

A01

F/TH/22/1058

PROPOSAL: Erection of a warehouse building for storage and distribution purposes (Use Class B8), provision of associated vehicle parking and change of use of adjoining land to a trailer park to facilitate relocation of existing trailer park.

LOCATION: Land North Of Telegraph Hill Industrial Estate Laundry Road RAMSGATE Kent

WARD: Thanet Villages

AGENT: Miss Andrea Risvold

APPLICANT: Mr White

RECOMMENDATION: Approve

Subject to the following conditions:

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

GROUND:

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

2 The proposed development shall be carried out in accordance with the submitted application and the approved drawings numbered 002 Revision B (received 17/11/22), 003 Revision B (received 17/11/22), 004, 005, 006, 007 (received 26/09/22), 008 (received 08/08/23) and 5947-LLB-ZZ-ZZ-DR-L-0001 Rev P02.

GROUND

To secure the proper development of the area.

3 Prior to the erection of the external faces of the development hereby approved, details and manufacturer's specification of the external materials 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.

GROUND

In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan

4 Prior to the commencement of any development on site details to include the following shall be submitted to and approved by the Local Planning Authority and should be carried out in accordance with the approved details.

- (a) Routing of construction and delivery vehicles to / from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Any temporary traffic management / signage
- (f) Access arrangements

GROUND

In the interests of highway safety and neighbouring amenity, in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF.

5 The development hereby permitted shall incorporate measures to prevent the discharge of surface water onto the highway.

GROUND

In the interests of highway safety, in accordance with the advice contained within the NPPF.

6 The area shown on the approved drawings numbered 002 Revision B (received 17/11/22) for vehicle parking and manoeuvring areas for the trailer park area, shall be kept available for such use at all times and such land and access thereto shall be provided prior to the first use of the trailer park hereby permitted.

GROUND

To provide satisfactory off street parking for vehicles in accordance with Policy TP06 of the Thanet Local Plan and the advice contained within the NPPF

7 Prior to the first occupation of the warehouse hereby approved the car parking spaces to serve the development hereby approved shall be laid out as shown on the approved proposed site plan 002 Revision B (received 17/11/22) and shall be retained free from obstruction for their intended use at all times thereafter.

GROUND

To provide satisfactory off street parking for vehicles in accordance with Policy TP06 of the Thanet Local Plan and the advice contained within the NPPF

8 Prior to the first occupation of the warehouse hereby approved the provision and permanent retention of the vehicle loading/unloading and turning facilities shown on the submitted plans 1771 002 Rev A and shall be retained free from obstruction for their intended use at all times thereafter.

GROUND

To provide satisfactory off street parking for vehicles in accordance with Policy TP06 of the Thanet Local Plan and the advice contained within the NPPF

9 Prior to the first occupation of the warehouse hereby approved details of secure and covered cycle parking, which shall be in the form of scale drawings; shall be submitted to and approved in writing by the Local Planning Authority.

GROUND

To promote cycling as an alternative form of transport, in accordance with Policy TP03 and SP43 of the Thanet Local Plan

10 Prior to the first use of the warehouse or trailer park, the vehicular access to the site shall be provided with visibility splays of 15 metres x 2.4 metres x 15 metres with no obstructions over 0.9 metres above carriageway level within the splays, which shall thereafter be maintained.

GROUND

In the interest of highway safety in accordance with the advice contained within the NPPF.

11 Notwithstanding the details submitted with the planning application, no above ground development shall commence until full details of a scheme of hard and soft landscaping to be incorporated into the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following specific measures:

- A plan showing the location of all native trees/hedges/shrubs to be planted, details of the species mix, the number of specimens to be planted, spacing between them and their height on planting
- A plan showing the location and construction material of all hard surfacing.

The landscaping scheme shall be implemented in accordance with the approved details prior to the first occupation of any of the units hereby approved.

GROUND

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies QD02 and GI04 of the Thanet Local Plan

12 All hard and soft landscape works, including ecological enhancement features, shall be carried out in accordance with the approved details. The works shall be carried out prior to the first occupation/use of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority.

Following completion of the landscape and enhancement works, photographic evidence of implementation shall be submitted to and approved in writing by the Local Planning Authority in order to verify the works have been completed in accordance with the approved plans, and to enable the full discharge of this condition. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species as those originally planted, unless written approval to any variation is provided by the Local Planning Authority. All ecological enhancement features shall thereafter be maintained.

GROUND

In the interests of the visual amenities of the area, biodiversity enhancement, and to adequately integrate the development into the environment in accordance with Policies QD02, SP30 and GI04 of the Thanet Local Plan

13 A landscape management plan (including long term design objectives), management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The areas shall be managed in accordance with the approved landscape management plan in perpetuity.

GROUND

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies QD02 and GI04 of the Thanet Local Plan

14 Existing trees, shrubs and hedgerows identified for retention within the development site or existing trees growing on an adjacent site, where excavations, changes to land levels or underground works are within the crown spread, shall be protected in accordance with BS 5837 2012 using the following protective fence specification - o Chestnut paling fence 1.2m in height, to BS 1722 part 4, securely mounted on 1.7m x 7cm x 7.5cm timber posts driven firmly into the ground. The fence shall be erected below the outer most limit of the branch spread or at a distance equal to half the height of the tree, whichever is the furthest from the tree, unless otherwise agreed in writing with the Local Planning Authority. The protective fencing shall be erected before the works hereby approved or any site clearance work commences, and shall thereafter be maintained until the development has been completed. At no time during the site works shall building materials, machinery, waste, chemicals, stored or piled soil, fires or vehicles be allowed within the protective fenced area. Nothing shall be attached or fixed to any part of a retained tree and it should not be used as an anchor point. There shall be no change in the original soil level, nor trenches excavated within the protective fenced area.

GROUND

To Protect existing trees and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policy QD02.

15 Prior to the installation of any external lighting associated with the approved development, a "lighting design strategy for biodiversity" for the site boundaries has been submitted to and approved in writing by the local planning authority. The lighting strategy shall

Identify those areas/features on site that are particularly sensitive for badgers and bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;

b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.

c) Details of the types of lighting to be used including their fittings, illumination levels and spread of light

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy.

GROUND

In order to limit the impact upon protected species that may be present, in accordance with Policy SP30 of the Thanet Local Plan and the advice as contained within the NPPF.

16 Prior to the first use of the development hereby approved, details of the number, location and design of the bat boxes which are to be installed shall be submitted to and approved in writing by the Local Planning Authority. The bird boxes shall be installed in accordance with the approved details prior to the first use of the trailer park area hereby approved and hereby retained.

GROUND

In the interests of nature conservation in accordance with Policy SP30 of the Thanet Local Plan, and the advice as contained within the NPPF.

17 No development above ground level shall commence until details of Biodiversity enhancement measures to be installed as part of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The details shall include a specification of the installations and scaled plans showing their location within the development. The approved enhancement measures shall be installed in accordance with the approved details, prior to the first use of the trailer park area hereby approved and shall be retained as such thereafter.

GROUND

In the interests of nature conservation in accordance with Policy SP30 of the Thanet Local Plan, and the advice as contained within the NPPF.

18 The development shall be carried out in accordance with the no vegetation removal shall take place during the optimum period for bird nesting (March to July inclusive) unless otherwise agreed in writing with the Local Planning Authority.

GROUND

In the interests of nature conservation in accordance with Policy SP30 of the Thanet Local Plan, and the advice as contained within the NPPF.

19 A) Prior to any development works the applicant (or their agents or successors in title) shall secure and have reported a programme of archaeological field evaluation works, in accordance with a specification timetable which has been submitted to and approved by the local planning authority.

B) Following completion of archaeological evaluation works, no development shall take place until the applicant or their agents or successors in title, has secured the implementation of 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.

