

R01

F/TH/20/0590

PROPOSAL: Erection of 4 no. 2 storey light industrial/general industrial (use class B1, 278 sqm and B2, 16,459 Sqm) commercial buildings with associated external storage (use Class B8, 185 sqm) with access, parking and landscaping.

LOCATION: Land South West Of Waste Processing Plant (District Park)
Manston Road North Manston Kent

WARD: Thanet Villages

AGENT: Hume Planning Consultancy Ltd

APPLICANT: The 1948 Group

RECOMMENDATION: Refuse Permission

For the following reasons:

1 The proposal, by virtue of its location and design, would result in the loss of countryside and harm to the characteristics of the Manston Chalk Plateau Landscape Character Area, where the need for and the impact from development has not being demonstrated to outweigh the need to protect Thanet's landscape character and local distinctiveness, with the visual harm resulting from the additional built form and associated development not sufficiently outweighed by economic, social or environmental benefits, contrary to Policies SP24, SP26, SE08 and E13 of the Thanet Local Plan 2020 and paragraph 174 of the National Planning Policy Framework.

2 The proposal, by virtue of its location, would result in the irreversible loss of Grade 1 and 2 agricultural land, with the harm resulting from the loss not sufficiently outweighed by economic, social or environmental benefits or proven that there are no otherwise suitable sites of poorer agricultural quality that can accommodate the development, contrary to Policy E16 of the Thanet Local Plan 2020 and paragraph 174 of the National Planning Policy Framework.

3 The proposed development, due to the lack of a footway link along this part of Manston Road subject to the national speed limit, would result in conflict between pedestrians/cyclists and users of the highway, resulting in an unsustainable development due to future users being dependant on private vehicles and an unacceptable impact on highway safety. The development would, therefore, be contrary to policies SP43, SP44, TP02 and TP03 of the Local Plan and paragraph 110 of the National Planning Policy Framework.

4 The proposed development, by virtue of the location of the site and vehicular movements generated from the proposed uses, would increase the use of Spitfire junction as a junction over capacity and use of Vincent Road by HGVs, thereby affecting the free flow

of traffic leading to congestion in peak hours and conflict between road users, resulting in severe harm to the transportation network and road user safety, contrary to paragraph 110 of the National Planning Policy Framework.

SITE, LOCATION AND DESCRIPTION

The site itself has an approximate area of 8.13 hectares and currently consists of agricultural land surrounding an existing employment site. The land is largely flat, much like most of the surrounding area.

Land uses in the surrounding area are a mixture of airport related, employment, residential and agricultural land uses and buildings. To the north-west, the Site is surrounded by agricultural land. To the south and east, the site is adjacent to existing employment sites. To the east, this includes land occupied by DDS Demolition and Secure Storage Solutions. To the south lies the Charles River Laboratory site, which accommodates businesses specialising in pharmaceutical, medical device and biotechnology industries. Additionally, to the south east of the site, there is a strip of bungalows along Manston Road, which lie adjacent to a Rosemary Plant Nursery and the Drome Car Sales garage. Directly opposite the site lies Manston Airport.

RELEVANT PLANNING HISTORY

There is no planning history for the application site now under consideration as a whole.

There is however planning history on a wider site, including the application site known as the Mushroom Farm.

OL/TH/94/0807 - Outline Application For The Erection Of Agricultural Buildings In Association With Mushroom Farm. Approved December 1994.

F/TH/94/0808 - Erection Of Two Agricultural Buildings, Formation Of Vehicular Access, Parking And Landscaping In Association With A Mushroom Farm. Approved December 1994.

F/TH/05/0290 - Change of use of land from mushroom farm to Use Class B8 (Wholesale/warehousing Distribution). Refused June 2005.

Planning permission was also granted on part of the current application site as follows

F/TH/17/1056 - Change of use of land and existing buildings along with the erection of 4No industrial buildings for mixed use as use classes B1, B2 and B8 with associated landscaping bund and car parking areas. Approved January 2018.

F/TH/18/0305 - Variation of conditions 2, 5, 21 and 22 of planning consent F/TH/17/1056 'Change of use of land and existing buildings along with the erection of 4No industrial buildings for mixed use as use classes B1, B2 and B8 with associated landscaping bund and car parking areas' to allow development to take place in phases together with alteration to access to open storage area. Approved June 2018.

There are also a series of planning consents on a site adjoining the application site - DDS storage.

F/TH/09/0581 - Change of use of land for architectural salvage yard together with ancillary retail, retention of existing buildings and erection of buildings for office, storage and workshop uses and boundary fences. Approved October 2009.

F/TH/14/0260 - Retrospective change of use of land as architectural salvage yard, together with ancillary retail, storage and workshop uses and retention of existing buildings and erection of office building and boundary fences. Approved June 2014.

PROPOSED DEVELOPMENT

It is noted that the application form states that the proposed development is the Erection of 4no. buildings comprising 16,922m² of employment floorspace (B2 Use Class) with associated external storage (B8 Use Class), car parking, landscaping and access improvements. It is, however, noted that at question 17 of the application form that B1 floor space is also included within the proposed development. Officers have, therefore, described the proposed development as "Erection of 4 no. 2 storey light industrial/general industrial (use class B1, 278 sqm and B2, 16,459 Sqm) commercial buildings with associated external storage (use Class B8, 185 sqm) with access, parking and landscaping". The applicants have not objected to that description.

For the purposes above, use class B1 relates to light industrial and offices (excluding professional services), with B2 being general industrial and B8 storage and distribution.

Since the application was submitted the Use Classes order has been amended. Use classes B2 and B8 remain unchanged and as set out above, but class B1 has been deleted and now forms part of a new use class E which covers commercial, business and service uses. It is considered that from class E, the closest to the previous B1 use is E(g) which has 3 parts (i) office to carry out any operation or administrative function; (ii) the research or development of products or process and (iii) any industrial process, being a use, which can be carried out in any residential area, without detriment to the amenity of that area, by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

The application is stated to be submitted on behalf of 3 existing companies OFP Timber Frames, All Access Scaffolding and a 3rd unnamed company. The application would see development split over 3 sites (one for each company) which are connected via an internal road network and set within hard and soft landscaping.

Site 1 comprises 2.6 hectares and provides approximately 6,982 sqm of floor space across two buildings for the purpose of manufacturing timber frames; the larger of which (Building B) would be 4,612 sqm and the smaller (Building A) 1,769 sqm. These buildings have a ridge height of 7.9 metres. A large external area is required for the storage of materials, finished products and parking for operational vehicles. This part of the site would be for OFP Timber Frames.

Site 2 plot comprises 2.2 hectares and provides approximately 9,048 sqm of floor space in a single building for manufacturing operations with associated external area for storage and parking. The building has a ridge height of 8.05 metres. Site 2 is for the unnamed company.

Site 3 comprises 0.5 hectares and provides approximately 415 sqm of floor space across a building and associated structure for administrative and storage purposes respectively with an associated open yard area. This will be a pitched roof building with a ridge height of 6.9 metres. This part of the site is for All Access Scaffolding.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan

SP04 - Economic Growth
SP05 - Land Allocated for Economic Development
SP06 - Manston Business Park
SP24 - Development in the Countryside
SP26 - Landscape Character Area
SP29 - Strategic Access Management and Monitoring Plan (SAMM)
SP30 - Biodiversity and Geodiversity Assets
SP35 - Quality Development
SP37 - Climate Change
SP43 - Safe and Sustainable Travel
SP44 - Accessible Locations
E01 - Retention of Existing Employment Sites
E13 - Development of New Business in the Countryside
E16 - Best and Most Versatile Agricultural Land
GI06 - Landscaping and Green Infrastructure
QD01 - Sustainable Design
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
HE01 - Archaeology
CC02 - Surface Water Management
SE01 - Potentially Polluting Development
SE03 - Land affected by Contamination
SE04 - Groundwater Protection
SE05 - Air Quality
SE06 - Noise Pollution
SE08 - Light Pollution
TP01 - Transport Assessment and Travel Plans
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking
TP08 - Freight and Service Delivery

NOTIFICATIONS

Letters were sent to adjoining residents, a site notice posted close to the site and the application publicised in a local newspaper.

Three representations have been received, one objecting, one supporting and one making neutral observations on the proposed development.

The representation objecting to the proposal makes the following summarised points.

- Close to adjoining properties;
- General dislike of the proposal;
- Increase in pollution;
- Loss of privacy;
- Noise nuisance;
- Issues with security lighting; and
- Loss of dark skies.

The representation (from Locate in Kent) supporting the proposal makes the following summarised points.

- Immediate and lasting positive impact on the local economy;
- Scheme is aligned with the NPPF commitment to ensure a responsive and competitive economy by ensuring that sufficient land of the right type is available in the right place at the right time;
- Scheme meets the needs of the present without compromising future development;
- Contributes to the Local Plan's strategic objective to create additional employment;
- Will contribute to future employability and earning potential for local people;
- Scheme does not detract from Thanet's aspiration for vibrant town centres or its vibrant tourism sector; and
- It is necessary to release additional employment land for a visible project with prospective tenants, that is readily available, largely serviced, does not detract from other employment and is not speculative.

