HGV drivers to promote identified HGV routes.

The applicants have come forward with the following additional measures:

At the Mount Pleasant roundabout, the applicants propose the possible widening of the Tothill Street junction at the entrance, providing two lanes fronting the roundabout. This will be achieved through widening of the western kerb edge and altering the access to the Prospect Hotel. This achieves a significant improvement in the speed of traffic exiting this junction, removing congestion at peak times.

At the Spitfire Junction other improvements are required. Reference is made to the proposal associated with the Airport car park development, which requires a change in junction priority. To reduce over-capacity, it is proposed to make the route of the B2190 and B2050 the priority route. The new junction arrangement

will reduce congestion. This is a requirement that the Airport Operator has to deal with in the short term.

In order to address specific concerns relating to routes that Heavy Goods Vehicles may intend to use, the applicants propose a Heavy Goods Vehicle Strategy, placing a width restriction on the B2048 to Acol through the use of Traffic Regulation Orders, limiting vehicles to 7.5 tonnes, except where they require access to the village. The restrictions would be placed at the junctions of the B2048 with the B2050, the B2190 and on Margate Hill. The applicants indicate an intention to provide some form of upgraded traffic calming at each entrance, with advanced signage on the A28, and the provision of maps to be provided to Heavy Goods Vehicle drivers visiting the site showing unsuitable routes.

In addition, the design of the development has been required to provide a road which extends to the north of the site, capable of future extension, to connect with Manston Road, thereby providing an Acol by-pass. The provision of the by-pass is not a requirement of this development. However, it is essential that, within the application site, the potential for such a measure is provided. In addition, the design of the development leaves the potential for a northern by-pass to the existing alignment of the B2190 that runs to the south of the site and north of the Airport.

The highway layout at present does not enable a circular route around the development. It is essential that this potential is safeguarded to enable a logical highway network for the Business Park when completed.

In addition to these strategic concerns, it is also essential to ensure that the internal layout of the development creates an attractive space and that road widths, parking provision and links through the site encourage a lower level of vehicle use and a pedestrian-friendly environment. In order to achieve these requirements, conditions have been imposed relating to car parking to a maximum standard based upon the Kent Parking Standards as adopted within the Thanet Local Plan.

The submitted plan illustrates an average parking provision to the site that will be verified as the exact use of each building is confirmed. In addition, a maximum highway width of 7.3 metres and the need for traffic calming through horizontal deflection, and the appropriate provision of cycle routes and links and pedestrian links, has been required. In terms of the detail of the scheme, the emergency access proposed to the south east corner of the site has been redesigned to both include appropriate access control and to enable easy on-site turning by vehicles.

Aquifer and Contamination Issues

The site lies approximately 20 to 40 metres above a major aquifer. It lies within source protection zones SPZs 1, 2 and 3, for the Sparrows Castle public water supply. The site is therefore in a particularly vulnerable location in terms of ground water protection, and the Environment Agency and Southern Water Services require that all precautions should be taken to prevent accidental spillages and discharges to ground both during and after construction.

It is imperative that development proposals are in accordance with a strictly controlled regime relating to the protection of surface water from contamination. This protection includes the clearance of any on-site contamination in areas proposed for drainage, no discharge into landfill material and the use of interceptors to prevent hydrocarbons draining to ground from roads, hardstandings and car parks. It is imperative that there is a strictly controlled maintenance regime in place with regard to the inspection and cleaning of interceptors, and that any activities producing potentially polluting run-off will need to be on impermeable hardstanding areas that drain to the foul sewer and not into the aquifer.

The Environment Agency and Southern Water Services require the imposition of conditions requiring the submission and approval of detailed surface water drainage proposals, a detailed Contamination Assessment and Remediation Strategy, and a long-term Maintenance and Contingency Plan including monitoring and maintenance proposals.

The Environment Agency also require controls relating to contamination, removal of contaminated materials, details of any foundation and piling proposed, and require that all fuels, oils and other potentially contaminating materials must be stored within bunded areas.

The Agency does not consider that the development would generate a flood risk on the basis that the risk of flooding to the development is low and the proposed means of surface water disposal to infiltration trenches, with some storage attenuation, would not be expected to increase flood risk elsewhere. It is, however, considered appropriate to require that measures be taken during the construction phase of the development to ensure that there is no significant surface water run-off during periods of extreme rainfall.