C) The archaeological safeguarding measures, investigation and recording shall be carried out in accordance with the agreed specification and timetable.

D) Within 6 months of the completion of archaeological works a Post-Excavation Assessment Report shall be submitted to and approved in writing by the local planning authority. The Post-Excavation Assessment Report shall be in accordance with Kent County Council's requirements and include:

- a. a description and assessment of the results of all archaeological investigations that have been undertaken in that part (or parts) of the development;
- b. an Updated Project Design outlining measures to analyse and publish the findings of the archaeological investigations, together with an implementation strategy and timetable for the same;
- c. a scheme detailing the arrangements for providing and maintaining an archaeological site archive and its deposition following completion.

E) The measures outlined in the Post-Excavation Assessment Report shall be implemented in full and in accordance with the agreed timings.

GROUND

To ensure that features of archaeological interest are properly examined and recorded in accordance with Policy HE01 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

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

GROUND

To ensure that due regard is had to the preservation in situ of important archaeological remains.

21 If, during development, significant contamination is suspected or found to be present at the site, then works shall cease, and 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. Prior to first occupation/use and following completion of approved measures, a verification report shall be submitted to the Local Planning Authority for approval.

GROUND

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with Policy SE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

22 No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

GROUND

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 174 of the NPPF.

23 No development shall take place until details of the means of foul and surface water disposal, including details of the implementation, management and maintenance of any proposed Sustainable urban Drainage Systems, have been submitted to and agreed in writing by the Local Planning Authority. The detailed drainage scheme 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.

New cesspit should be fully lined with an impermeable geomembrane material and include mitigations to prevent contamination of the below lying groundwater aquifer. The surface water drainage design should include hydrocarbon treatment.

The development shall be carried out in accordance with such details as are agreed and thereafter maintained.

GROUND

To protect the district's groundwater, and to ensure the development is served by satisfactory arrangements for the disposal of surface water, in accordance with Policies SE04 and CC02 of the Thanet Local Plan and advice contained within the NPPF.

24 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 that the drainage system constructed is consistent with that which was 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.

GROUND

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.

INFORMATIVES

Information on how to appeal this planning decision or condition is available online at <https://www.gov.uk/appeal-planning-decision>

Please be aware that your project may also require a separate application for Building Control. Information can be found at:

<https://www.thanet.gov.uk/services/building-control/> or contact the Building Control team on 01843 577522 for advice.

Please ensure that you check the above conditions when planning to implement the approved development. You must clear all pre-commencement conditions before development starts on site. Processing of conditions submissions can take up to 8 weeks and this must be factored into development timescales. The information on the submission process is available here:

<https://www.thanet.gov.uk/info-pages/planning-conditions/>

It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissionsand-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

SITE, LOCATION AND DESCRIPTION

The site lies outside of the built up confines, within the countryside to the north east of the village of Minster and the former Wantsum channel.

The parcel of land is bound by the Industrial units of the Telegraph Hill Industrial Estate to the south, the haulage yard of Whites Transport to the west, with Laundry Road to the north and east. The land is currently part open and grassed and part hard surfaced, with a fence surrounding the site on all sides and is classified as agricultural land.

The site is visible from Laundry Road and from the new A299 dual carriageway, with an emergency services link from the A299 to Laundry Road opposite the site.

RELEVANT PLANNING HISTORY

F/TH/14/0723 Erection of two storey building including basement for A1 use together with parking. Withdrawn 28th July 2022

OL/TH/14/0722 Outline application for the erection of industrial units (class B1, B2 and B8) including access and layout. Withdrawn 28th July 2022

F/TH/12/0015 change of use of land to a haulage yard for White transport in 2012, to the west of the application site. Approved 30th May 2012.

PROPOSED DEVELOPMENT

Full planning consent is sought for the erection of a warehouse building for storage and distribution purposes (Use Class B8).

This new warehouse building will provide 2,106 sqm of storage measuring 57m in length and 38.3m in width with a height of 8.4m. The proposed warehouse is proposed to be located in the south west corner of the site and would be a composite insulated metal panel system in light to mid grey. The existing vehicle access from Channel View Road will be maintained and car parking spaces are positioned along the eastern half of the northern boundary. In addition a change of use of adjoining land to a trailer park to facilitate relocation of existing trailer park is also proposed to the east of the proposed warehouse, there are no new structures proposed within this area.

The applicant advises that the proposed development would employ two full time workers and two part time workers giving the equivalent of 3 full time employees. They also advise that it is proposed that the site would operate Mondays to Saturdays (inclusive) from 9am to 5:30pm. No opening times are given for Sundays or Bank Holidays.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan 2020

SP04 - Economic Growth
SP24 - Development in the Countryside
SP26 - Landscape Character Areas - Manston Chalk Plateau
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 for new business in the countryside
HE01 - Archaeology
SE04 - Groundwater Protection Zone
QD01 - Sustainable Design
QD02 - General Design Principles
QD03 - Living Conditions
TP02 - Walking
TP03 - Cycling
TP06 - Car Parking
TP08 - Freight and Service Delivery

NOTIFICATIONS

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

Ten representations were received, some objectors writing in more than once . The concerns can be summarised as follows:

Would result in traffic congestion issues
Noise nuisance
Increase in pollution
Impact upon ecology
Impact upon source protection zone

Minster Parish Council: No objection.

CONSULTATIONS

Southern Water: Final comment: The updated Surface Water Management Plan provides further detail on the proposed Foul Water and Surface Water systems. No further information has been provided for the current cess pit operation and the surface water strategy lacks sufficient detail to alleviate all Southern Water's previous concerns. The Surface Water Management Strategy suggests a pollution control chamber be fitted on each pipe discharging into the soakaway, but the treatment process of these items is vague.

Southern Water do not object to this planning application on the following conditions;

- Current cesspit to be backfilled/decommissioned/demolished given no design related information for this structure has been presented and the impact to the underlying groundwater is unassessed.
- New cesspit to be fully lined with an impermeable geomembrane material and include mitigations to prevent contamination of the below lying groundwater aquifer. Southern Water requires review and approval of the cesspit design and the final foul water design to discharge this condition.
- The surface water drainage design to include hydrocarbon treatment. The drainage strategy suggests this is an optional treatment, and this is incorrect.
- The Drainage Design be shared with Southern Water for review and approval to ensure the treatment process is reflective of the sensitive groundwater environment.

Further comment: Southern Water has reviewed the agent's response and it provides no further information to alleviate Southern Water's concerns. The hydrogeological setting and risks from this development are not assessed in the current documentation, and this is a very sensitive hydrogeological location.

The Flood Risk Assessment and Drainage Strategy States that all areas of hardstanding will allow passthrough to the underlying geology without consideration of treatment required for the proposed site activity/use. Due to the proposed site use i.e. lorry trailer park, there is inherent contamination risks i.e. hydrocarbon leakage, accidental spills of loaded materials/liquids, etc.

Southern Water note the agent has stated the cess pit has not suffered any contamination over 10 years. How is this assessed? Have any assessments or investigations been completed to ensure no contamination is being received by water users including our public water supply? As stated in our previous response groundwater quality in this area is already

negatively impacted by rising nitrate concentrations that are in exceedance of the UK's Drinking Water Standards and from bacteriological contamination from poorly maintained private wastewater systems.

The Environment Agency should be consulted directly by the applicant regarding the use of a cesspit.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

All other comments in our response dated 12/09/2022 remain unchanged and valid.

Further comment: The Environment Agency should be consulted directly by the applicant regarding the use of a cesspit. .

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

All other comments in our response dated 12/09/2022 remain unchanged and valid for the amended details.

Further comment: There are no public foul sewers in the area to serve this development. The applicant is advised to examine alternative means of foul disposal.

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SuDS).

Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Sewers for Adoption (Appendix C) and CIRIA guidance available here: water.org.uk/sewerage-sector-guidance-approved-documents
ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx

Where SuDS rely upon facilities which are not adoptable by sewerage undertakers 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.

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.

Initial comments: This planning application is located in the SPZ2 for our Ramsgate B groundwater abstraction and is located ~850m of the abstraction borehole. The planning application lacks assessment in regard to proposed below ground activities and their potential impact to the Chalk aquifer and our associated Ramsgate B source.

The FRA and drainage strategy does not reference the EA groundwater SPZ2 and therefore considers the sensitivity of the below lying principal Chalk aquifer and enhanced mitigation measures required to avoid potential adverse impact. The proposed drainage design requires enhanced measures to prevent contaminating the Chalk aquifer.

Southern Water also note the proposed foul water management will continue to use the on-site cesspit. The details of and current condition of the cesspit are unknown, such as whether it is lined and discharges directly to the Principal Chalk Aquifer. Given that groundwater quality in this area is already negatively impacted by rising nitrate concentrations that are in exceedance of the UK's Drinking Water Standards and from bacteriological contamination from poorly maintained private wastewater systems, Southern Water will require further information on the foul water management as in its current form it poses a potential risk to our groundwater abstraction.

Based on the proposed works and information provided, Southern Water object to this application in its current form.

Environment Agency: Based on the submitted information we consider that planning permission could be granted for the proposed development if the following planning conditions are included as set out below. Without these conditions, the proposed development poses an unacceptable risk to the environment and we would object to the application.

Condition 1

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority (LPA)) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the LPA. The remediation strategy shall be implemented as approved.

Reasons

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 174 of the National Planning Policy Framework (NPPF).

The design of infiltration SuDS may be difficult or inappropriate in this location. We therefore

request that the following planning condition is included in any permission granted. Without this condition we would object to the proposal in line with paragraph 174 of the NPPF because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Condition 2

No infiltration of surface water drainage into the ground is permitted other than with the written consent of the LPA. The development shall be carried out in accordance with the approved details.

Reasons

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 174 of the NPPF.

Further Information

The application states that foul drainage will connect to mains sewer, this would be the only acceptable solution, given the site sensitivity. Drainage from lorry parking area for the proposed use will need particular attention and surfaces should be fully sealed and if drainage is not to go to foul mains sewer it may need an Environmental Permit to discharge to ground as well as complying with any planning or Building control regulations. Details on permitting requirements for industrial effluents are on the [.gov.website](#).

We would require details of all proposed foul and surface water drainage to be submitted with any application made for a specific site.

We note the submitted desk study report. This report makes the following statement, which is accurate. "The Site overlay a principal aquifer and was within a source protection zone." However this statement is not repeated in the CSM, which in fact indicates that: "The Site does not overlie a principal aquifer, is far from surface water, and is underlain by unproductive strata."

The report indicates there may be some unproductive superficial deposits but it does overlie a principal aquifer and is in an Site Protection Zone (SPZ) and does not overlie unproductive bedrock therefore. The report should be amended to accurately reflect the sensitive setting and make relevant cemental on poetical drainage provision for a potentially high risk use in such a sensitive location.

We do not object to the proposed development, as submitted, because the applicant may be able to provide assurance that the risks of pollution to controlled waters from the proposed activities are acceptable, or can be appropriately managed.

We do however recommend the aforementioned conditions as, although the proposed development site is on agricultural land, it is adjacent to historic potentially contaminating uses (laundry and business estate) therefore presents a possible medium risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is within Source Protection Zone 2 / 3 and is located upon Principal

aquifer and a Safeguard Zone.

The operation of B8 uses could result in release of priority hazardous substances. Therefore a restriction on types of B8 use and vehicle management, surfacing and drainage will also need to be clarified for this sensitive setting, to allow appropriate planning decisions to be made to extend this type of use in this sensitive setting.

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 or landscapes.

Kent Police: We have reviewed this application regarding Crime Prevention Through Environmental Design (CPTED) and in accordance with the National Planning Policy Framework (NPPF) and to meet our and Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998. There is a carbon cost for crime and new developments give an opportunity to address it. Using CPTED along with attaining an SBD award using SBD guidance, policies and academic research would be evidence of the applicants' efforts to design out the opportunity for crime.

Applicants/agents should consult us as Designing out Crime Officers (DOCO's) to address CPTED and incorporate Secured By Design (SBD) as appropriate. 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 Behavior (ASB), Nuisance and Conflict.

SBD is a police initiative that improves the security of buildings and their immediate surroundings to provide safe places to live, work, shop and visit. Independently certificated products that meet recognised security standards have been responsible for consistently high reductions in crime as verified by numerous independent academic research studies of 87% reduction in burglaries.

We request a condition for this site to follow SBD guidance to address designing out crime to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998.

If this application is to be approved, then we strongly request the points below are addressed to show a clear audit trail for Design for Crime Prevention and Community Safety to meet our and Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998.

1. The level of permeability must ensure routes through the development are appropriate and well-designed to create safer accessible neighbourhoods with maximum natural surveillance opportunities and avoid them providing too many access and escape routes. This may require vehicle mitigation at key points, such as a kissing gate to prevent small vehicles such as e-bikes or motorcycles being able to access the area through the pedestrian access points.
2. Defined pedestrian routes are recommended to improve safety and avoid pedestrian and vehicle conflict.

3. The car park must be overlooked by active windows in order to monitor activity in the area. If the site is ever to be unoccupied, installation of swing arm or height restriction barriers or gates - lockable in the open and closed positions to prevent/deter unauthorised vehicle access and anti-social vehicle misuse, fly tipping etc.
4. Lighting. Please note, whilst we are not qualified lighting engineers, any lighting plan should be approved by a professional lighting engineer (e.g. a Member of the ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. We recommend that a suitable lighting policy is installed to ensure that the units and staff have safe access to and from the units and to help deflect criminality. External lighting to conform to min standard of BS5489-1:2020.
5. CCTV to be installed, especially in areas with limited natural surveillance such as rear of the unit, parking areas, utility areas/ bin stores and on the access/ exit road. The CCTV must not infringe any lighting plan.
6. All external doorsets (a doorset is the door, fabrication, hinges, frame, installation and locks) including folding or sliding to meet STS 201 or LPS 2081 Security Rating B+.
7. Windows on the ground floor to meet STS 204 Issue 6:2016, LPS 1175 Issue 8:2018 Security Rating 1/A1, STS 202 Issue 7:2016 Burglary Rating 1 or LPS 2081 Issue 1.1:2016 Security Rating A. Glazing to be laminated. Toughened glass alone is not suitable for security purposes. Any curtain walling and fixings should be tested and meet BS EN 1627:2011 and/or be certified to LPS 1175: Issue 7, SR1 or STS 202: Issue 3, BR1.
8. Any Shutters should be as close to the building line as possible and must avoid the creation of a recess. Shutters must be certificated to LPS 1175: Issue 7, SR2; STS 202: Issue 3, BR2; Sold Secure Gold or PAS 68:2013
9. Bin Stores to be secure, lit and, if in an area with limited natural surveillance we recommend CCTV cameras be installed.

Please can plans be sent to us to review further.

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 site" 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.

KCC Archeology: The site is in an area of significant archaeological potential with known archaeological remains. The submission is accompanied by an archaeological desk based assessment written by Thanet Archaeological Services (October 2021).

Archaeological Potential

The archaeological potential of the site is informed by previous archaeological evaluation within the site by the Trust For Thanet Archaeology (1995), investigations for the East Kent Access Road (2010) to the north and an investigation in the western part of the site by Oxford Archaeology (2012) where the present hardstanding is located. The potential is also informed by the extensive cropmark complexes that are seen in the surrounding fields and within the site area. It is important to note that the significance of these has been recognised through the designation of crop marks to the east of Laundry Road as a Scheduled Monument. The monument focuses on a large enclosure with internal features and a cluster of ring ditches that are the remains of Bronze Age funerary monuments. The enclosure is

considered to be of Bronze Age, Iron Age or Romano-British in date. It is approached by a trackway from the south west that may be extrapolated to that thought to represent Dunstrete as seen on sites to the north and northwest of Minster. Other cropmarks in the area illustrate ring ditches extending around the industrial estate, a potential Romano-British Building and an elliptical enclosure within the application site itself.

