

MC/19/1028

Date Received: 18 April 2019

Location: Unit 2B London Medway Commercial Park James Swallow Way  
Hoo St Werburgh Rochester

Proposal: Development of Plot 2B incorporating the construction of a warehouse building with undercroft; first and second floor mezzanine levels for Class B1(c) light industrial/ B2 general industrial/ B8 storage and distribution uses, access, parking, drainage, landscaping and associated works including means of access.

Applicant Goodman Logistics Development UK Limited,  
C/O Agent

Agent Barton Willmore  
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Ward: Peninsula Ward

Case Officer: Majid Harouni

Contact Number: 01634 331700

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**Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 16th October 2019.**

**Recommendation - Approval with Conditions**

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing numbers: DR-A-9100 Rev PO4, DR-A-9101 Rev PO4, DR-A-9102 Rev PO3, DR-A-9103 Rev PO3, DR-A-9104 Rev PO3, DR-A-9105 Rev PO2, DR-A-9106 Rev PO3, DR-A-9107 Rev PO2, DR-A-9108 Rev PO3, DR-A-9109 Rev PO3, DR-A-9110 Rev PO3, DR-A-9111 Rev PO3, DR-C-0700 Rev P04 and landscape concept plan 01 Rev B received on 29 April 2019.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 No development above slab level shall take place until details and samples of all materials to be used externally have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 4 No development shall take place until a Construction Environmental Management Plan (CEMP) that describes measures to control, amongst other matters, noise and vibration; working hours; dust minimisation; access point locations; wheel cleaning/chassis cleaning facilities; protection of surface and groundwater resources, including arrangements for the storage of oils, fuels or chemicals; waste disposal arrangements; pollution incident control; site illumination; and the location of construction compounds/laydown areas and offices, during the construction period for the proposed phase or sub-phase of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall only be undertaken in accordance with the approved CEMP.

Reason: Required before commencement of development in order to minimise the impact of the construction period on the amenities of local residents, the countryside, wildlife and habitat and with regard to Policies BNE2, BNE37, BNE39 and T3 of the Medway Local Plan 2003.

- 5 No HGV traffic, plant, machinery or earth moving equipment associated with the construction of the development shall enter or leave the site on any Sunday or public holiday nor on any other day other than between the hours of 0700 to 1900 Mondays to Fridays and 0700 to 1300 on Saturdays, unless any variation is otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of safeguarding amenities of the area and compliance with Policy BNE2 of the local plan.

- 6 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) 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 Local Planning Authority. 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 170 of the National Planning Policy Framework.

- 7 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater. 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 170 of the National Planning Policy Framework.

- 8 Before the development hereby permitted is first brought into use, a Delivery Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be operated in accordance with the approved delivery plan.

Reason: In the interests of amenity and highway safety and in compliance with policies BNE2 and T13 of the Local Plan.

- 9 No development shall take place until a Construction Ecological Management Plan (CEMP) that describes measures to address the following arising from the implementation of the development has been submitted to and approved in writing by the Local Planning Authority. The Construction Ecological Management plan shall be undertaken in accordance with this approved plan.

R1 Construction Ecological Management Plan. Given the proximity of the construction area to the Medway Estuary SPA / Ramsar site and established Ecological Landscape Areas at the site, a Construction Ecological Management Plan (CEcMP) should be produced prior to construction and approved by the Local Planning Authority. This document should set out:

- Details of any construction activities which could result in noise disturbance to wintering bird species using the Medway Estuary SPA and any avoidance or mitigation measures required to ensure that there was no adverse effect on this nature conservation site during construction.
- Details of any ecological protection measures (e.g. fencing) required to protect adjacent Ecological Landscape Areas.
- Details of pollution control measures to be in place to ensure that the construction works do not result in pollution of habitats (specifically ponds) within the adjacent Ecological Landscape Areas.

R2 Ecological Clerk of Works. An Ecological Clerk of Works should be appointed by the developer of Plot 2b to provide a Tool Box Talk to site operatives at the start of any development works. The Tool Box Talk should set out the ecological controls at the site in relation specifically to badgers, reptiles, nesting birds and water vole.

R3 Badger Setts. As the habitat present in close proximity to Plot 2b is suitable for badgers, it is recommended that if works commence after the end of February 2020, a pre-works badger survey be undertaken to ensure that badgers have not recently excavated any setts within 30 m of the proposed construction areas. Should badger setts be identified a badger activity survey may be required. Badger surveys can be completed at any time of the year. Should a badger sett be identified that will be required to be disturbed or closed, works to the badger sett will require a licence from Natural England. Badger setts can be closed between July and November inclusive.