One issue of particular concern was the intention of the developers to deal with foul sewage through on-site treatment, with subsequent discharge of treated water into the aquifer. The Environment Agency consider that the volume of treated sewage would be so large that it would pose an unacceptable risk for ground water in the underlying aquifer, and therefore the public water supply extraction.

This concern was also because the site is within a nitrate vulnerable zone where agricultural nitrate pollution of surface and ground waters is historically known to be high, and that a discharge of this volume of treated material would only increase the nitrate loading. There is therefore a requirement that there is an off-site foul sewage connection, and that sewage treatment does not take place on site. The Council's Contaminated Land Officer strongly recommends that the applicants contact him in terms of establishing requirements for contamination investigation and remediation in order to ensure that appropriate measures are taken to deal with contamination issues.

Noise, Vibration and Lighting

The development is in a rural area where the present background noise level is relatively low, notwithstanding the proximity of the site to the Airport.

Construction of the development, and the subsequent operation of the site, will increase background noise levels and there will be an increase in traffic movements relating from the proposed development.

It is considered that a condition requiring that site noise does not exceed the existing background levels by more than 3db, measured at the boundary of any residential property, will adequately protect rural residential amenity. Noise investigation requirements for each unit are also proposed, as are limitations upon HGVs loading and unloading between 11pm and 7am, and the use of forklift trucks. Details of any lighting, including security lighting, will be required to ensure prevention of light pollution.

Visual Impact

The site is located within the central chalk plateau landscape character area, where care needs to be taken to avoid skyline intrusion and the loss or interruption of long views of the coast and sea. The development proposed by the applicants comprises a series of commercial buildings set within landscaped grounds. The buildings range in height from approximately 4 metres (the amenity building) to 17 metres (type A business units within the centre of the site). The majority of the units proposed are between 8.5 and 13 metres in height. It is considered that these heights are not dissimilar to that of the existing business units on the site and that, given the nature of the topography and that the principal views of the site are relatively long distance views, the visual impact of the development will not be of a significance to merit refusal of the scheme.

In order to provide Members with some form of benchmark against which to assess the development, the Cummins building, the largest new structure on the site, is a maximum of 16 metres in height to the top of its curved roof, reducing to approximately 11 metres in height for its front elevation which is artificially reduced by the increase in ground level to the building frontage. Landscape Screening of a type compatible with the adjacent indigenous landscape will be essential to reduce the impact of the development upon the landscape.

The design of the buildings proposed are of a typical industrial construction comprising metal cladding and glass to a steel frame. The gateway building includes a glazed circular atrium space as a feature. Artist impressions submitted with the proposal give an indication of the style and form which is very much a modern industrial vernacular.

In design terms, there is the potential to seek to relate to the sense of openness that already exists. Rather than attempting to create screening belts and artificial landforms, the integration of the site into its open setting through improved pedestrian links and, more appropriate, open space proposals, is considered beneficial. It is considered that the basis of the scheme enables such an approach, and that conditions can be imposed to achieve and improve the relationship between the site and its surroundings.

It is also considered that in order to improve legibility within the site, the use of appropriate variations in material and public art within the site at prominent locations will create an identity for the site. The use of appropriate conditions and

a requirement for public art and appropriate landscape management within the Section 106 Agreement will help this to be achieved.

Ecology and Landscape

Ecological Surveys of the site have revealed it to be relatively low in ecological landscape value. Studies have not revealed any specific protected species that require protection measures. The development provides the opportunity to improve the ecology of the area through the introduction of appropriate indigenous species in a manner that encourages ecological improvement either through the planting of indigenous tree planting or the return of the site to a mixture of wet and dry chalk grassland. The character of the landscape has to be curtailed to a degree, due to the proximity of the airfield and the need to avoid the potential for attraction of flocks of birds and the resultant increase in potential bird strike. Notwithstanding this limitation, it is considered that the scheme overall provides the potential for ecological and landscape benefits. Conditions are proposed which require the applicants to submit detailed Ecological and Landscape Plans to be implemented as part of the development proposals.