The evaluation in 1995 comprised 15 trenches across the area of the present site and in part the road to the north. The trenches were particularly targeted to examine the elliptical enclosure that was seen as a cropmark. Archaeological features were encountered in six trenches dating from the late Neolithic / Bronze Age, Early to Middle Iron Age and Anglo-Saxon periods. The ditches of the cropmark enclosure were encountered, though the submitted desk appraisal suggests that the plotting is problematic with the western section possibly representing a separate feature. Finds from the enclosure ditches included shards from Beaker vessels and a barbed and tanged arrowhead confirming a probable Early Bronze Age date. Other features dated to the prehistoric period on the northern edge of the site did not emerge conclusively in the works for the East Kent Access Road.

At the southern end of the present site the heavily truncated remains of an Anglo-Saxon grave was investigated. Other features within the trench that were not investigated may also be the remains of graves. These may be associated with the reported discovery of burials on the western boundary of the industrial estate during building works. Saxon burials were not found in the other trenches within the site though the present study suggests that smaller rings seen as possible crop marks within the site may represent small barrows associated with a cemetery. These were not picked up in the evaluation trenching and may be natural markings.

The investigations for the construction of the hard standing area within the western part of the present site did not identify any archaeological remains.

The 1995 evaluation report notes that the only immediately obvious features were investigated in the trenches. In analysis of the archaeological evidence the submitted desk study suggests that the elliptical enclosure may be more likely to be a ring ditch and questions the published interpretation of the cropmark as a relatively rare Beaker period domestic enclosure. The Beaker material may be residual and derived from satellite graves.

The desk based study sets out a summary of the archaeological potential for the application site in paragraphs 5.1 to 5.6. I broadly agree with that potential but feel that the Anglo-Saxon burial evidence is more limited to the southern area of the site and note the highly disturbed nature of the graves.

Development Proposals and Potential Impact

The development proposals involve the construction of a warehouse in the western part of the site and a trailer park in the central and western areas.

The warehouse is mostly to be built in the area of the present hard standing that was the subject of the 1012 investigation. It is likely that there will be only limited impact on archaeology from the warehouse construction in areas that are not on the present hard standing area.

The trailer park will likely have a wider and more significant archaeological impact. The Oxford Archaeology work in 2012 noted levels of 300mm to 500mm overburden to the natural geology and potential archaeological horizon. Stripping and preparation of the site for the construction of hardstanding is likely to expose and truncate archaeology present.

Previous correspondence with Thanetarch Archaeological Services has suggested that it may be possible to limit the potential impact through design of the hard standing to sit above the archaeology. Such an approach would require careful design to limit the depth of excavation to enable an adequate buffer above archaeological levels from the formation base of the hard standing and any drainage. Should this not be possible then the development is likely to impact significant archaeology across the hard standing area including the enclosure and burials.

Mitigation

Given the uncertainty raised by the desk based assessment further evaluation of the undeveloped part of the development site would be needed to properly understand the nature of the enclosure, the extent of the burial ground and whether there is more archaeology present than suggested by the 1995 evaluation.

Such evaluation can be used to inform subsequent mitigation measures such as design of the hard standing to limit the impact of the development and / or further archaeological investigation. Given the present understanding of the archaeology it is likely that should the development impact the archaeological levels then significant archaeological investigation is likely to be required in advance of development. I note the proposal in the applicant's submission that mitigation can be limited to a watching brief however this would not be adequate should the development proposals impact archaeology of the significance and extent as suggested from the known baseline.

I recommend that should planning permission be granted for the above proposals then provision be made for the evaluation of the site and further mitigation measures that secure preservation of significant remains and/or further investigation; preservation of the archaeology may be achieved through agreement of the design of the hard standing and drainage. The following conditions would be appropriate on any forthcoming consent.

To assess and mitigate the impacts of development on significant archaeological remains:

A) Prior to any development works the applicant (or their agents or successors in title) shall secure and have reported a programme of archaeological field evaluation works, in accordance with a specification handwritten timetable which has been submitted to and approved by the local planning authority.

B) Following completion of archaeological evaluation works, no development shall take place until the applicant or their agents or successors in title, has secured the implementation of 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.

C) The archaeological safeguarding measures, investigation and recording shall be carried out in accordance with the agreed specification and timetable.

D) Within 6 months of the completion of archaeological works a Post-Excavation Assessment Report shall be submitted to and approved in writing by the local planning authority. The Post-Excavation Assessment Report shall be in accordance with Kent County Council's requirements and include:

- a. a description and assessment of the results of all archaeological investigations that have been undertaken in that part (or parts) of the development;
- b. an Updated Project Design outlining measures to analyse and publish the findings of the archaeological investigations, together with an implementation strategy and timetable for the same;
- c. a scheme detailing the arrangements for providing and maintaining an archaeological site archive and its deposition following completion.

E) The measures outlined in the Post-Excavation Assessment Report shall be implemented in full and in accordance with the agreed timings.

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.

And to be timed to work in parallel with Part B above the detail of the development ground excavations should be agreed through the following worded condition:

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

Reason: To ensure that due regard is had to the preservation in situ of important archaeological remains.

KCC Highways: I note the Transport Statement purports to the closure of the warehouse at St Nicholas as being intrinsically linked to this planning application which will reduce the number of vehicle movements currently being executed from this site by 50% or more, the majority of which will occur outside of peak times. As such I am satisfied from the information submitted that the trip generation from this site will be less than existing and no adverse impacts from this proposal will be experienced on the local highway network. The existing access is being utilised and vehicles swept paths have been demonstrated. I am satisfied that off street parking provision for staff and trailers accords to current requirements. Cycle parking should be provided for staff wishing to travel sustainably to the site. Subject to the provision of a safe and overlooked area for staff to leave their bicycles being provided I do not wish to recommend this application for refusal subject to the following:

Provision of construction vehicle loading/unloading and turning facilities prior to commencement of work on site and for the duration of construction.

Provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction.

Provision of measures to prevent the discharge of surface water onto the highway.

Provision of wheel washing facilities prior to commencement of work on site and for the duration of construction.

Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing.

Provision and permanent retention of the vehicle loading/unloading and turning facilities shown on the submitted plans 1771 002 Rev A dated August 22 prior to the use of the site commencing.

Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.

Provision and maintenance of 15 metres x 2.4 metres x 15 metres visibility splays at the access with no obstructions over 0.9 metres above carriageway level within the splays, prior to use of the site commencing.

Informatives:

It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissionsand-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

KCC Ecological Advice Service: Further comment: I've read through the reply from the agent. We could get into the detail of interpretation and semantics of the various policies but we would just go around in circles. At this point in time, it is considered that the policy, legislation and case law backing is too weak for you to refuse the application on biodiversity grounds alone (hence mandatory biodiversity net-gain from late next year if Defra stick to their proposed timeline).

We cannot be supportive of the replacement of all of a site's ground-flora (albeit of low ecological value) and associated soil organisms with hardstanding. This loss is unlikely to be compensated for with a bit more hedgerow around the perimeter. I would also keep in mind that the more areas that have their capacity to absorb water removed, i.e., grass to hardstanding, the more this will reduce the district's ecosystem service value, as I pointed out (and as mentioned in the NPPF). When it rains heavily, this is just one more area where water has nowhere to go and potentially exacerbates flooding downstream, costing you more money in the long term.