R4 Badgers and Terrestrial Mammals. Any excavations that need to be left overnight should be covered or fitted with mammal ramps to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120 mm must be covered at the end of each work day to prevent animals entering/becoming trapped.

R5 Reptile Exclusion Fencing. The reptile exclusion fencing should remain in place around Plot 2b until the habitat creation works associated with Plot 2b, and the reptile habitat replacement works in Area Z have been completed. Replacement reptile exclusion fencing should be installed along the boundary between Plot 2a and Plot 2b prior to the removal of the perimeter fencing around Plot 2b in order to ensure that reptiles cannot re-enter development Plot 2a prior to the commencement of development of these plots. At the end of the construction and landscaping period on Plot 2b, reptile exclusion fencing should be carefully removed under supervision of an Ecological Clerk of Works.

R6 Nesting Birds. Vegetation and site clearance should be undertaken outside the nesting bird season. The nesting bird season is weather dependent but generally extends between March and September inclusive (peak period March-August). If

this is not possible then any vegetation to be removed or disturbed should be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting any works which may affect them would have to be delayed until the young have fledged and the nest has been abandoned naturally, for example via the implementation of an appropriate buffer zone (species dependent) around the nest in which no disturbance is permitted until the nest is no longer in use.

Reason: In order to protect and compensate for the present potential wild life habitats of the sites in accordance with Policy 37 of the Local Plan.

- 10 No development above slab level of any part of the development hereby approved shall commence until details of the specification of bird and bat boxes on the building and within the landscaping area of the site and their precise locations shall have been submitted to and approved in writing by the Local Planning Authority. The approved bird and bath boxes shall be erected/installed before the building is occupied and the boxes shall be retained in perpetuity.

Reason: In order to compensate for the present potential wild life and birds nest sites in accordance with Policy 37 of the Local Plan.

- 11 No development shall take place until a scheme showing details of the disposal of surface water, based on sustainable drainage principles, including details of the design, implementation, maintenance and management of the surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. Those details shall include (if applicable):
- i. a timetable for its implementation (including phased implementation where applicable).
  - ii. appropriate operational, maintenance and access requirements for each sustainable drainage component are adequately considered.
  - iii. proposed arrangements for future adoption by any public body, statutory undertaker or management company.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 165 of NPPF.

- 12 Prior to occupation (or within an agreed implementation schedule) a signed verification report carried out by a qualified drainage engineer (or equivalent) must be submitted to and approved by the Local Planning Authority to confirm that the agreed surface water system has been constructed as per the agreed scheme and plans. The report shall include details and locations of critical drainage infrastructure (such as inlets, outlets and control structures) including as built drawings, and an operation and maintenance manual for the unadopted parts of the scheme as constructed.

Reason: This condition is sought in accordance with paragraph 165 of the NPPF to ensure that suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk onsite or elsewhere.

- 13 The development hereby approved shall not be occupied until the vehicle parking spaces, loading and off-loading and associated on site turning are and bicycle storage facility shown in drawings 9102 Rev P03 and 9108 Rev P03 have been provided, surfaced and drained in accordance with the approved drawings and made available prior to the occupation of the development. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on that area of land or in such a position as to preclude vehicular access to the reserved vehicle parking area, loading and unloading bay and cycle storage areas.

Reason: Development without provision of adequate accommodation for the parking, loading, off-loading and turning of vehicles is likely to lead to hazardous conditions in the public highway and in accordance with Policies T1 and T13 of the Medway Local Plan 2003.

- 14 Prior to the installation of any external lighting on the site, details of such lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include: height, position, external appearance, any shielding, light intensity, colour, spillage (such as light contour or lux level plans showing the existing and proposed levels) and hours of use together with a report to demonstrate its effect on: the landscaping of the site, bats (including reference to the recommendations of the Bat Conservation Trust)] and of how this effect has been minimised. Any external lighting shall be implemented in accordance with the approved details.

Reason: In order to limit the impact of the lighting on the landscaping of the site, the surrounding landscape and wildlife and with regard to Policies BNE1, BNE5 and BNE39 of the Medway Local Plan 2003.

**For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.**

## **Proposal**

Planning permission is sought for the development of Plot 2B incorporating the construction of a warehouse building with two mezzanine levels for Class B1(c) (light

industrial)/B2 (general industrial)/B8 (storage and distribution) uses, including access, parking, landscaping and associated works including new access.

The proposal would provide 11,728sqm of employment area, comprising a 10434sqm warehouse, 984sqm ancillary office area, 283sqm mezzanine area and 27sqm detached gatehouse.