The neutral representation (from Charles Rivers) states that they agree that a landscaping scheme should be required, but require access to maintain their fences and that their security cameras maintain clear views.

CONSULTATIONS

Natural England: NO OBJECTION Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

Natural England's generic advice on other natural environment issues is set out at Annex A.

European sites - Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development. To meet the requirements of the

Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

Sites of Special Scientific Interest - Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website.

Environment Agency:

We have assessed this application as having a low environmental risk. We therefore have no comments to make.

Southern Water:

Further comment:

The proposed District Park planning application site is located within the Environment Agency's (EA) Groundwater Source Protection Zone 3 (SPZ3) for Southern Water's Manston 2 licensed public groundwater abstraction, located to the Northeast of the town of Manston in Kent, Thanet. Therefore, potential risks of contamination from the proposed site could adversely impact our groundwater source.

Considering the potential risk to groundwater and the industrial nature/size of the development, we request that a hydrogeological assessment(s) be produced by the developer to ensure that risks to groundwater have been fully considered and that any risks identified are appropriately mitigated.

In order to protect public underground water supply sources Southern Water requests that if consent is granted, that the following condition is attached to the planning permission; The developer must advise the local authority, in consultation with the Environment Agency and Southern Water, of the measures which will be undertaken to ensure the protection of these sources.

Our investigations indicate that Southern Water can facilitate water supply to service the proposed development. Southern Water requires a formal application for a connection to the water supply to be made by the applicant or developer. To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

All other comments in our response dated 11/06/2020 remain valid and unchanged.

Original comment - Please find attached a plan of the water main records showing the approximate position of a public water distribution main within the access. The exact position of the public water main must be determined on site by the applicant.

- No excavation, mounding or tree planting should be carried out within 6 metres of the public water main without consent from Southern Water.
- No new soakaways should be located within 5 metres of a public water main.
- All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works.

The impact of any works within highway/ access road on public apparatus shall be assessed and approved, in consultation with Southern Water, under NRSWA enquiry in order to protect public apparatus.

The impact of any works within highway/ access road on public apparatus shall be assessed and approved, in consultation with Southern Water, under NRSWA enquiry in order to protect public apparatus. Furthermore, it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Southern Water requires a formal application for a connection to the foul sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent: A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS). Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long-term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity.

Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development. This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer.

We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water."

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with Sewers for Adoption standards will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

The proposed development would lie within a Source Protection Zone around one of Southern Water's public water supply sources as defined under the Environment Agency's Groundwater Protection Policy. Southern Water will rely on your consultations with the Environment Agency to ensure the protection of the public water supply source.

KCC Flood and Water Management:

Further Comment - no additional comments to make.

Original Comment - Kent County Council as Lead Local Flood Authority have reviewed the Flood Risk and Drainage Strategy report (April 2020) by Herrington Consulting Limited and have the following comments: The strategy presented within the report is for permeable paving to be used for the access roads and parking areas and will infiltrate into the underlying chalk geology. We have no objections to the proposal outlined however, we note that infiltration testing has yet to be undertaken on site and therefore the provisional rate of 0.36 m/hr has been applied at this stage.

With infiltration testing required, we will recommend a pre-commencement detailed design condition is attached to this application as it is essential that these tests are carried out to finalise the design.

Recommendation: As the permeable paving is proposed to occupy a large portion of the site, we would advise that testing is undertaken in multiple areas rather than a single location. This would provide a more accurate assessment of site conditions and determine if there is any additional storage required. The testing should be carried out to BRE:365 standards whereby the test pit is filled three times.

Should the Local Planning Authority grant planning permission, we would advise the following conditions are attached:

Condition: Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the principles

contained within the Flood Risk and Drainage Strategy report (April 2020, Issue 4, Revision 2) by Herrington Consulting Limited. The detailed submission shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance): that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters. appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

Condition: No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

KCC Archaeology:

"Thank you for consulting on the above development proposal known as District Park in Manston Road, Manston.

Thanet is generally rich in archaeological remains and the site comprises mostly undeveloped agricultural land within an area that is archaeologically sensitive. I note that the submission includes an Archaeological Desk Based Assessment written by Thanetarch Archaeological Services (March 2020). The DBA provides a good assessment of the archaeological baseline to this area, the broad potential and the pre-existing impacts that may have occurred on archaeology. The site is sited on a relatively level plateau of land

which drops away to Woodchurch in the west and north west. I agree with the DBA in that the site has a high potential for prehistoric remains of Bronze Age date based on the proximity of ring ditches and other monuments seen as cropmarks to the west and north west including one close to the site. I do note however that these, which are sited to be prominent, are mainly focused on the valley slope towards Woodchurch and so may be focused away from the site. Additionally the ring ditch recorded close to the site may be associated with a possible pond feature seen on the 1946 aerial photograph. Again there is a generally moderate potential for Iron Age and Roman remains in the area based on the cropmark sites seen to the north and north west and findings in the fields to the east of Manston Road. Close to the site an Iron Age gold stater has been recorded. There is lower potential based on the present baseline for Saxon and Mediaeval remains and a higher potential for post mediaeval agriculture. I also agree that there is a high potential for remains associated with the 20th century military activity in the area. The Luftwaffe recorded two defensive features on the site though there is no evidence for these in the 1946 aerial photography. They may have been referring to the defensive works around the sunken hanger to the north that can be seen on the aerial photograph. Overall there is a high potential for archaeological remains to be present on the site though that has yet to be confirmed through archaeological survey or evaluation work and no specific features have been identified within the site other than the potential defensive features.

The site has mainly been open agricultural land according to cartographic records and archaeological remains, if present, are likely to be relatively well preserved. Likely to be found at shallow depth archaeological remains would be vulnerable to most development impacts. The works for the new buildings and hard surfaces would likely affect archaeology though there is potential for preservation in open landscape areas.

Given the above potential I agree with the desk based study that provision should be made in any forthcoming consent for archaeological survey and trenching to establish the archaeological potential of the site and how it may be affected by the development. I would recommend that this takes the form, initially, of a geophysical survey and is followed by trial trenching of the site taking into account any features identified in the geophysical survey. Further mitigation measures would be informed by the evaluation works and may include preservation in situ of particularly significant remains if found. The following clause would be appropriate:

AR5 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of

i. archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and

ii. 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 by the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record."

KCC Ecology:

Further comment - The ecological survey submitted as part of this application is now two years old. We have reviewed the current satellite photos (dated March 2021) and it appears that management of the site has not changed since the ecological survey was carried out. Therefore we advise that we are satisfied that the conclusions of the surveys are likely still to be valid and our comments provided previously are still valid.

Original Comment - We have reviewed the ecological information submitted as part of this application and we are satisfied with the conclusions of the ecological survey that there is limited potential to impact protected/notable species and no further surveys are required.

The aerial photos indicate that there is areas of rough /unmanaged grass within the site and when we reviewed them we were originally concerned that this area may be utilised by reptiles - however we are satisfied that it's unlikely as reptiles were not recorded within previous surveys and the site was previously cleared of vegetation in 2019. Ecological Enhancements One of the principles of the National Planning Policy Framework is that "opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity".

The report has made a number of recommendations to enhance the site for biodiversity including using native species within the site boundary and creating a strip of rough grassland adjacent to the hedgerow.

However the site layout plans do not demonstrate that this will be implemented therefore we recommend that a landscape plan is submitted to clearly demonstrate that a dense hedgerow and grassland buffer can be created within the site. In addition we recommend that any fencing must include gaps to enable movement of terrestrial species such as hedgehogs through the site and surrounding area. We advise that information is provided demonstrating that the recommended enhancements can be implemented.

Lighting Bats can be negatively impacted by lighting and the submitted report has made recommendations to minimise impacts from lighting. Therefore we recommend that the site lighting condition includes that requirements that lighting plan follows the recommendations of the Bat Conservation Trust and Institution of Lighting Professionals Guidance Note on Bats and artificial lighting.

KCC Highways:

Further comment - Further to previous comments dated 10 February 2022, information was requested regarding the parking accumulation on site.

The proposed parking was reduced from 338 to 290 spaces. The information submitted assumes that the operators will provide sufficient parking as a 'tailor designed' approach, which has not been sufficiently justified with the changes in shift patterns of staff. The parking on the site is not future proofed should occupiers change without the need for planning permission.

It is evident that there are very limited safe pedestrian links to the site, thus users being totally reliant on private vehicles. There are no bus stops in close vicinity, and it is not considered safe for cyclists. There is a bridleway close by, but this is not usable in inclement weather. The submitted Travel Plan does not outline sufficient committed measures to reduce single occupancy car use. Measures such as staff minibuses have been suggested. A contribution of £274,000 has been suggested towards improvements to the Spitfire Junction/an alternative scheme that mitigates trip impact at the junction. However, this figure is required to be index linked and adjusted accordingly.