If you are minded to granted planning permission, damage limitation would be in the form of native species-only landscaping and external lighting condition (ideally ensuring the site is not illuminated throughout the entire night).

Initial comment: An ecological assessment and biodiversity net-gain summary have been provided. Whilst we are satisfied that there is unlikely to be any protected species interest (with the exception of breeding birds) associated with the site, we are concerned at the loss of biodiversity resulting from the proposed development.

Full biodiversity net-gain (BNG) calculations have not been provided. Only a summary has been submitted and, therefore, we cannot fully scrutinise the results. However, the conclusion states that "...implementing the creation of soft landscape and a native hedge will lead to the delivery of a significant net gain in biodiversity units for linear features. However, there would be a significant loss of net gain for habitats". This is corroborated by a summary of the calculations which denotes a gain of 641.64% in linear habitats (hedgerows), but a loss of 56.22% for the habitat units, i.e., the area of habitat.

Defra's rules which accompany the metric state that areas of habitat and linear habitats cannot be summed together for a positive result. A gain in linear habitats is not an acceptable trade-off for the loss of habitat units incurred.

We highlight section 40 of the NERC Act (2006), paragraph 174 of the NPPF (2021) and the Environment Act (2021) which state that biodiversity must be maintained and enhanced through the planning system. Specifically, paragraph 174 of the NPPF states that planning decisions should provide 'measurable net-gains' for biodiversity.

We also highlight that a near complete replacement of the site's grassland with hardstanding and a building will severely reduce its ecosystem value (as referenced in paragraph 174 of the NPPF).

As such, the development in its current format contravenes the above policies (as well as potentially contravening Local Plan policies) and will result in an unacceptable loss of biodiversity in our view. We advise that the development is redesigned to retain, and then enhance, habitat on-site to ensure that a biodiversity net-gain is achieved.

KCC Public Rights of Way: No comments to make.

KCC Flood and Water Management: Final comment: Kent County Council as Lead Local Flood Authority have reviewed the additional information and note that groundwater depth readings have been submitted, with no groundwater present 5.08 mbgl during 10 visits between 18/01/23 and 22/03/23. Given that infiltration crates will be maximum of 2 m deep we would expect this to provide satisfactory conditions for infiltration at this site.

We have no further comment and would refer you to our previous response (25/08/22), whereby comments regarding further infiltration testing and conditions stated will still apply.

Initial comment: Kent County Council as Lead Local Flood Authority have reviewed the Flood Risk Assessment and Drainage Strategy report prepared by Herrington Consulting (17th May 2022) and have the following comments to provide:

The report informs the LLFA that the site is mostly undeveloped greenfield land, which is to be replaced with a warehouse building and trailer park. To serve the new development, a surface water drainage strategy has been set out that would comprise of a series of shallow soakaways draining into the underlying geology.

Appendix A.6 contained within the report is a summary of the infiltration testing undertaken by YourEnvironment. The summary informs us that two tests were carried out at relatively shallow depth of 2 metres below ground level. The rates achieved within each of the pits appear to be favourable for infiltration.

In addition to the two infiltration tests, a window sample (WS01) was carried out that encountered groundwater at 4.5m below ground level. Whilst the invert levels of the proposed soakaways would be situated at 2.0 m bgl, it would be advised for further groundwater monitoring to be undertaken over the winter months to identify if levels rise above those previously encountered. A minimum 1 metre separation distance must be maintained at all times between the feature and any groundwater.

Further to groundwater monitoring raised above, the report also advises (Section 5.2) for further infiltration testing to be undertaken at the proposed soakaway locations. The testing would confirm the rates within the underlying ground at those locations and confirm the required attenuation storage to meet design requirements (climate adjusted 100 year events). To facilitate the testing and groundwater monitoring, the LLFA would advise that a detailed design condition is attached to this application, should consent be granted. The

wording to the detailed design condition and our verification report condition can be found below:

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 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 that the drainage system constructed is consistent with that which was 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.

TDC Environmental Health: No comments.

COMMENTS

This application is referred to the Planning Committee at the request of Cllr Abi Smith due to concerns that the development would impact upon traffic congestion.

The main considerations in assessing the submitted scheme are the principle of development, the impact upon the character and appearance of the area, the impact upon living conditions of neighbouring property occupiers and the impact upon highway safety.

Principle

The application site is outside the defined village of Minster, it is within an area designated as countryside as defined by the Thanet Local Plan.

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2014, planning decisions must be taken in accordance with the 'development plan' unless material considerations indicate otherwise. The requirements of the National Planning Policy Framework (NPPF) are a significant material consideration in this regard.

Paragraph 28 of the NPPF supports economic growth in rural areas, including "the sustainable growthof all types of business and enterprise in rural areas...through well designed new buildings; and through promoting the development of agricultural and land-based rural businesses".

In addition to the above paragraph 84 and 85 of the NPPF, subject to other considerations, provide support for the growth and expansion of the rural economy, both through conversion of existing buildings and well-designed new buildings.

Policy SP04 (Economic Growth) of the Local Plan details that development is supported that enhances the rural economy subject to protecting the character, quality and function of Thanet's rural settlements and natural environments.

Policy E01 of the Local Plan deals with the Retention of existing employment sites; the application site is not within this area but is adjacent to it. The proposal, if approved, would see the increase in this site.

Policy SP24 (Development in the Countryside) of the Local Plan 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. Isolated homes sites in the countryside will not be permitted unless they fall within one of the exceptions identified in the National Planning Policy Framework. 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 site is part brown and part greenfield site, for the parking of trailers (hard surfaced) area and open area to the east. However the area for both parts of the proposal are not allocated within the Minster Industrial Park under Policy EO1. The policy SP24 allows for the growth and expansion of an existing rural business in addition this is bolstered by the aims of policy SP04. This proposal is for the existing business of Whites Transport Ltd/Channel Freight Storage Ltd and therefore would result in the growth/expansion of an existing rurally located business. The warehouse building would be located primarily on a hard surface (previously developed) area and the submission states that the unit is "primarily required in order to accommodate goods currently stored at premises rented by the applicant at The Packhouse, Wantsum Way, St. Nicholas-at-Wade, whilst also providing the business with additional space for future expansion, according to the variable needs of the market". Given the use of the warehouse, the development would generate a small number of new employees (3 full time equivalents) but does represent an expansion of the existing business and therefore notably economic benefits would be accrued from the development. The existing haulage yard, granted planning permission in 2012, would be relocated to the undeveloped open grassed area to the east of the current location and expanded in size.

Therefore in principle the proposals would represent development on a non-allocated countryside site to expand an existing rural business, in compliance with Policy SP24. There is no objection in principle to the development of this site, subject to assessment of the compatibility of the new development with the character of the local area and the countryside.

Loss of Agricultural land

Policy E16 of the Local Plan relates to best and most versatile agricultural land and details "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 whilst in part greenfield is not used for agricultural purposes. As such it is considered that there would be no direct conflict with this policy.

Character and Appearance

Policy SP24 states that all development proposals to which the 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.

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.

The site is within the countryside and designated within the Manston Chalk Plateau as defined in Policy SP26 of the Local Plan 2020 - Landscape Character Areas. Key characteristics of the Manston Chalk Plateau Landscape Character Area is the 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. As such this site is considered to be located in a sensitive landscape area within the District.

The policy also 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 that all development should seek to avoid skyline intrusion and the loss or interruption of long views of the coast and the sea.

The proposed warehouse unit is a medium scale warehouse type unit approximately 57m x 38.3m (creating 2,106sqm floorspace), with an eaves height of 6.5m and ridge height up to 8.4m high. The warehouse would be sited on land which is elevated by about 2m above the ground level of the adjacent existing Whites Transport building.