The maximum height of the building would be 17.34m. This height is similar to other buildings within the London Medway Commercial Park approved under the outline planning permission (ref: MC/08/0370).

The warehouse building would be clad in shaded grey and off white and silver profiled metal cladding, with a green horizontal band at a high level to break up the bulk of the building. Windows are powder-coated aluminium in dark grey.

The building has been designed to meet Institutional Standards, in terms of service and access.

Provision is made for 120 car parking spaces including 6, disabled spaces. There is 30 lorry bays comprising 16 loading dock doors, 4 level access doors, 10 HGV parking spaces, on-site HGV turning area. A shelter for 20 bicycles, bin store, and condenser compound would also be provided.

An electricity sub-station would be sited to the north-eastern corner of the site, a galvanised cylinder water storage tank (9m in diameter and 10m in height) and a pump house (4m in height) is to be located to the south-western end of the warehouse building.

Two separate accesses are proposed to the car parking area and lorry parking bays including loading and unloading bays. A gate house is proposed to the access to the lorry car park.

Around the site, a 2.4m high paladin type fence is proposed. A landscape plan is included with the application.

## **Relevant Planning History**

**MC/19/1785** Construction of a HGV parking area for up to 30 HGVs together with the construction of an ancillary single storey amenity block, smoking shelter, 2.4m high paladin fencing, drainage and landscaping.

**Decision:** Approved

**Decided:** 9 September 2019

**MC/18/1430** Construction of a business park development for business, general industrial and storage and distribution uses B1C, B2 and B8 with associated landscaping, ecology, parking and servicing areas and access and improvements to Ropers Lane and Stoke Road.

**Decision:** Approved  
**Decided:** 30 April 2019

**MC/18/1071** Approval of reserved matters being details of appearance, layout, scale and landscaping pursuant to condition 1 of MC/13/1594 (a variation of condition 51 of MC/08/0370 - outline application for the construction of a business park development for business, general industrial and storage and distribution uses B1C, B2 and B8 with associated landscaping, ecology, parking and servicing areas and access and improvements to Ropers Lane and Stoke Road (alternative illustrative layout to planning application MC/2007/2264) for development of Plot 1B consisting of the construction of warehouse with associated facilities and works, together with details submitted pursuant to conditions 4, 21, 22, 26, 27, 31, 36, and 52 of MC/13/1594 (the relevant conditions are addressed in the appraisal section).

**Decision:** Approved  
**Decided:** 10 July 2018

**MC/17/3235** Approval of reserved matters being details of appearance, layout, scale and landscaping pursuant to condition 1 of MC/13/1594 (a variation of condition 51 of MC/08/0370 - outline application for the construction of a business park development for business, general industrial and storage and distribution uses B1C, B2 and B8 with associated landscaping, ecology, parking and servicing areas and access and improvements to Ropers Lane and Stoke Road (alternative illustrative layout to planning application MC/2007/2264) for development of Plot 1 consisting of the construction of warehouse with associated facilities and works, together with details submitted pursuant to conditions 4, 21, 22, 26, 27, 31, 36, and 52 of MC/13/1594

**Decision:** Approved  
**Decided:** 8 December 2017

**MC/15/0865** Details pursuant to condition 2 of planning application MC/14/3646 - Application for approval of reserved matters, being details of appearance, layout, scale and landscaping pursuant to condition 1 of MC/13/1594 (a variation of condition 51 of MC/08/0370 - outline application for the construction of a business park development for business, general industrial and storage and distribution uses B1C, B2 and B8 with associated landscaping, ecology, parking and servicing areas and access and improvements to Ropers Lane and Stoke Road (alternative illustrative layout to planning application MC/2007/2264) and details pursuant to conditions 4, 21, 22, 26, 27, 32, 36, and 52 of MC/13/1594 for development of Plot 5 consisting of the construction of warehouse with associated facilities and works.



**MC/14/3646** Application for approval of reserved matters, being details of appearance, layout, scale and landscaping pursuant to condition 1 of MC/13/1594 (a variation of condition 51 of MC/08/0370 - outline application for the construction of a business park development for business, general industrial and storage and distribution uses B1C, B2 and B8 with associated landscaping, ecology, parking and servicing areas and access and improvements to Ropers Lane and Stoke Road (alternative illustrative layout to planning application MC/2007/2264) and details pursuant to conditions 4, 21, 22, 26, 27, 32, 36, and 52 of MC/13/1594 for development of Plot 5 consisting of the construction of warehouse with associated facilities and works.