In line with the above, it is recommended that this application be refused on highway grounds for the following reasons:

- The proposed development is likely to generate an increase in pedestrian traffic on a highway lacking adequate footways with consequential additional hazards to all users of the highway.
- The proposal, located remote from services, and being unlikely to be well served by public transport, is contrary to the aims of the National Planning Policy Framework which seeks to support reductions in greenhouse gas emissions, reduce congestion and minimise journey lengths
- The proposals do not provide sufficient justification for car parking accumulation on the site, which does not make allowances for the evident shift changes for staff.

Original Comment - Expressed concerns that the amount of parking on the site appears excessive and could potentially mean an increase in trip generation over that indicated, appropriate visibility splays need clarifying and a contribution to offset the impact on the Spitfire Junction has been suggested by the applicant, but no figure has been provided, potential for an unacceptable increase in HGV movement along Vincent Road as a result of the development - a weight limit should be introduced in this road, the Travel Plan should look at items such as limited on site parking and provision of staff minibuses should be explored. Need for electric vehicle parking at 10% and the provision of 1 cycle parking space at the end of each row to be suitable for mobility impaired cyclists requiring a minimum 1.5 metres clear width either side.

Kent Police: We have reviewed this application in regard to Crime Prevention Through Environmental Design (CPTED) and in accordance with the National Planning Policy Framework (NPPF).

We use details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict.

With regard to this planning application, we confirm that if the requirements listed below are formally secured by Planning Condition then we have no objection to its approval: 1. The route to the rear elevation of site 2 is protected, either by being secured or by being lit, open and kept clear of recesses, storage or planting. 2. The motorbike parking area has ground or wall anchors of Sold Secure quality. 3. The Lighting and external CCTV should be designed to work together, ideally approved by a lighting engineer. 4. Access Control, External Doorsets and Ground floor windows (laminated glazing), shutters and alarms to meet SBD (Secured by Design) Commercial physical security standards. www.securedbydesign.com 5. If approved, site security is required for the construction phase. There is a duty for the

principle contractor to take reasonable steps to prevent access by unauthorised persons to the construction suite under the Construction (Design and Management) Regulations 2007. The site security should incorporate plant, machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

TDC Contaminated Land: I am writing following a review of the above application for the erection of 4 no. 2 storey light industrial/general industrial (use class B1 and B2) commercial buildings with associated external storage (use Class B8) with access, parking and landscaping. The site itself appears to present a low risk of contamination. However, to safeguard the development given the proximity to existing waste processing uses, I would be grateful if the following safeguarding condition be applied, should planning permission be granted:

WATCHING BRIEF If, during development, significant contamination is found or caused at the site, then this contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The approved works shall be implemented within a timetable agreed by the Local Planning Authority and shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including controlled waters. Reason: To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11) and NPPF.

TDC Environmental Health:

Air Quality

I have reviewed the AQ assessment undertaken by Entran. The methodology and assessment criteria are accepted as too are the conclusions.

The calculated Emissions Mitigation costs is £179,411.77. Several measures have been proposed set out in para 5.17 and 5.18; however these should be secured by condition:

Commercial/Retail/Industrial: 10% of parking spaces (ie. developments with >10 spaces) to be provided with Electric Vehicle charge points which may be phased with 5% initial provision and the remainder at an agreed trigger level.

EV Charger details to be provided: Prior to the erection of the building(s) hereby approved, written and illustrative details of the number, type and location of Electric vehicle charging points (EVCP) shall be submitted to and approved in writing by the local planning authority before any of the units are first brought into use. The EVCP shall be maintained and kept in good working order thereafter as specified by the manufacturer.

EMISSIONS STATEMENT Prior to the first use of the development hereby permitted, an air quality Emissions Statement that provides details of how the air quality damage costs, as calculated at £179,411.77 are to be used to achieve air quality improvements through the development, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

DUST MANAGEMENT The construction works shall be carried out at all times in accordance with the dust mitigation measures set out in Appendix C of the Air Quality Assessment submitted as part of the application.

Noise

The proposed application is for a 24/7 B2 and B8 industrial site only 110m from residential receptors along Manston Road. The Noise Assessment by Wardell Armstrong has been competently undertaken using the correct assessment methodologies and the conclusions are accepted but it must be noted that impact is based on assumptions, although appropriate and safeguarding is firmly based on noise limits being adhered to. It is therefore absolutely key that the acoustic consultants are fully involved throughout the project not just at the design stage but also to ensure limits are met. It is necessary that we secure compliance by condition requiring post completion assessment.

Site 3 - All Access Scaffolding have been the subject of ongoing noise complaints from neighbouring dwellings in Mere Gate which is adjacent to their current unit on All Saints Ind Estate. Therefore, EH would support relocation to a more suitable locality further from residential - the proposed site is around 300m away but it is important that the noise from scaffolding loading and unloading operations is mitigated. If not undertaken within an enclosed warehouse then restrictions on loading and unloading operations are necessary.

The design statement has made the following reference to noise consideration within the design 'The site is generally separated from residential properties although there are some fronting Manston Road and this has also been a factor that has influenced the design process, after the findings of an acoustic consultant were considered' (pg18 para 5.2). 'The relationship of the employment buildings to the nearest residential properties. A specialist noise consultant, Wardell Armstrong was instructed to assess noise at this boundary and changes to the siting of the buildings were made during the design process so that loading activity was buffered by the screening effect of the proposed buildings themselves' (pg19 para 5.4.)

It is noted that a good sized 'buffer' of wildlife / biodiversity area has been included yielding 110m separating distance to the parking area serving Site 1 and 160m to the nearest industrial unit.

5.18 of the Design and Access Statement states 'The results of the [noise] assessment demonstrated that noise from traffic would be negligible at existing sensitive receptors and therefore no mitigation was required. In order to ensure that industrial noise does not impact the existing receptors in the vicinity of the Site, noise limits for the operational noise were recommended, which would ensure any noise impacts are sufficiently mitigated. On this basis, it is considered that the findings of the noise consultants have helped to inform the design process and mitigation is appropriately reflected in the overall proposal. As such, the Proposed Development is considered to be compliant with Local Plan Policy Policy EP6 and emerging Local Plan Policy SE06 and is therefore considered acceptable in terms of noise impact'.

Whilst the comment above is accepted, I offer the following comments. The noise report noted that during the background noise survey ' Industrial Noise: No industrial or commercial noise was audible at any of the monitoring locations' (s3.3.3). Granting of consent will change the nature of ambient noise within the area; it is therefore important to ensure that noise is within acceptable limits.

In terms of road noise impact, the assessment was carried out in accordance with DMRB methodology and road traffic increase is negligible both for the opening year and 25 year scenario and this conclusion is accepted.

In assessing Industrial Noise Impact, noise limits have been derived from the measured background levels in accordance with BS4142 which are given in S5.1.3 - S5.3.5 these limits must be conditioned. At the ES1 receptor, modelling indicates that there will be an adverse impact at night (+5dB), this is based on an average L90, so at times throughout the night it could have an even greater impact. Although it is reasonable to apply 13dB reduction from an open window as well as it having a low background meaning absolute limits may be more appropriate; it is a concern and subject to assumptions and uncertainty so precautions must be taken particularly with regard to limiting hours at Site 1 to 23:00hrs and 07:00hrs. As well as loading and unloading of scaffolding at Site 3 - given the impact of this type of noise; I would also ask that acoustic screening is erected across the southern perimeter of Sites 1 & 3 , All proposed noise limits are accepted but will need to be subject to compliance assessment when in occupation

NOISE LIMITS COMPLIANCE REPORT

Within 3 months of the first occupation of each Site 1, 2 and 3 - an assessment of the noise limits set out in Section 5.1.3 and S5.3.5 of the Noise Assessment Report dated April 2020 submitted as part of this application. EH must be advised prior to any assessment of the proposed date and time.

ACOUSTIC BARRIER

Prior to the first occupation of the premises, details of an 3 metre high continuous imperforate barrier with a mass of 20kg/m2 to be erected along the southern boundary(ies) of the development site, including details of its ongoing maintenance shall be submitted to and approved by the Local Planning Authority and once approved this shall thereafter be installed and permanently retained

HOURS OF OPERATION - SITE 1

No machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site outside the following times [23:00 -07:00]

SERVICE TIMES OF SITE

3 External Storage

There shall be no loading or unloading of scaffolding before [07:00]; or after [23:00]; hours daily.

DOORS/WINDOWS TO BE KEPT CLOSED

All works shall be carried out within the buildings, the doors and windows of which shall be kept closed, except when required to be open for the purposes of access.

PLANT AND DUCTING SYSTEMS

Prior to the erection or installation of any extraction system at the site details of such shall be submitted to and agreed in writing by the Local Planning Authority. No extraction system other than that agreed in writing by the Local Planning Authority shall be erected or installed at the site.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of: hours of construction working; measures to control noise affecting nearby residents; wheel cleaning/chassis cleaning facilities; dust control measures; lighting control measures; pollution incident control and site contact details in case of complaints. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

EXTERNAL LIGHTING

Prior to the erection or installation of external lighting at the site details of such shall be submitted to and agreed in writing by the Local Planning Authority. No external lighting other than that agreed by the Local Planning Authority shall be erected or installed at the site.