A Landscape and Visual Impact Assessment (Lloyd Bore, 2022) has been submitted by the applicant, identifying 9 points surrounding the site where visual receptors would have the potential to be affected by the development, including public rights of way, transport routes and residential properties.. This assessment concludes:

"It has been assessed that the proposed development would give rise to no identifiable adverse impacts upon either landscape character or visual amenity the overall impact and effect of the proposed development has been concluded to be Neutral.

Both the physical and visual landscape are assessed to have a very Low susceptibility to the proposed development. The proposed development is considered to be highly characteristic of and appropriate for its setting and would integrate seamlessly into the wider existing Telegraph Hill Industrial Park site.

This assessment concludes that the proposed site and surrounding landscape has a very high capacity to accommodate the proposed development. The proposed development is of an appropriate type, scale massing and appearance for its immediate setting, and would not cause any adverse change in the prevailing landscape and visual character of the area.

The site is already part of the existing wider Telegraph Hill Industrial Park site and as such would result only in a small-scale intensification of the existing prevailing physical land use and visual characteristics of the site.

The site is visible only from a very small number of locations from which the existing Industrial Park is already a prominent visual component of the view. These locations are also considered generally to be of low visual amenity value, being views from or in close proximity to busy, noisy public roads and in the case of Laundry Road where much of the traffic is directly related to activities carried out on the site and the wider Telegraph Hill Industrial Park.

The small number of residential properties which would also gain views of the proposed new building are also buildings where the existing Industrial Park is already clearly visible and influences the existing visual amenity of these views."

It is considered that the LVIA adequately assesses both the landscape and visual context for the development site, and the broad conclusions are agreed, given the site location adjacent to the existing built form of the industrial estate. In addition, the location of the warehouse currently has a significant number of HGV located on it (as expected through the change of use of land permission in 2012), which create an urbanised appearance to the site, meaning only the north east open grassed area is undeveloped on the Industrial estate bound by Laundry Road. The value of this open land within the landscape character area is therefore not considered to be notable in reflecting the characteristics under SP26, and whilst it has value as undeveloped land in the countryside, this is limited. The proposal also includes the provision of a landscape buffer along the boundary, and therefore it is not considered that the creation of the expanded trailer park would significantly harm the character and appearance of the LCA or the countryside.

Notwithstanding the above, the difference in height of the proposed warehouse building when compared to existing structures on the site would be clearly visible in surrounding locations, which has the potential to impact on the appearance of the sites in its context (in the landscape character area and the countryside). A site section has been submitted by the applicant, showing the adjacent building to the south of the site, the proposed warehouse and the earth bund separating Laundry Road and the A299.

The existing Whites Transport building has an overall height of 7m whereas the proposed warehouse unit has a height of 8.3m. So there will be a relative height difference of 1.3m between the roofs of the two buildings, with an additional change in land level of 2.2metres (approximately). This means a relative difference in ridge height of 3.5metres between the two buildings. This would be primarily visible in views from the west along Laundry Road, from immediate views from the east at Laundry Road and potentially at the northern end of Wayborough Hill, and in glimpsed views when travelling west along the A299 (Hengist Way), in particular through the gap in the earth bund (north-east of the site). Whilst about 65 metres from the carriageway (at its closest point), the section demonstrates that the building will appear prominent in the landscape.

Officers, however, consider there to be adverse effects on both the character of the site and its immediate area, and on those visual receptors (people) closest to the site including

residents and the users of the local road network; Laundry Road. Officers would generally consider that in that regard, there would be some landscape and visual harm from the prominence of the building when viewed from the A299 and Laundry Road looking south towards the site given the topography of the site and the proposed height of the proposed building.

The scheme has proposed some additional tree planting to help reinforce the natural screening available at the more exposed northern end of the site adjacent Laundry Road (3m wide landscape buffer), to either side of Channel View Road in addition woodland planting is proposed to the southeast corner of the site and area on the corner of Laundry Road and Channel View Road and a third area on the inside curve of Laundry Road. This will help to a degree and can be required as part of the landscaping scheme required by condition.

The position of the site also has to be considered, which is the context of the site being bound by Laundry Road, the A299 and the existing Telegraph Hill Industrial Park development with only the north westerly view being the open fields providing the separation between the site and Minster village.

This context is considered to reduce to a minor extent the visual harm in terms of landscape character, albeit there will still be a clear visual change locally.

Conditions can be included regarding hard and soft landscaping. The use of an external cladding and roofing system specially designed to minimise the visual prominence of the buildings in the landscape will assist. The submitted Design and Access Statement details that the proposed building will be clad in a composite insulated metal panel system with the windows and external doors finished in a dark grey metal frame. The external facade is proposed to be finished in neutral tones of grey such as goosewing grey. The precise details can be controlled by condition.

However despite the imposition of planning conditions, the visual harm resulting from the height of the development is recognised as a negative of the scheme to be considered in the overall planning balance.

Design and Appearance

Policy SP35 relates to the quality of development and states that new development will be required to be of high quality and inclusive design. Policy QD02 is a general design policy and sets out that the primary planning aim in all new development is to promote or reinforce the local character of the area and provide high quality and inclusive design and be sustainable in all other respects. External spaces, landscape, public realm, and boundary treatments must be designed as an integral part of new development proposals and coordinated with adjacent sites and phases.

The proposed warehouse building would have a functional and robust appearance, taking a rectangular form with metal cladding to the elevations. The building would have a shallow pitched roof. The building would run parallel with the western boundary of the plot, thereby setting the main bulk of the buildings back from the Laundry Road frontage. Openings are

contained in the front elevation only. Given the existing building adjacent and the context of the site as an expansion to the industrial estate, no objection is raised to the appearance of the building.

Living Conditions

Local Plan policies QD03 and QD04 are also relevant to this application. Policy QD03 (Living Conditions) states that all new development should:

- 1) Be compatible with neighbouring buildings and spaces and not lead to the unacceptable living conditions through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or sense of enclosure.
- 2) Be of appropriate size and layout with sufficient usable space to facilitate comfortable living conditions and meet the standards set out in QD04.
- 3) Residential development should include the provision of private or shared external amenity space/play space, where possible.
- 4) Provide for clothes drying facilities and waste disposal or bin storage, with a collection point for storage containers no further than 15 metres from where the collection vehicle will pass.

The closest dwellings are approximately 270 m away and situated in Wayborough Hill. Given this distance of separation it is considered that the physical form of the warehouse proposed will not result in neighbour amenity harm, through loss of light, outlight, sense of enclosure or overlooking.

The Council's Environmental Health team have reviewed the application and have considered the amenity impacts of noise and have confirmed that they have no objections. Officers would concur with this given the distance from the closest residential dwellings and the relatively high background noise environment (close to the A299 and an existing industrial estate).

The proposed development is, therefore, considered to be acceptable in terms of the living conditions of adjacent neighbouring properties, in accordance with Policy QD03 of the Thanet Local Plan and paragraph 130 National Planning Policy Framework.

Transportation

Paragraph 111 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe. Paragraph 112 goes on to highlight that within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; c) create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by

service and emergency vehicles; and e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Under Policy QD01, all developments are required to provide safe and attractive cycling and walking opportunities to reduce the need to travel by car. Policy QD02 relates to general design principles and states amongst other principles that developments must incorporate a high degree of permeability for pedestrians and cyclists, provide safe and satisfactory access for pedestrians, public transport and other vehicles, ensuring provision for disabled access and Improve people's quality of life by creating safe and accessible environments, and promoting public safety and security by designing out crime. Policy TP01 states that new development will be expected to be designed so as to facilitate safe and convenient movement by pedestrians including people with limited mobility, elderly people and people with young children, whilst Policy TP03 states new development will be expected to consider the need for the safety of cyclists and incorporate facilities for cyclists into the design of new and improved roads, junction improvements and traffic management proposals.

