
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*