No external lighting shall be installed on the site without the prior written consent of the Local Planning Authority

TDC Planning Policy: Further Comment - The additional information is noted.

The outstanding issue that doesn't appear to have been addressed is why these businesses need to co locate and what their relationship is with one another (especially as one company has not committed). Their location individually on allocated employment land and/or within the urban confines in accordance with SP04 is considered far more achievable and is,as yet unexplored.

Therefore our concerns regarding the sustainability of the site and the use of best and most versatile agricultural land remain.

Original comment - I refer to the above application and offer the following comments.

The Thanet Local Plan fully supports economic growth and aims to accommodate inward investment in job creating development, the establishment of new businesses and the expansion and diversification of existing firms.The Plan has assessed economic needs to 2031 and allocated sites to accommodate this. These sites should be considered first and I note from the Economic Statement they have been looked at and dismissed.

Policy E13 further allows new build development for economic development purposes in sustainable locations in the rural area, however, in my view the proposed site is not a sustainable location.

I note at paragraph 3.10 of the Economic Statement that the development could attract 3 firms within the area looking to relocate.

At the moment there is not much detail about what measures have been taken to explore expansion either in situ or particularly which alternative locations the companies have looked at individually. There is not much information at all about the third business, its location or current premises.

In addition to the strategic sites it is considered that some of Thanet's other employment sites could accommodate the businesses discussed, especially individually. Examples include Pysons Road Industrial Estate and Westwood Industrial Estate.

I note the section relating to availability of land on strategic employment allocations and although I do have some sympathy with the situation I feel more information is needed. It is not clear what approaches have been made to East Kent Opportunities particularly on Plot 2 at Manston Business Park and at Eurokent. I note the comment relating to flexibility on Eurokent although the flexible employment allocations do not exclude the B use classes.

In addition to the strategic employment allocations it would be useful to get a picture of what other non allocated sites have been considered in potentially more sustainable locations. Policy SP04 supports employment generating development on non allocated sites within the urban area and within village confines.

A further policy constraint on the proposed site relates to best and most versatile agricultural land. Policy E16 states that planning permission will not be granted for significant development which would result in the irreversible loss of best and most versatile agricultural land.

Before permission is granted on an unsustainable site of high agricultural quality I think we need to satisfy ourselves that all other alternatives have been fully explored.

COMMENTS

This application has been called to committee by Councillor Pugh for members to debate the impact of industrial/commercial development of the site.

Principle

The proposal is the erection of 4 no. 2 storey light industrial/general industrial (use class B1, 278 sqm and B2, 16,459 Sqm) commercial buildings with associated external storage (use Class B8, 185 sqm) with access, parking and landscaping.

The site is located within the Countryside, outside of the urban confines boundary. Policy SP24 of the Local Plan (Development in the Countryside) states that Development on non-

allocated sites in the countryside will be permitted for either: 1) the growth and expansion of an existing rural business; 2) the development and diversification of agricultural and other land based rural businesses; 3) rural tourism and leisure development; 4) the retention and/or development of accessible local services and community facilities; or 5) the redevelopment of a brownfield site for a use that is compatible with its countryside setting and its surroundings. It goes on to state that "All development proposals to which this policy applies should be of a form, scale and size which is compatible with, and respects the character of, the local area and the surrounding countryside and its defining characteristics. Any environmental impact should be avoided or appropriately mitigated."

The National Planning Policy Framework (NPPF) states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by supporting sustainable growth and expansion of all types of business and enterprise in rural areas, through well designed new buildings. For this reason Policy E13 of the Thanet Local Plan states that 'well-designed new development for economic development purposes for new businesses will be permitted in sustainable locations, at a scale and form compatible with their rural location'.

The Planning Policy Team advises that the Thanet Local Plan fully supports economic growth and aims to accommodate inward investment in job creating development, the establishment of new businesses and the expansion and diversification of existing firms. The Plan has assessed economic needs to 2031 and allocated sites to accommodate this. The level of detail provided initially by the application was considered to be lacking in terms of potential expansion of the existing Thanet businesses either in situ or particularly which alternative locations the companies have looked at individually, with limited information about the third business. In addition the local plan contains allocated employment sites (in addition to the strategic allocations) such as Pysons Road Industrial Estate and Westwood Industrial Estate which were not considered.

The applicants have provided information to seek to demonstrate that there are no suitable sites where the three businesses can be accommodated together either on allocated employment sites, other brownfield sites, or indeed sites closer to the edge of the urban area. They advise that:

"the application site would generate at least 200 jobs and this quantum of employment space would deliver some 57% of the manufacturing need for the district in the plan review period to 2040. The application site represents a suitable, deliverable and available site which is capable of accommodating a specific employment need in the short term and is well-related to existing employment land, the strategic road network, nearby allocations and Manston Airport. The track record of the applicant at the site over recent years has already proved this. Action is desperately needed to satisfy the short-term employment requirements given the likelihood of the length of time it will take to review the local plan and the lack of available serviced plots to meet known demand in the short term. It has been suggested that the proposed employment area could be alternatively provided at a greater number of smaller sites that could be more easily accommodated at the edge of rural villages and urban areas. We would like to stress that this would not suit the demand of the proposed occupiers that require sites of a significant footprint, both larger employers require long production runs (where margins are achieved from savings from high volume

production) and therefore rely on operational efficiencies that can be secured from a single site where land can be secured at an affordable value. These are the two central factors that are required to stimulate investment as part of a long term business strategy and commitment to the district in a highly competitive economic environment. This is the reason that a series of smaller fragmented sites to meet these needs has not been evaluated as part of the updated alternative site assessment."

It is not considered that this application comprehensively justifies why the businesses have to be located together (other than the general point regarding the reduction in overall cost of the site and therefore reduction in risk from sharing the cost between companies). The information submitted in relation to suitable sites considers the requirements of the three businesses together and does not clearly investigate whether there were any sites that could accommodate the proposed businesses individually, for example by providing a cost breakdown to illustrate the justification. Whilst the applicant has suggested that the Local Plan process (allocation of any additional land in the plan until 2040) would not satisfy the short term need for the companies, the existing plan policy SP04 outlines clear parameters for economic development based on an evidenced strategy until 2031, found to be sound in Local Plan examination and published in 2020. This policy is given significant weight in the determination of this application.

The applicant outlines the benefits of employment uses on the application site such as jobs creation, stating that the proposed development would support 237 jobs, but it is noted that the application also indicates a limited number of new jobs, with the application form and planning statement setting out 22 new positions. Given that two of the businesses looking to move to the application site are already within Thanet, it is considered that this application will mainly be a relocation of jobs within the District from the information provided and benefit can be ascribed to the retention of employers in the district. Whilst the inference could be that the current businesses in the district will relocate outside the district if they are not accommodated, it is not clear whether this site and the joint development suggested is the only option for the current businesses. It is acknowledged however that when taken on its own merits, there will be economic benefits from the construction and operation of the units if permitted, and this is given weight in the consideration of the application.

The wording of Policy E13 is clear that it sets out support for new businesses in sustainable locations. Policies SP43 and SP44 (safe and sustainable travel and accessible locations) are also relevant as are policies TP02 (walking) and TP03 (cycling). The application site lies within the countryside with access off a 60mph speed limit road with no footpath (other than a very small highway verge). The application site is therefore not considered accessible by walking, or cycling (other than by the road network). The nearest bus stops are located on Spitfire Way over a 1km from the application site with fairly infrequent bus services mainly Mondays to Fridays. It is, therefore, not considered that the site is a sustainable or easily accessible location other than by private car due to the lack of a regular bus service close to the site and not safe pedestrian route. This is acknowledged in the Transport Assessment submitted to support the application and the fact that the large amount of site parking on site is largely required to cover shift changes.

Given the above, it is not considered that the applicants have demonstrated that the proposed development needs to be located within a rural location, that the three businesses

have to be located together and that there are no other locations that could accommodate the businesses individually. It is also clear that the application site is not a sustainable location in terms of public transport or pedestrian access.

Notwithstanding this, the proposal would result in economic benefits to the Thanet economy through the provision of facilities for new/existing businesses and job creation.

Loss of Agricultural Land

The NPPF states in paragraph 174 that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. It is noted that the glossary of the NPPF defines best and most versatile land as land in grades 1, 2 and 3a of the Agricultural Land Classification.

Policy E16 of the Local Plan relates to best and most versatile agricultural land and states "Except on sites allocated for development by virtue of other policies in this Plan, planning permission will not be granted for significant development which would result in the irreversible loss of best and most versatile agricultural land unless it can be clearly demonstrated that: 1) the benefits of the proposed development outweigh the harm resulting from the loss of agricultural land, 2) there are no otherwise suitable sites of poorer agricultural quality that can accommodate the development, and 3) the development will not result in the remainder of the agricultural holding becoming not viable or lead to likely accumulated and significant losses of high quality agricultural land."