The proposal would utilise the existing access to the site, providing 17no. Trailer parking spaces with 4 spaces for larger vans and 12 parking spaces for cars. It is noted that the current Haulage yard contains more that 17 trailers due to their arrangement on site (a number are not accessible). KCC have stated that there are no objections to the safety of the existing access (with swept path drawings provided) nor to the level of parking provided on site for the development subject to conditions.

The transport statement outlines how the proposal would result in the closure of a satellite facility used by the applicant at Wantsum Way St Nicholas-at-Wade, which is serviced from the Laundry Road site. This states that transportation between the Wantsum Way site and the existing Laundry Road site generates a total of 12-24 vehicle trips (of which 8-16 HGV trips) on average per day, which would be removed from the network from the proposal. The trip generation from the site is considered in the statement to be the same as with the existing operation of the site.

The County Highway Authority has confirmed that, with regard to impacts on the local highways, they have no objections to the proposals on the basis of this submission. They particularly note and place weight on the fact that the Transport Statement purports to the closure of the warehouse at St Nicholas as being intrinsically linked to this planning application which will reduce the number of vehicle movements currently being executed from this site by 50% or more, the majority of which will occur outside of peak times. A series of conditions are recommended to address potential impacts, as set out below. These include a conditions for the provision of construction vehicle loading/unloading and turning facilities for the duration of construction, provision of parking facilities for site personnel and visitors for the duration of construction, provision of measures to prevent the discharge of surface water onto the highway, wheel washing facilities, provision and permanent retention of the vehicle parking spaces, provision and permanent retention of the vehicle loading/unloading and turning facilities, secure, covered cycle parking facilities and visibility.

Subject to the imposition of the requested conditions and following an assessment of the submission and the comments of the highway authority, the impact upon highway safety is considered to be acceptable.

Ecology and biodiversity

The NPPF policy at paragraph 180 states: "When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; Hence there is a clear mitigation hierarchy set out on local and national planning policy which requires: that harm to biodiversity on site should be avoided; or mitigated on site; or as a last resort, compensated for by off-site enhancement works elsewhere.

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.

A Preliminary Ecology Assessment (PEA) and Biodiversity Net Gain Assessment were submitted in support of the application. The PEA looks at impact upon protected species and identified the following:

Birds - Within the local area there are areas of farmland, gardens, hedgerows and grassland that are expected to support a varied bird population. Woody vegetation located in and around the site will support nesting birds.

No evidence of barn owl was observed within the site

Bats - Local habitat features include woodland, gardens and buildings that provide potential roosting, foraging and commuting opportunities for bats. Available habitat within the proposed development site is considered to offer negligible potential for foraging and commuting bats. No trees suitable for roosting bats are located within the proposed development area.

Reptiles - Available vegetation includes an area of short sward grassland that offers only limited opportunities for reptiles. Some longer vegetation is located alongside boundary features but this is limited in area and generally isolated from habitat considered suitable for reptiles. Additional survey work for reptiles is not considered necessary.

Amphibians - No ponds are known to be located within 500 m of the site boundary. Additional survey work for great crested newt is not considered necessary. The proposed development is not considered likely to negatively impact on the local conservation status of

widespread amphibian species. Additional survey work for widespread amphibian species is not considered necessary.

Badgers - No evidence of badgers was observed within the proposed development area. Additional survey work for badgers is not considered necessary.

Dormouse - Habitat located within the site is not considered suitable for dormouse and additional survey work is not considered necessary for the proposed scheme.

Water Vole -No waterbodies suitable for water vole are located within or close to the site boundary and additional survey work for water vole is not considered necessary.

Invertebrates - Available habitat within the site is considered to offer limited opportunities for widespread species of invertebrate. Additional survey work for invertebrates is not considered necessary.

The recommendation of the PEA are:

Working areas will be clearly demarcated and no works that could result in unnecessary disturbance to trees and shrubs will take place.

No vegetation outside of the working areas will be disturbed.

Damping down of dust sources and covering of loose materials to reduce dust deposition within adjacent habitats will be undertaken as appropriate.

Storage of chemicals and hazardous materials will be in line with current best practice guidelines, ensuring that they are secure and cannot be accessed or knocked over by roaming animals.

The storage of topsoil or other 'soft' building materials in the site will be given careful consideration, so as to avoid the adoption of mounds by mammals, such as fox. These will be kept to a minimum and any mounds subject to daily inspections.

No trenches/excavations will be left open overnight without the creation of sloping escape ramps for mammals, which may be achieved by edge profiling of trenches / excavations or by using planks placed into them at the end of each working day.

Any trenches / pits will be inspected each morning to ensure no mammals have become trapped overnight. Should a mammal, such as a fox, become trapped in a trench Calumma Ecological Services will be contacted for further advice.

Open pipe-work larger than 150 mm outside diameter will be blocked off at the end of each day.

Fires will only be lit in secure compounds and not allowed to remain during the night.

Food and litter will not be left within the working areas overnight.

Trees - Retained trees close to the proposed working area will be protected during construction in line with standard arboriculturalist best practice (BS5837:2012) or as otherwise directed by a suitably competent arboriculturalist. This may require the use of protective fencing or other methods appropriate to safeguard the root protection areas of retained trees / shrubs.

Birds - No clearance of features that could support nesting birds should be undertaken during the bird-nesting season (1st March to 31st August inclusive). If this is not practicable, any potential nesting habitat to be removed must first be checked by a competent ecologist in order to determine the location of any active nests. Any active nests identified will then

need to be cordoned off (within a minimum 5m buffer) and protected until the end of the nesting season or until the birds have fledged. These checking surveys would need to be carried out no more than three days in advance of vegetation clearance. If vegetation clearance works have not been completed within this timeframe, an update check should be undertaken.

The applicant should consider installing bird nesting boxes in suitable locations. Suitable exterior boxes include those for songbirds that should be installed at a height of ~3 m above ground with a minimum distance of 3 m between boxes. Boxes should face north to east.

The assessment of protected species has been agreed by KCC biodiversity in providing advice to the Council, and therefore is considered acceptable subject to conditions.

The Biodiversity Net Gain Assessment submitted with the application concludes that implementing the creation of soft landscape and a native hedge will lead to the delivery of a significant net gain in biodiversity units for linear features. However, there would be a loss of net gain for habitats for the loss of the open grassed area and replacement with the trailer park. The submission shows that prior to development the proposal site is valued at 1.85 units for habitats and 0.18 for linear features (using the values assigned to different types of habitat, depending on the size, form etc). The modified grassland habitat units are lost to the proposed development. However, the creation of road tree boundaries around the entire site partially compensates for this loss by creating 0.81 biodiversity units. The enhancement of the existing hedgerow in the northwest corner of the site into a species-rich hedgerow and creation of 160m of native species-rich hedgerow on the northern and eastern boundaries will allow the delivery of 1.33 biodiversity units, resulting in a net gain of 1.15 units. Concerns were raised in response to the assessment by KCC Ecology, due to the loss of the specific type of biodiversity, citing the guidance of the Department for Environment, Food and Rural Affairs (DEFRA) for using a biodiversity metric which does not allow a trade off in types of habitat lost/provided.

Until the requirements of the Environmental Act are enacted (anticipated in November this year), the Council must determine the application against the NPPF paragraph 180 and local plan policy SP30. Paragraph 180 states that "if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused". In this instance the loss would be compensated from the proposed provision of soft landscaping and hedgerow planting in the submission, which could be conditioned. Policy SP30 of the Thanet Local Plan seeks for development proposals to make a positive contribution to the conservation, enhancement and management of biodiversity through achieving net gain, the policy states that this should be achieved where appropriate, and it is not a policy requirement. Furthermore, 10% biodiversity net gain is not currently a legal requirement.