A plan has been submitted of the landscape structure which shows intended green corridors and recreation areas as well as general planting to provide screening of the development. It is imperative these benefits are provided. The present illustrative landscape proposals are not considered to fully compliment the character of adjacent existing landscaping which is in the form of small woodlands and groups of trees rather than formal avenues. This is because of the need to avoid potential increases in the local bird population and resultant bird strike concerns.

These concerns have been recognised particularly within the County Council's strategic response to the application. It is acknowledged that it is essential that a development of this scale, which will have significant visual impact, must be supported by appropriate landscape mitigation. In order to do so, it is considered that the applicant needs to undertake a further Landscape Assessment based upon the Landscape Assessment of Kent County Council 2004, to provide a more detailed analysis based upon landscape characteristics (such as soil types, geology, topography, field and vegetation) that balance the local landscape character and the limitations of Airport proximity.

From this analysis a detailed landscape proposal, avoiding extensive blocks and linear belts of tall vegetation as a prime landscape form, and producing a Landscape Scheme based upon the existing land form and landscape character which is in the form of sporadic clusters and clumps of native trees and shrubs with varied widths, heights and densities should be produced.

It is considered that the relationship with Acol village is particularly sensitive. Buildings 2 and 3 (the 'X' blocks) are located to the north west of the site, and will be visually prominent when viewed from many properties within Acol. The vehicle parks associated with building 2, particularly that located to the west of the buildings, will also be both visually and audibly noticeable. In line with the recommendations on landscaping from the County Council, it is considered that the area of land to the west of these buildings, which is wedge shaped with a

maximum 60m width, should be the subject of an advance planting proposal to create a clump of woodland that relates to the indigenous landscape character and provides mitigation in relation to the impact of these buildings.

The relationship to existing site uses

The development will take place within a Business Park that already has significant highway infrastructure in place. This infrastructure serves occupied employment buildings including Cummins, Powergen, Cohline, Air Atlanta and Invicta Food Packaging. It is considered that the proposed employment development will assimilate into this context without causing significant impact to these existing developments. Cohline have raised concerns relating to access to their premises; this is shown to be retained within the context of the new development.

At present, to the east of the application site, approximately on the site of Unit 12, is a site containing Theatrical Pyrotechnics Limited. The site contains a series of small buildings which are used for the production of pyrotechnics. In addition, there are stores that contain amounts of explosives and also finished pyrotechnical products. The nature of this use means that any development in close proximity to this site is the subject of notification to the Health and Safety Executive Explosives Inspectorate.

In accordance with the requirements of the Inspectorate, Theatrical Pyrotechnics have produced an approved Safeguarding Plan. This Plan identifies zones within which certain forms of development are recommended not to take place. Clarification in relation to the precise nature of the restrictions, in terms of proposed development, would be needed in direct consultation with the Inspectorate. In order to ensure that adequate safeguarding measures are put in place while this use remains in situ, it is recommended that a condition is imposed preventing specified forms of development within the safeguarding areas identified unless otherwise agreed, in writing, with the Local Planning Authority.

The nearest residential properties to the development are in Alland Grange Lane approximately 110 metres to the east of the application site. The nearest cluster of development is Acol village, approximately 500 metres to the west of the site. Both of these locations will experience clear changes to their views as a result of the development. It is not, however, considered that the impact of the new development will be of significance to merit either refusal of the application or alterations of the design details.

Socio Economic Impact of the Development

The Socio Economic chapter submitted in support of the planning application indicates that approximately 1500 jobs could be created as a result of this application.

The Socio Economic chapter points out that a number of the local jobs (approximately 50%) should create employment for local people to avoid pressure being placed upon local services including education and health facilities. It is therefore imperative that local training schemes be instigated in order to facilitate

that level of local employment within the scheme. This issue requires coverage within a Section 106 Agreement to establish the nature of the training to be provided in order to ensure the provision of employment for local people.

Section 106 Requirements

It is considered that the development proposed must be supported by a Section 106 Agreement covering the following issues:

Transportation

100. Travel Plan implementation;
 - Travel Plan monitoring costs;
101. Travel Plan penalty bond (to cover costs of additional measures required should modal split targets proposed not be achieved);
102. Provision of improved public transport/shuttle bus services for staff, also serving the local community;
103. Funding/provision of off-site improvements to cycling and walking links;
104. Provision of junction widening, Mount Pleasant Roundabout, Tothill Street leg;
105. Provision of restrictive measures to limit HGV access, including through the village of Acol:
 - close to the junction with the B2190 to the south;
 - close to the junction of Acol Hill with the B2050 to the north west;
 - close to the junction of Margate Hill with the B2050 to the north east.