The application site comprises a mix of grade 1 and 2 agricultural land - excellent to very good/best and most versatile agricultural land.

An Agricultural Land Quality Report was submitted to support this application. It states that *"Given the extensive distribution of best and most versatile agricultural land in the district outside the urban areas and the locational reasons for meeting the employment needs of Thanet by creating an employment hub at District Park which expands existing employment activity and the fact that the application site has previously been consented to development (a permission that was partially implemented), it is asserted that this proposal could not be delivered within the district on lower quality agricultural land. The Applicant relies on the recent conclusions of the Local Plan Inspector when assessing the loss of BMV land for housing which are relevant to employment land provision in recognising that in the Thanet context because of the high quality of the land across remaining undeveloped areas. The sequential assessment embodied in paragraph 174 of the NPPF is satisfied in this instance."*

The information in the Agricultural Land Quality Report is noted and is considered by officers to run a two pronged argument that firstly planning permission has already been granted for the application site for non agricultural uses and secondly that there are no other sites of lower agricultural quality within the district for the proposed development. Both these points will be covered in turn below.

In terms of previous planning consents for the application site, it is noted that planning consent F/TH/94/080 was for two agricultural buildings for mushroom farming and were accepted by planning officers on the basis that the proposed use was a horticultural use of land - an agricultural use - and there was, therefore, no departure from policies seeking to

protected the best and most versatile agricultural land from other uses which was at the time contained in the Kent Structure Plan. Planning application F/TH/05/0290 was refused for several reasons including the following reason relating to loss of agricultural land - "The change of use of the land to B8 would result in the loss of Grade 1 best and most versatile agricultural land, and as an overriding need for this use has not been demonstrated, the loss of this land would be contrary to policy AG1 of the Isle of Thanet Local Plan, policy CC9 of the Isle of Thanet Local Plan Draft Deposit, Policy ED6 of the Kent Structure Plan and the advice given in Planning Policy Statement 7." It is, however noted that in 2017 planning permission was granted for Change of use of land and existing buildings along with the erection of 4No industrial buildings for mixed use as use classes B1, B2 and B8 with associated landscaping bund and car parking areas (F/TH/17/01056 refers). This application related to a much smaller site than the 2005 application and supported by officers on the basis that it was put forward as an expansion to the adjoining DDS site (with DDS Demolition being the applicant for the application) as such, its location adjoining that site was considered acceptable. From the above, it is clear that the council has sought to preserve the best and most versatile agricultural land in this location only granting planning permission for non agricultural uses as an exception to facilitate the expansion of the adjoining established business, whereas the current proposal is entirely separate development, totally divorced from the employment function that it surrounds in its use.

The second prong of the submitted Agricultural Land Quality Report relates to the fact that there are no other sites of lower agricultural quality within the district for the proposed development. This stems from the fact that the applicants are advising that the proposed development needs to be located on agricultural land and there are no sites of lower quality within the district that could accommodate the development as proposed to serve all three companies. The report quotes the local plan inspector's view when considering the loss of greenfield land for housing purposes where he stated that "A consequence of extending the Urban Area is the subsequent loss of Best and Most Versatile Agricultural Land defined as land in Grades 1, 2 and 3a of the Agricultural Land Classification. But the majority of Thanet's rural area is Grade 1 or 2 land. The only parts of the District which are not Grade 1 or Grade 2 are either around the Wantsum Channel, which is subject to flooding or areas of land divorced from major settlements. Neither would be appropriate locations for significant new development. It is therefore not possible to use areas of poorer quality land in preference to that of a higher quality." This relates to housing land and the specific details of the need to meet a certain housing target. As set out above, the companies looking to occupy the site are not functionally linked and it has not been demonstrated that there is a requirement for them to be located together. If sites were sought for each company individually, it is anticipated that sites could be found for them within existing allocated employment sites, other brownfield sites or at the very least result in less best and most versatile agricultural land being lost. Whilst there would be some benefits from job creation both during the construction phase and ongoing employment on the application site, this is not considered to outweigh the irreversible loss of best and most versatile agricultural land.

Given the above, it is considered that there is an in principle objection to the proposed development.

Impact on Landscape Character Area and surrounding countryside

Paragraph 130 of the National Planning Policy Framework (NPPF) states decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, sympathetic to local character and history, establish or maintain a strong sense of place, and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible. Whilst Paragraph 174 of the NPPF stipulates that the planning system should contribute to and enhance the natural and local environment by, amongst other things, protecting and enhancing valued landscapes. The Planning Practice Guidance (PPG) states where appropriate, Landscape Character Assessments should be prepared to complement Natural England's National Character Area profiles. Landscape Character Assessment is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place.

Policy QD02 of the Thanet Local Plan outlines that the primary aim of new development is to promote or reinforce local character and provide high quality and inclusive design that is sustainable in all other respects. Proposals should therefore relate to surrounding development, form and layout, be well designed, pay particular attention to context and identity of location, scale, massing, rhythm, density, layout and materials, and be compatible with neighbouring buildings and spaces. Any external spaces and landscape features should be designed as an integral part of the scheme.

Policy SP26 relates to Landscape Character Areas and states that development proposals should demonstrate how they respect and respond to the character, key sensitivities, qualities and guidelines of the relevant landscape character areas, as detailed in the Landscape Character Assessment (LCA) and summarised below.

The site lies within the Manston Chalk Plateau, a generally flat or gently undulating landscape, with extensive, unenclosed fields under intensive arable cultivation. This open landscape is fragmented by the location of large scale developments such as the former airport, Manston Business Park and a sporadic settlement pattern to the north of the airport. The character of this area is also defined by the proximity of the edges of the urban areas. This character area contains the highest point on the island at Telegraph Hill. The elevated plateau results in long distance panoramic views to the south over Minster Marshes and across Pegwell Bay and, in the west, across the Wantsum. The elevated central chalk plateau also forms a skyline in many views back from lower landscapes in Thanet, including the coast and marshlands.

A Landscape and Visual impact Assessment has been submitted in support of the application. It states that the site is peri urban in character and the development would be sensitively located within an enhanced landscaped setting including native planting. This planting would provide site wide biodiversity net gain and help screen existing adjacent development within the area from public vantage points. It goes on to state that the proposed development would be seen in the context of existing development in the area and would not with the proposed landscaping be perceived as alien within the receiving visual environment. It does recognise that there may be some impact from the development in the short term especially for residents of the Manston Road and users of the Bridleways (TM19

and TM20) and footpath (TM17), but these will be minimised in approximately 10 years when the landscaping has fully matured.

The proposal seeks to erect four two storey buildings and a scaffold rack together with a large number of parking spaces on 3 separate sites connected via access roads within the application site. This would mean that the majority of the site would be covered by buildings or hard surfaced. It is noted that the buildings proposed are typical of commercial/industrial/business units throughout the country and are not specifically designed for the application site.

Officers have reviewed the submitted Landscape Visual Impact Assessment (LVIA) and have concerns about the impact of the proposed development on the surrounding area. Whilst it is recognised that there is some existing built form in the surrounding area, such as Charles Rivers, DDS Demolition, the nursery and the dwellings fronting Manston Road, these and the application site lie clearly within the countryside for planning purposes. The LIVA describes the site as peri-urban which relates to land immediately adjacent to a city or town. Officers do not accept that this is the position of the site in this instance. Concerns are raised about whether the proposed landscaping would shield the proposed development given that many of the proposed buildings would be two storey and concerns are also raised as to whether the proposed landscaping itself would be at odds with established open agricultural field patterns which the site currently provides. Large areas of woodland are rare in this area with large agricultural fields being common in the surrounding area, potentially separated by hedgerows, but having large views across the wider area. It is considered that the concentration of landscaping itself could have the potential to become a feature that draws the eye, being out of place in the wider area. Also it is noted that bridleways and a footpath pass in close proximity to the application site and the impact of the development on the surrounding area would be highly visible from these, with any landscaping proposed taking time to come to maturity.

The requirement for the 3m high acoustic fence from the Council's Environmental Health Team is also noted in order to make the development acceptable in terms of noise. Whilst it is noted that the fence would be located behind the buildings along this part of Manston Road, it is considered that it would be visible in views from the Bridleways and footpath to the north of the site and would contribute to the overall urban character of the proposed development in this current open countryside location. As such, it is considered that views of the site and its perception in both long and immediate views would significantly change becoming urbanised and hard surfaced, at odds with the Manston plateau landscape character outlined in Policy SP26. This would result in the loss of the prominent existing visual gap and countryside feel of the site.

The submitted Landscape and Visual Impact Assessment does not consider the impact of any lighting associated with the proposed development. There is, however, a reference to lighting in the Preliminary Ecological Assessment which states that a sensitive lighting strategy should be followed in order to minimise the indirect impacts of the development on the local bat population.