**Decision:** Approved

**Decided:** 28 January 2015

**MC/13/1594** Variation of condition 51 to allow a minor material amendment to planning permission MC/08/0370 to allow B1(c) not exceeding 40,000 Sqm of floor space when measured as gross internal area; B2 not exceeding 115,120 Sqm of floor space when measured as gross internal area; B8 not exceeding 200,000 Sqm of floor space when measured as gross internal area; and total floor space not exceeding 250,992 Sqm of floor space when measured as gross internal area.

**Decision:** Approved

**Decided:** 2 October 2013

**MC/08/0370** Outline application for the construction of a business park development for business, general industrial and storage and distribution uses B1C, B2 and B8 with associated landscaping, ecology, parking and servicing areas and access and improvements to Ropers Lane and Stoke Road (alternative illustrative layout to planning application MC2007/2264)

**Decision:** Approved

**Decided:** 26 November 2009

**MC/07/0427** Town and Country Planning (EIA) Regulations 1999 for a screening opinion to determine the need for an environmental statement to accompany a planning application for the construction of approximately 260,000 square metres of B1/B2/B8 floorspace with associated landscaping, access and car parking

**Decision:** Scoping Opinion (EIA) Required

**Decided:** 3 April 2007

## **Representations**

The application has been advertised on-site and in the press and by individual neighbour notification to the owners and occupiers of neighbouring properties.

**Thirty-five** letters of have been received expressing concern, summarised as follow:

- Lack of dedicated HGV parking and drivers resting provision within the London Medway Commercial Park, which is causing harm to highways and, health and safety issues
- Lack of infrastructure and facilities for lorry drivers

### **Hoo Saint Werburgh Parish Council**

Hoo Parish Council has major concerns over the amount of HGV traffic this development will add to the ongoing warehouse building at London Medway Commercial Park. Whilst the increased employment opportunities are to be welcomed, the increase in air pollution on roads used to arrive at Kingsnorth, which are some of the most polluted in Medway, is also a growing concern.

Other developments of this type on this commercial park have led to park roads being painted with yellow lines stopping HGVs from parking on site whilst awaiting their loading/unloading slot. In many cases has led to surrounding roads becoming unofficial lorry parks, resulting in HGVs parking up overnight with increased noise, littering and in some areas, fields being used as toilets and bottles of urine thrown from these lorries littering the roads around Hoo.

The human faeces being dumped has been reported heavily in the local press and TV and local farmers becoming increasingly worried about the damage caused to their crops making them unsellable.

We request that before this application is granted, a site meeting should take place between all parties to investigate the problems already happening as a result of development in this area and consider ways to stop a repeat of the above-stated problems.

The Parish Council, therefore, objects to this application whilst the above issues remain unaddressed and requests that this is refused, should Medway Council Planning Officers be minded to approve the application, we would request that this is determined by the Planning Committee.

**Environmental Agency** no objection subject to conditions.  
*The conditions are appended.*

**KCC Ecology** no objection subject to ecology included in a construction management plan condition.

**Natural England** no objection.

**Southern Gas Network** no objection but note the presence of low-pressure mains on site.

**UK Power Network** no objection but note that the submitted plan shows no electricity infrastructure on site.

## **Development Plan**

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan). The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework 2019 and are considered to conform.

## **Planning Appraisal**

### *Background*

London Medway Commercial Park is 109 hectares in area. Plot 2B comprises some 2.79 hectares in area and is currently vacant.

Outline Planning Permission MC/08/0370 was granted in November 2009 for the construction of a business park development for general industrial, storage and distribution uses (B1c, B2 and B8) with associated landscaping, ecology, parking and servicing areas and access, and improvements to Ropers Lane and Stoke Road. A S73 application to vary condition 51 of the above permission was approved in October 2013 (ref MC/13/1594), to allow a more flexible mix between Class B1c, B2 and B8 uses.

Reserved matters applications have been approved for the development of Plots 1A, 1B, 4, 5, 6, 6a, 7 and 8. Businesses including Wincanton, Sicame and Amazon are currently operating from the business park.

Planning permission for a section of road that would provide access to Plot 2B was approved on 31 January 2019 (ref MC/18/3361).

A number of the letters received including that of the Parish Council raise concerns to the lack of HGV parking, toilet and resting facilities for the drivers delivering goods to the warehouse and industrial units in the London Medway Commercial Park.

In response to the representations received, Goodman Logistics Development Ltd as the operator of the Park acknowledged the problem, but associated the lack of parking for lorries inside and outside the park with Amazon warehouse unit and has submitted a planning application (ref MC/19/1785) which seek to provide provision for HGV parking spaces with facilities. This application obtained permission on 9 September 2019, under the delegated officer's power.

Condition 1 of the permission requires the implementation within 12 month of the date of the permission.