Education and Training

106. Identification of training programmes required to enable a target of 50% local people employed on site;
107. Establishment of links with local training facilities to provide bespoke courses for local people;
108. Implementation of training schemes;
109. Monitoring of level of local employment on site, with reference to the possible need for contributions towards the provision of additional local services to accommodate additional incoming population should local employment targets not be achieved

Landscape and ecology

Landscape and ecology management of the sites common areas in accordance with a permitted landscape scheme (scheme submission to be covered by condition)

Surface Water Drainage

Ongoing surface water drainage management provision, including monitoring of water quality draining to ground and liaison with the Environment Agency to implement measures to maintain water quality.

Public Art

A contribution towards, or the provision and implementation of, a Public Art Strategy for the site, including the provision of a minimum of three pieces of public art in strategic locations within the development.

Conclusion

The development proposed comprises business units on an allocated employment site. The general nature of the scheme accords with Thanet Local Plan policy and safeguarding conditions, and a Section 106 Agreement can be imposed to mitigate against the impacts of the scheme detailed above.

Although the precise uses of the buildings are not confirmed, their location and form is established. It is considered that the use of planning conditions provides ample insurance that the development will not vary from the submitted layout and building form without the need for the submission of fresh planning applications as a result of material changes to the scheme (a material alteration comprises a change that affects the appearance of a building as a whole when viewed from a number of vantage points). Conditions also control the level of parking, form of landscaping, noise, contamination and pollution protection in a prescriptive form.

It is therefore recommended that permission be granted subject to the provision of a road to the south of block 15, appropriate conditions, and a Section 106 Agreement relating to these issues.

DOUG BROWN
Case Officer

Background Papers

<i>Environment Agency letter</i>	-	<i>dated 2 May 2008;</i>
<i>Environment Agency letter</i>	-	<i>dated 15 July 2008;</i>
<i>Environment Agency letter</i>	-	<i>dated 23 July 2008;</i>
<i>Environment Agency letter</i>	-	<i>dated 30 July 2008;</i>
<i>Natural England letter</i>	-	<i>dated 12 May 2008;</i>
<i>Natural England letter</i>	-	<i>dated 21 July 2008;</i>
<i>Kent Highway Services e-mail</i>	-	<i>dated 12 May 2008;</i>

Kent Highway Services e-mail - **dated 17 July 2008;**
Kent Highway Services memo - **dated 22 April 2008;**
Kent Highway Services memo - **dated 21 April 2008;**
Defence Estates letter - **dated 9 May 2008;**
Defence Estates letter - **dated 24 April 2008;**
Defence Estates letter - **dated 1 July 2008;**
Kent Police letter - **dated 29 April 2008;**
Kent Police letter - **dated 9 July 2008;**
Health and Safety Executive
e-mail, letter and attached plan - **dated 22 April 2008;**
Kent County Council
Pubic Rights of Way Area Manager
letter and attached extract of the
network map of Kent - **dated 5 June 2008;**
Senior Environmental Protection Officer
e-mail - **dated 16 June 2008;**
Senior Environmental Protection Officer
e-mail - **dated 10 July 2008;**
Contaminated Land Officer letter - **dated 12 May 2008;**
Southern Water letter - **dated 18 April 2008;**
Southern Water letter and attached
Source Protection Zones plan - **dated 27 June 2008;**
Kent Fire and Rescue Service letter - **dated 17 April 2008;**
Campaign to protect Rural England Kent
letter - **dated 9 May 2008;**
Campaign to protect Rural England Kent
letter - **dated 27 June 2008;**
Campaign to protect Rural England Kent
letter - **dated 11 June 2008;**
Campaign to protect Rural England Thanet
e-mail - **dated 9 May 2008;**
Ramblers Association e-mail - **dated 8 May 2008;**
Kent International Airport, Infratil letter - **dated 2 May 2008.**

This page is intentionally left blank