Policy SE08 (Light Pollution) states development proposals that include the provision of new outdoor lighting or require specific lighting in connection with the operation of the proposed

development will be permitted if it can be demonstrated that: 1) It has been designed to minimise light glare, light trespass, light spillage and sky glow through using the best available technology to minimise light pollution and conserve energy; 2) There is no adverse impact on residential amenity and the character of the surroundings; 3) There is no adverse impact on sites of nature conservation interest and/or protected and other vulnerable species and heritage assets; 4) There is no adverse impact on landscapes character areas, the wider countryside or those areas where dark skies are an important part of the nocturnal landscape; 5) It does not have an adverse impact on long distance views or from vantage points; 6) Where appropriate, mitigation measures are proposed. In addition a lighting strategy may be required for major developments or those developments with specific lighting requirements or for those that are in or adjacent to sensitive locations.

This is a major application which is not supported by a lighting strategy in a sensitive rural location with no street lighting. The proposed development would introduce three different companies to the area, with buildings and large car parking areas and connecting roads between the three parts of the application site. Given the proposed hours of use of the site, it is considered likely that there would be a requirement of lighting for all areas of the site. Concerns are raised by officers that there is no information to understand the impact of lighting from the site on the surrounding area and no assessment can be made as to its acceptability or otherwise.

Given the above, it is considered that the proposed development would result in increased built form and hard surfacing and loss of views across the landscape character area and the application is considered to be contrary to policies SP24, SP26 and QD04 of the Local Plan and the guidance contained in the NPPF. It is also considered that there is insufficient information for an assessment to be made on the impact of lighting associated with the development on the wider light sensitive area and the proposal is considered to be contrary to the provisions of policy SE08 and the NPPF.

Living Conditions

Paragraph 119 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 130 states that decisions should ensure development creates, inclusive and accessible and which promote health and well-being, with a high standard of amenity for future users.

Policy QD02 of the Thanet Local Plan outlines that new development should be compatible with neighbouring buildings and spaces, and should be inclusive in its design for all users. It should improve people's quality of life by creating safe and accessible environments and promote public safety and security. Policy QD03 outlines that new development must not lead to unacceptable living conditions through overlooking, noise, vibrations, light pollution, overshadowing, loss of natural light or a sense of enclosure.

The nearest dwellings to the application site are those that front Manston Road (Per Adula to Plain View). It is noted that these dwellings sit some 28 metres from the edge of the application site with a plant nursery building located between them and the application site. It is noted that there would be an area of landscaping proposed to immediately abutting the

application boundary with the nursery, with car parking area beyond. The nearest building to these dwellings would be some 140 metres away at its closest point. It does, however, fall to consider whether there would be adverse impact on the residential amenities of the occupiers of these dwellings from the proposed development.

Given the distances involved between the proposed buildings on the application site and the closest dwellings it is not considered that there would be any adverse impact on the residential amenities of the occupiers of the dwellings in terms of overlooking, loss of light or sense of enclosure. It is considered, however, there is the potential from noise from the proposed development to have an adverse impact on the occupiers of the dwellings, especially as it is noted that the firms proposed to locate within the application site are looking to operate from 6am to 10pm 7 days a week including bank holidays.

A Noise Assessment has been submitted in support of the application. It states that the assessment has considered the potential impact of noise associated with the proposed development at existing sensitive receptors, particularly in terms of the development led traffic, and any new industrial and or commercial type noise. The result of the assessment shows that noise from development-led traffic would be negligible at the existing receptor locations and, therefore, no mitigation measures would be required. In order to ensure the industrial noise does not impact the existing receptors in the vicinity of the site, noise limits for the operational noise have been set. The results of the assessment, and context assessment found the impact to be low, and that no additional noise mitigation measures should be required providing that the proposed development does not exceed the limits at the existing sensitive receptors. Given its findings it concludes that the proposed development is acceptable in terms of noise.

The Council's Environmental Health Team has reviewed the application and the submitted noise assessment and advise that the submitted assessment has been competently undertaken using the correct assessment methodologies and the conclusions are accepted. They state, however, that impact is based on assumptions whilst safeguarding is firmly based on noise limits being adhered to. They advised that it is key that the acoustic consultants are fully involved throughout the project not just at the design stage but also to ensure limits are met. Environmental Health also highlights the fact that noise assessment states that no industrial or commercial noise was audible at any of the monitoring locations used to inform it. A grant of consent for the application will change the nature of ambient noise within the area; it is therefore important to ensure that noise is within acceptable limits. The conclusions in relation to impact from road noise associated with the development are accepted. They advise that a number of conditions should be applied to the proposed development. These conditions would see a noise compliance report submitted within 3 months of the occupation of each part of the application site; a 3 metre high acoustic barrier erected to the southern boundaries of the site; doors and windows to be kept shut except when required for access, details of planting and ducting to be submitted and agreed; a construction management plan, no machinery operated, processes undertaken, deliveries received or goods dispatched before 7am or after 11pm on site 1 and no loading or unloading of scaffolding before 7am or after 11pm on site 3.

In addition, a safeguarding condition would be required for all external lighting to be approved prior to installation, as no details have been submitted at this stage. This would

seek to ensure living conditions are protected, whilst also ensuring compliance with Policy SE08.

It is considered that with these safeguarding conditions, there would be no adverse impact on the residential amenities of surrounding occupiers from the proposed development.

Highways

Paragraph 110 of the NPPF states that in assessing applications for development it should be ensured that adequate opportunities to promote sustainable transport modes have been taken up; safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. It goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 111). Applications for development should give priority to pedestrian and cycle movements and secondly (as far as possible) facilitate access to high quality public transport, address the needs of people with disabilities and reduced mobility, create places that are safe, secure and attractive, allow for the efficient delivery of goods and access by service and emergency vehicles and be designed to enable charging of plug in and other ultra low emission vehicles (paragraph 112). These aims are reflected in the Council's Local Plan policies.

This application seeks planning consent for the erection of 4 no. 2 storey light industrial/general industrial (use class B1, 278 sqm and B2, 16,459 Sqm) commercial buildings with associated external storage (use Class B8, 185 sqm) with access, parking and landscaping. The application is supported by a Transport Assessment and a travel Plan.

The Transport Assessment states that:

- o The application site comprises agricultural land with vehicle access shared with the adjacent plot (Secure Storage Solutions) which is retained to serve the development;
- o A Stage 1 Road Safety Audit for the access has been completed. The visibility splays will be improved and are appropriate for the observed speed of vehicles using Manston Road;
- o Car parking will be provided in accordance with the Thanet Draft Local Plan (Policy TP06) and Kent County Council's standards;
- o Cycle Parking will be provided in accordance with the Thanet Draft Local Plan; and o Delivery and servicing activity will be undertaken on site. Swept path analysis included within the report demonstrates the anticipated routes.
- o A trip generation assessment has been undertaken based on information and surveys from the intended operators. This has been cross referenced with the TRICS database and presents as a robust methodology;
- o The proposals are expected to generate 62 vehicle arrivals during the AM peak hour and 81 vehicle departures during the PM peak hour; and
- o The impact of the development at the Spitfire Junction has been considered on the basis of the latest available improvement scheme which proposes the installation of traffic signals at the staggered crossroads in order to improve performance and road safety.

The principle of contributing towards the securing the delivery of an improvement scheme is accepted by the applicant and it states that the effect of additional traffic arising from the proposed development is relatively slight, representing an increase in the order of 2.5%-3.3% at the Spitfire Junction during weekday morning and afternoon peak hours.

The Travel Plan sets out various measures and initiatives that might be employed by a Travel Plan coordinator for the application site, but advises that they are not exhaustive and that other potential initiatives should be investigated. The measures set out include promoting cycling (via loans for bikes, information on cycle routes, provision of cycle spaces (101 spaces across the 3 parts of the site), showers and changing facilities and basic cycle repair kit with each of the sites), the promotion of public transport use (with public transport information being made available to staff, potential season ticket loans), the promotion of car sharing (provision of designated car share parking bays and potential for setting up a car share scheme with adjoining occupiers such as DDS Demolition), potential for a crew bus (funded by the applicants to the Ramsgate area and station during the morning and afternoon commute periods - potential for bus to Westwood Cross at lunchtimes), taxis (information for taxis made available to staff), electric vehicles (charging points provided) and local recruitment strategy and incentives for staff to relocate close to work.

KCC Highways have reviewed the submitted documents and initially raised concerns about the unsustainable location of site and the requirement for private vehicles to be used to access the site, the amount of vehicle parking provided on the site, the impact of the proposed development on Spitfire Junction and that the travel plan included limited measures to impact on travel habits which reflected the limited access to the site by alternative modes of travel and that the measures proposed were set set out as measures to be explored rather than a commitment to the measures.

Further information was received by the applicant, including a plan showing the visibility splays to the site as requested by KCC Highways. It also stated that the applicants were agreeable to a financial contribution towards junction improvements at Spitfire Junction, the introduction of a weight limited to Vincent Road, agreement to the electric vehicle charging provision and the provision of cycle parking for mobility impaired cyclists together with agreement from the applicant to fund a crew bus to serve the Ramsgate area plus the station and the reduction of car parking on the application site by 15%.