It is considered that whilst the particular habitat stated (open grassland) will be lost by the proposal, the scheme provided will compensate this loss adequately through the provision of other habitats to accord with the current policy requirements under the NPPF and the local plan at this given time. In summary, it is considered that it would have been preferable and more sustainable, if the proposal was able to deal with at least 100% of the biodiversity harms on the site itself through avoidance and mitigation, landscaping and habitat creation.

That would, however, require smaller scale proposals which are not proposed, with no alternative location for the proposed development given its connection to the existing development. Although the application proposals result in a particular habitat loss there is a linear biodiversity gain, it is considered that this negative consideration is balanced out by the linear gain. Therefore on balance, it is considered that the mitigation and compensation measures proposed are sufficient to deal with the biodiversity impacts of the proposed development in line with policy SP30 of the local plan.

Concerns raised by KCC Biodiversity regarding surface water drainage will be addressed in the section below on drainage.

Archaeology

Policy HE01 of the Local Plan relates to Archaeology and 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.

The application is supported by an Archaeological Appraisal and Assessment of Potential. This appraisal details that there is high potential for archaeological features of Late Neolithic/Early Bronze Age features to survive on the site. This may include features that can be specifically associated with Beaker settlement and/or Beaker period burials, possibly associated with funerary monuments in the landscape. It is possible that the enclosure located on the site is in fact a Bronze Age barrow ring ditch which may have attracted satellite inhumations of Beaker and Middle Bronze Age date. There is Medium potential for features of Middle Bronze Age date to be encountered, possibly in association with an Early Bronze Age funerary monument, if the enclosure has been misinterpreted. There is Medium to High potential for features of Early to Middle Iron Age date to survive on the site. Features of this date were encountered in the 1995 evaluation and in the wider EKA investigations. Crop mark evidence suggests that some of the features within the present development area could be extensions of EKA features of this date into the site. There is High potential for further burials of Anglo-Saxon date to be present within the site. Crop marks suggest that small ring ditches may be associated with the burials, indicating later pre-Christian Anglo-Saxon burials which may have complex grave assemblages. There is Low to Medium potential for smaller cut features and domestic material.

KCC Archaeology reviewed the application and advised that they consider it is likely that there will be only limited impact on archaeology from the warehouse construction in areas that are not on the present hard standing area. In relation to the trailer park this will likely have a wider and more significant archaeological impact. As such KCC advises that should planning permission be granted then provision be made for the evaluation of the site and further mitigation measures that secure preservation of significant remains and/or further investigation; preservation of the archaeology may be achieved through agreement of the design of the hard standing and drainage.

Given the above, Officers are satisfied that matters relating to archaeology can be dealt with via conditions attached to an approval of the application to ensure the development accords with Policy HE01.

Drainage

The application has submitted a Flood Risk Assessment (FRA) with the planning application. The site is located in Flood Zone 1, therefore considered to be at a lower risk of flooding, and is located within a groundwater Source Protection Zone.

The FRA details that the risk of flooding to the site is low. The applicant has stated that the proposed trailer park will be surfaced with MOT type 1 and thus infiltrate through the type 1. In relation to surface water runoff 5 ring soakaways have been proposed to allow clear surface water from the roof of the building to infiltrate into the underlying geology. In relation to foul effluent utilisation of a new cesspit.

Foul water

In relation to foul water the updated FRA details that waste water from the proposed industrial unit will discharge via a foul pipe run to a new cess pit positioned at the southeast corner of the new warehouse (serving this building only). The proposed unit will only employ a maximum of 3 users at any one time. As such there would be minimal loading on the proposed cesspit. The proposed cess pit would have a loading of 18,000 litres. It is indicated that the cess pit will be emptied monthly. It is indicated that the detailed drainage design will need to be completed prior to construction in accordance with Part H of the Building Regulations to ensure that the cess pit will have sufficient capacity and manage wastewater correctly.

Southern Water initially required additional information on the proposed foul water and surface water systems, some of the information relating to the cesspit was felt to be insufficient. They have, however, confirmed that no objection is raised to the application, subject to the imposition of planning conditions. This would include the decommissioning and removal of the existing cesspit, this is not considered to be reasonable to require this as this cesspit serves other buildings and not the proposed building.

The Environment Agency (EA) have been consulted on the application and have not raised any objections to the proposals but have suggested conditions in relation to unexpected contamination and no infiltration of surface water drainage without written consent. These conditions are attached and considered to be reasonable. It will be necessary to obtain an environmental permit from the Environment Agency for a new cesspit before construction of the foul drainage system takes place.

Surface water

It is proposed to provide a permeable surfacing system and two geocellular soakways, including pollution control measures to provide attenuation before allowing treated runoff to infiltration into the ground. This will need to be conditioned to ensure that the pollution control measures are effective and maintained given the site's location in the source protection zone. KCC SUDs have also been consulted on the application and have not raised any objections to the proposals in regard to the surface water drainage flows from the

site. They have suggested a condition requiring a detailed design and a Verification Report pertaining to surface water drainage system conditions should consent be granted.

Following the above assessment, it is considered that the proposals would not result in a detrimental impact on flood risk or drainage capacity.

In summary these conditions are considered to be reasonable and are attached to the recommendation.

Other Matters

As the proposal does not include refrigerated vehicles using the site the District Council's Environmental Health Officer has raised no objections to the proposals.

The Environment Agency has recommended that a standard contaminated land condition is attached to any planning approval granted for development at the site, in relation to unexpected contamination. Given the undeveloped nature of the land, this is considered to be reasonable and such a condition is attached to the recommendation.

In relation to the potential risk of creating opportunities for crime, the scheme does propose that the unit would face Laundry Road and Channel View Road. In addition there are existing commercial buildings to the south.

The northern elevation of the proposed building would increase surveillance to the proposed parking area and would provide surveillance to vehicles entering the trailer park; vehicles would need to pass this building to access this area. This would discourage activity to the rear of those buildings. The main access to the unit would be located on the elevation facing the communal car parking area.

Conclusion

This application is for the construction of one commercial warehouse and the relocation of the trailer park on part green and brownfield land which is unallocated in the Local Plan. The proposal will result in landscape impact given the elevated landform adjacent to the A299 and the scale of the proposed building; and impact to habitats on site. These are considered to be the negatives of the scheme.

The landscape is not protected by any special designation but is identified as being within a landscape character area within the Local Plan, although this does not preclude development and the extent of the existing industrial development to the south does inevitably mean that the additional development proposed would be an incremental addition. The site is bound by the A299 and only the westerly view is open fields. Additional native tree/hedge screening and planting and recessive external cladding colours can be required by condition to help mitigate landscape impacts.

Whilst the proposal cannot mitigate all of its biodiversity loss on site, the proposal will make a significant contribution to linear biodiversity net gain and this is considered to adequately address the onsite site harms to biodiversity. Therefore, some of the negatives of the

development will be mitigated, nevertheless some loss of particular grassland habitat will occur.

There are other technical matters considered above which are not considered to be a constraint to development but conditions will be necessary to ensure that any harm is adequately controlled and mitigated.

The proposal will be in accordance with SP24 as the growth and expansion of an existing rural business, whilst it is supported by the principle of Policy SP04. The proposal will bring investment into the District and will provide for an additional commercial unit for the business to accommodate goods currently stored at rented premises and also allow space for future expansion. The proposal is also anticipated to bring forward up to 2 full and 2 part time jobs within the area with associated economic and social benefits. These are considered to be positives of the development.

The case is therefore considered to be finely balanced but when considering the adverse impacts against the benefits of the scheme it is considered that the harms are outweighed by the economic benefits which will arise from the development.

On this basis when considering all matters the development is considered, on balance, to meet the wider policy objectives of the local plan and national guidance which promotes economic growth and is therefore recommended for approval.

Case Officer

Gillian Daws

TITLE:

F/TH/22/1058

Project

Land North Of Telegraph Hill Industrial Estate Laundry Road RAMSGATE
Kent