KCC Highways have reviewed this additional information and provided a final comment on the application. They advise that the application should be refused on the generation of an increase in pedestrian traffic on a highway lacking adequate footways with consequential additional hazards to all users of the highway, being contrary to the aims of the National Planning Policy Framework which seeks to support reductions in greenhouse gas emissions, reduce congestion and minimise journey lengths and not providing sufficient justification for car parking accumulation on the site, which does not make allowances for the evident shift changes for staff with consequential impacts on use of the road network.

The comments of KCC Highways are noted by officers and the unsustainable location of the site and reliance on private vehicles, given the lack of alternative means of accessing the site are discussed in detail in the principle section of this report. As outlined there, the site lies with access off a 60mph speed limit road with no footpath (other than a very small

highway verge) with the nearest bus stops located on Spitfire Way over a 1km from the application site with fairly infrequent bus services mainly Mondays to Fridays. The application site is, therefore, not considered accessible by walking, or cycling (other than by the road network). It is, therefore, not considered that the site is a sustainable or easily accessible location other than by private car due to the lack of a regular bus service close to the site, with a risk to pedestrian safety from the lack of a safe pedestrian route along Manston Road.

Concerns about the amount of parking required on site and the fact that it is tailor made for the companies proposed to occupy the site are noted as is the requirement to provide additional parking to provide parking for shift changes. Officers are concerned that the availability of vehicle parking within the site will encourage the use of the private car to access the site, especially given the lack of other means of accessing the site and the hours of proposed operation for the site. Again, it has not been clearly demonstrated that the alternative locations for the three companies could not be found in more sustainable locations closer to alternative means of public transport if locations had been sought for each of the three companies individually rather than a large site which has to meet the needs of all three companies. This is highlighted by the fact that although the site would house the 3 companies, they would occupy three separate areas within the larger site and there appears to have been no attempt to share facilities between companies such as buildings or car parking. The physical impact of the provision of hard surfacing for parking at the scale proposed by the applicants has also been considered earlier in the report and concerns raised and it is not proposed to reiterate them here.

The applicant has provided further justification about potential travel plan measures to attempt to alter employee behaviour in travel to encourage cycling, car sharing, potential bus schemes etc. However the measures set out in the Travel Plan are listed as options to be explored with no formal commitment for the implementation of these measures, with no information provided to demonstrate what impact these measures would have in terms of mitigating the use of the private car to access the site.

As demonstrated through the local plan process, there is a lack of spare capacity at Spitfire junction meaning that the increased vehicle movements created by the proposal would cause severe harm to the highway network. In addition, KCC have raised concerns about the potential unacceptable increase in use of Vincent Road by HGVs as a result of the development, with the need for weight limit restrictions. It is noted that the applicants have agreed to provide a contribution towards junction improvements at Spitfire Junction and the introduction of a weight limit to Vincent Road through a Section 278 Highway agreement. These would require an obligation provided by virtue of a legal agreement to secure these contributions to mitigate the demonstrable harm to the highway network and the safety of road users.

Given the above it is considered that the application is in an unsustainable location, which is only accessible by private vehicles. Concerns are also raised about the limited safe pedestrian/cycle links to the site. There are no bus stops in the vicinity and the road is not considered safe for cyclists. Whilst there is a bridleway and footpaths close by, it is not considered that these would be usable or safe in inclement weather or outside of daylight hours. There would also be an impact on the Spitfire Junction and via an increase on HGVs

using Vincent Road and, whilst measures could be secured to mitigate the latter two issues, in the absence of a legal obligation this would form a technical reason for refusal on the application.

Archaeology

The NPPF 2019 states that when considering the impact of a proposed development on the significance of a designated heritage asset; great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (paragraph 193). The NPPF goes on to state in paragraph 196 states that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.

Policy HE01 of the Local Plan, which relates specifically to Archaeology, states that the Council will promote the identification, recording, protection and enhancement of archaeological sites, monuments and historic landscape features, and will seek to encourage and develop their educational, recreational and tourist potential through management and interpretation. Planning permission will be refused without adequate assessment of the archaeological implications of the proposal. Development proposals adversely affecting the integrity or setting of Scheduled Monuments or other heritage assets of comparable significance will normally be refused. Where the case for development which would affect an archaeological site is accepted by the Council, preservation in situ of archaeological remains will normally be sought. Where this is not possible or not justified, appropriate provision for investigation and recording will be required. The fieldwork should define: 1) the character, significance, extent and condition of any archaeological deposits or structures within the application site; 2) the likely impact of the proposed development on these features; 3) the means of mitigating the effect of the proposed development. Recording should be carried out by an appropriately qualified archaeologist or archaeological contractor and may take place in advance of and during development. No work shall take place until a specification for the archaeological work has been submitted and approved by the Council. Arrangements must also be in place for any necessary post-excavation assessment, analysis and publication of the results, and deposition of the archive in a suitable, accessible repository.

Thanet is rich in archaeology and, as the site has been in agricultural use and, therefore largely undisturbed for a number of years, it is considered that there is the potential for archaeological remains to be present on the application site.

The application is supported by an Archaeological Desk Based Assessment. It states that "five Designated Heritage Assets have been identified within the Study Area, a site of Protected Military remains and four Listed Building Designations. All the Designated Heritage Assets are located over 560 metres from the Site boundary and will not be affected by the proposed development due to their distance and separation from it. The Site is located within a Study Area that has historically been open farmland and remains so. As a result relatively few archaeological investigations have been carried out surrounding the Site. A total of 81 Non Designated Heritage assets have been identified in the Study Area of

which 26 are represented by crop marks and 33 are associated with WWI, WWII and post-war military activity. The remainder of the sites are predominantly post mediaeval farms and chance finds of artefacts recorded during archaeological investigation or retrieved during metal detecting. The density of the crop marks identified in the field in which the Site is located suggests an area of high archaeological potential and includes ring ditches, enclosures and field systems. It is expected that similar features could be present on the Site, or extend into it. Three non-designated heritage Assets have been identified on the Site and are all associated with the military activity in World War II and the post war period, two Klein-kampfanlage with entanglements (sites 47 & 48 above) and a possible US military stockpile dump (Site 56 above). Based on the distribution of sites in the Study Area there is low potential for archaeology of Anglo Saxon and Medieval date and moderate potential for Iron Age and Roman archaeology. There is high potential for Bronze Age, Post Medieval and activity associated with WWII to be present on the Site." The submission states that a survey of archaeological records and archives would be sufficient to give a general assessment of the archaeological potential of the proposed development site with further research in the form of targeted field evaluation as part of a planning condition may be required.

KCC Archaeology reviewed the submitted archaeological work and advise that they consider that the submitted assessment provides a good assessment of the archaeological baseline to this area, the broad potential and the pre-existing impacts that may have occurred on archaeology. The site has mainly been open agricultural land according to cartographic records and archaeological remains, if present, are likely to be relatively well preserved. Likely to be found at shallow depth archaeological remains would be vulnerable to most development impacts. The works for the new buildings and hard surfaces would likely affect archaeology though there is potential for preservation in open landscape areas. They recommend that this takes the form, initially, of a geophysical survey and is followed by trial trenching of the site taking into account any features identified in the geophysical survey. Further mitigation measures would be informed by the evaluation works and may include preservation in situ of particularly significant remains if found. They advise that a condition could be attached to any grant of planning permission to secure these works.

It is considered that the proposed safeguarding conditions are appropriate and meet the test for planning conditions. Given this it is considered that any impact from the proposed development on archaeology would be appropriately managed and mitigated with a safeguarding condition, in accordance with Policy HE01 of the Thanet Local Plan.

Ecology and Biodiversity

Paragraph 170 a) of the NPPF states planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan). The NPPF goes on to state at paragraph 170 (d) states that opportunities to incorporate biodiversity improvements in and around development should be encouraged, especially where this can secure measurable net gains for biodiversity.

Thanet Local Plan Policy SP30 (Biodiversity and Geodiversity Assets) states development proposals will, where appropriate, be required to make a positive contribution to the conservation, enhancement and management of biodiversity and geodiversity assets resulting in a net gain for biodiversity assets. Sites should be assessed for the potential presence of biodiversity assets and protected species. For sites where important biodiversity assets, including protected species and habitats including SPA functional land, or other notable species, may be affected, an ecological assessment will be required to assess the impact of the proposed development on the relevant species or habitats. Planning permission will not be granted for development if it results in significant harm to biodiversity and geodiversity assets, which cannot be adequately mitigated or as a last resort compensated for, to the satisfaction of the appropriate authority.

The application is supported by a Preliminary Ecological Appraisal which states that the site supports species typical of arable land, with some colonising tall ruderal at the field margins. No invasive, non-native plants or rare plants were noted. The Site falls within the Site of Special Scientific Interest (SSSI) Impact Risk Zone (IRZ) for Sandwich Bay to Hacklinge Marshes SSSI and Thanet Coast and Sandwich Bay SPA. This triggers the need to consult with Natural England about the impacts of the proposals on these nearby designated areas. No suitable habitats or evidence of protected species were recorded within or adjacent to the Site, and no further surveys have been recommended. A sensitive lighting strategy should be followed in order to minimise the indirect impacts of the development on the local bat population. Recommendations for enhancing the ecological value of the proposed Site under the NPPF have been suggested. These include planting of species-rich native hedgerows, climbing plants and fruit trees as well as recommendations for nectar rich landscape planting.

KCC Ecology, as the Council's competent experts, have reviewed the submitted information and advise that they are satisfied with the conclusions of the ecological survey that there is limited potential to impact protected/notable species and no further surveys are required. They go on to state that aerial photos indicate that there are areas of rough /unmanaged grass within the site and this raised initial concerns that the area may be utilised by reptiles. They have now advised that they are satisfied that this is unlikely as reptiles were not recorded within previous surveys and the site was previously cleared of vegetation in 2019. They go on to highlight one principle of the NPPF that states "opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity". They accept that the submitted report made a number of recommendations to enhance the site for biodiversity including using native species within the site boundary and creating a strip of rough grassland adjacent to the hedgerow, but have some concerns as to whether a landscape buffer can be provided on the site. They suggest that a landscape plan to demonstrate this should be submitted, and that any fencing must include gaps to enable movement of terrestrial species such as hedgehogs through the site and surrounding area and that a lighting condition should be imposed to ensure that any lighting within the site minimises its impact on bats and other wildlife.

The conditions requested by KCC Ecology are reasonable and meet the tests for planning conditions. It is considered that the proposed site layout plan (2019-3739-002 Rev A) shows the areas within the site to be landscaped and it is considered that with a condition to secure

details of proposed planting within these areas that a suitable amount of landscaping can be secured within the site to achieve a net gain in biodiversity. As such, it is considered that with appropriate safeguarding conditions, the proposed development would not have an adverse impact on ecology or biodiversity.

Contamination

Paragraph 170 e) of the NPPF states planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. Policy SE03 (land affected by contamination) states that development on land known or suspected to be contaminated or likely to be adversely affected by such contamination will only be permitted where: 1) an appropriate site investigation and assessment (agreed by the Council) has been carried out as part of the application to establish whether contamination is present and to identify any remedial measures necessary to ensure that the site is suitable for the proposed end use; 2) the proposed remedial measures would be acceptable in planning terms and would provide effective safeguards against contamination hazards during the development and subsequent occupation of the site. Planning conditions will be attached to any consent to ensure that remedial measures are fully implemented, before occupation. In the case of sites where contamination is only considered to be a possible risk, a site investigation will be required by condition.

The Council's Contamination Officer has reviewed the application and states that the site itself appears to present a low risk of contamination. However, to safeguard the development given the proximity to existing waste processing uses, they request that a watching brief condition is imposed to any grant of planning consent. This would ensure that if during construction significant contamination is found or caused within the site, the contamination would be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The remediation works would then be carried out to render the contamination harmless.

Given the above, it is considered that subject to the imposition of safeguarding conditions, there would be no adverse contamination impacts from the proposed development in the area or for future occupiers of the site.

Air Quality

The UK Air Quality Strategy Regulations 2010 is the method for implementation of the air quality limit values in the UK and provides a framework for improving air quality and protecting human health from the effects of pollution. Paragraph 181 of the NPPF states that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should

be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan. Policy SE05 of the Council's Local Plan relates to Air Quality and states that all major development schemes should promote a shift to the use of sustainable low emission transport to minimise the impact of vehicle emissions on air quality. Development will be located where it is accessible to support the use of public transport, walking and cycling. New development must ensure that users are not significantly adversely affected by the air quality and include mitigation measures where appropriate. All developments which either individually or cumulatively are likely to have a detrimental impact on air quality, will be required to submit an Air Quality and/or Emissions Mitigation Assessment, in line with the Air Quality Technical Planning Guidance 2016 and any subsequent revisions. The Air Quality Assessment should address the cumulative effect of further emissions. The Emission Mitigation Assessment should address any proposed mitigation measures through good design and offsetting measures that would prevent the National Air Quality Objectives being exceeded or reduce the extent of the air quality deterioration. These will be of particular importance within the urban AQMA, associated areas and areas of lower air quality. Proposals that fail to demonstrate this will not be permitted.

An Air Quality Assessment was submitted to support the application. It states the assessment assessed both the construction and operational impacts of the proposed development. The assessment shows that for the proposed development limited releases of dust and particulate matter are likely to be generated from on-site activities, but that through good site practice and mitigation measures that the impact of dust and particulate matter releases may be effectively mitigated and the resultant impacts are considered to be negligible. The impact of the traffic associated with the operation of the proposed development is considered to be negligible. Mitigation measures have been suggested in line with an emissions mitigation calculation for the proposed development. The assessment concludes that air quality does not pose a constraint to the proposed development, either during construction or once operational.

The Council's Environmental Health Team assessed the submitted Air Quality Assessment and advised that the methodology and assessment criteria and the conclusions are accepted. They note, however, that the site will also require that an Emissions Mitigation Statement is provided which gives details of how the air quality damage costs, as calculated at £179,411.77 are to be used to achieve air quality improvements through the development. They recommend a condition to that effect is imposed on any grant of planning permission. They also request that the mitigation measures set out in the assessment are conditioned.

Given the above, it is considered that the development of the site, with the appropriate safeguarding conditions, would not have an adverse effect on air quality in the district.

Flood Risk and Drainage

Paragraph 155 of the NPPF refers that inappropriate development in areas at risk of flooding should be avoided. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Policy CC02 (Surface Water Management) states that "New development is required to manage surface water resulting from the development using sustainable drainage systems (SuDs) wherever possible. SuDs design, together with a robust long term maintenance plan should be included as an integral part of the master planning and design process for new development and should, wherever possible, incorporate multi-functional benefits for people and wildlife.

This application is supported by a Flood Risk and Drainage Assessment. This states that it has assessed the risk of flooding from a wide range of sources and it is considered that the risk to the proposed development is low. In terms of surface water it is considered that the most viable solution for managing surface water runoff discharged from the proposed development would be via permeable surfacing, utilising the subbase to store water until it is able to infiltrate into the ground. It concludes that the proposed development is at low risk of flooding and a sustainable solution for managing the surface water runoff from the proposed development is available. As such, the proposals meet the requirements of the NPPF and Non Statutory Technical Standards for Sustainable Drainage Systems.

The Environment Agency, Southern Water and KCC Flood and Water Management (as the Lead Local Flood Authority) have reviewed the application and the submitted Flood Risk and Drainage Strategy and raise no objection to the application. It is, however, noted that KCC note that infiltration testing has yet to be undertaken on site and therefore the provisional rate of 0.36 m/hr has been applied at this stage. Given this, they recommend that a number of conditions are attached including a sustainable urban drainage scheme to be submitted and agreed prior to the commencement of any development on site and a verification report on the drainage scheme once completed.

The requested conditions are considered reasonable and with these conditions in place, it is considered that there would be no adverse impact on flooding or drainage from the proposed development.

Crime and Disorder

The NPPF requires that decisions should aim to achieve places which promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

Kent Police have reviewed the application and raised concerns about some elements of the scheme and security during the construction process.

It is considered that concerns about security during the construction process could be dealt with by the imposition of a condition to secure a construction management plan to be submitted and agreed with the council prior to works commencing on site. The other concerns raised largely relate to management of the proposed development and are not considered to be issues for the planning process.

Conclusion

This application seeks planning permission for the erection of 4 no. 2 storey light industrial/general industrial (use class B1, 278 sqm and B2, 16,459 Sqm) commercial buildings with associated external storage (use Class B8, 185 sqm) with access, parking and landscaping.

Applying the dimensions of sustainable development as outlined in the NPPF, the proposal would result in economic development and job creation for the operation of the three businesses applied for, with additional economic and social benefits from the construction of the buildings. These are given modest weight in the overall determination.

However, the proposal would result in the development of a site within the countryside, remotely located and reliant on private vehicles to access. Whilst landscaping provision has been submitted, the development would result in visual harm to the Manston Chalk Plateau Landscape Character Area (from the physical development of the site and including the required noise barrier and potential light pollution), whilst resulting in the loss of best and most versatile agricultural land. The development would also compound the reliance on private vehicles through a significant provision of car parking on the site with limited commitment to promote alternative means of transportation, with no safe pedestrian access to the site. Additional impacts on the highway network at Spitfire junction and Vincent Road (in terms of capacity and safe access) have also been identified.

Therefore on balance, it is considered that the proposal would not constitute sustainable development and would be contrary to policies SP24, SP26, SE08, E13, E16, SP43, SP44, TP02, TP03 and TP06 of the Thanet Local Plan and paragraphs 110 and 174 of the NPPF. Therefore it is recommended for refusal.

Case Officer

Annabel Hemmings

TITLE:

F/TH/20/0590

Project

Land South West Of Waste Processing Plant (District Park) Manston Road
North Manston Kent