It is expected that this development would address the issues raised by local residents on lack of facilities for lorry drivers.

### *Principle*

The principle of B1c, B2 and B8 use with ancillary office have been established in the substantive consents under ref MC/08/0370 and MC/13/1594. Although the time period to submit reserved matters application(s) has now lapsed, nonetheless the proposal is in line with the parameters previously approved therefore there is no objection to the principle of the proposed use of the land and the proposal is in conformity with Policies S1, S2, S12, ED1 and ED2 of the Local Plan.

### *Employment*

The proposed building has no end-user at present and as such there are no definitive details regarding the number of employment opportunities that this development would generate.

However, having regard to the Homes & Community Agency Employment Density Guide 2015, it is estimated that the following numbers of jobs could be created for different B uses within the Use Classes Order.

B1a office use ancillary to the main use 1 job per 13m<sup>2</sup> @984m<sup>2</sup> = 75 jobs

B8 Storage and distribution/ warehousing 1 job per 77m<sup>2</sup>@ 10434m<sup>2</sup> = 137 jobs

The above represents the potential number of jobs that could be generated in this development.

In view of the above estimates, it is concluded that the proposed development could potentially generate up to 212 employment opportunity equal to 77 jobs per hectare.

The proposal would be in conformity to employment Policies ED1 and ED2 of the Local Plan.

### *Design*

The layout and design of the warehouse, is essentially large steel frame structure with concrete floor, utilitarian in appearance and character and is considered appropriate for the site and use, and would be in keeping with the overall scale and external design and appearance of other warehouse buildings in this commercial park.

The overall height of the building at 17.34m is considered acceptable having regard to the scale of the other warehouse buildings recently constructed in the vicinity of the proposed building, the proposal would not appear unduly bulky or overbearing when viewed in the context of other warehouse buildings and wider commercial park.

The development shows an ancillary office block attached on the northeast corner of the building. This forms the principal elevation and front entrance of this building. The main office (forming an internal part of the building) would be on three levels overlooking the car park to the north and gatehouse to the east. This elevation consists of a large number of windows and glazing which would offer good levels of natural lighting inside the building and enhance the appearance of this large building.

The main entrance to the office area are situated on the front elevation of the building where it fronts onto the car parking. This aspect of the building together with staff/visitors and disabled car parking gives the building a sense of arrival and reception point for staff and visitors.

The distinctive bands (vertical and horizontal) add visual interest and break up the building visual mass. The use of contrasting cladding and colours, including different shades of grey, white and green would also help to break up the façade and provide visual interest. The elevational treatment of the building would help to soften the bulk of the building and allow the building to relate to the surrounding buildings and landscape.

The external projecting dock pads, bay doors and personnel doors are all coordinated to match the colour of the surrounding cladding panels and unifying appearance of the building.

The proposed fencing around the perimeter of the site would be paladin type fence at 2.4m high. This is similar to those on nearby units and as such would be in keeping with the character of the area.

The gate house, bin enclosures, cycle store, and associated structures on the site, given the necessity they provide for the functioning of the warehouse building, are also considered to be acceptable in design and scale within the context of the development site.

It is considered that the proposed development would be in conformity with Policy BNE1 of the local plan.

#### *Amenity*

The application site is situated in the middle of the commercial park and well over a km away from any residential property, as such the proposal would not adversely impact residential or visual amenities of residential properties in the locality.

However, to minimise impact of the development on the local residents a condition is recommended that ensure that HGV movement traffic, plant, machinery or earth moving equipment associated with the construction of the development do not enter or leave the site on Sunday or public holidays, nor other than between the hours of 0700 to 1900 on Monday to Friday and 0700 to 1300 on Saturday.

As such, the proposal would accord with Policy BNE2 of the Local Plan.

### *Highways*

The application is supported by a Transport Assessment and a Travel Plan. The Travel Plan promotes public transport, cycling and car-sharing as the main initiatives as part of a package of sustainable transport measures in connection with the wider London Medway Commercial Park approved under ref MC/16/2775 pursuant to condition 29 (Interim Umbrella Travel Plan) of MC/13/1594 as part of the substantive consent.

In addition, the application makes provision for on-site cycle shelter parking, cars and lorry parking within the site.

It is noted that Medway's Parking Standards are a maximum in terms of commercial uses, however, consideration is taken whether the parking provision is likely to accommodate the number of vehicles generated from the development. The proposed use would require approximately 140 spaces to satisfy the car parking standards and at present 120 are shown in the site plan, which is under the applicant's control. It is considered that the car parking spaces proposed together with the measures proposed as part of the travel plan is sufficient to accommodate the need arising from the development.

With regard to HGV parking, it is noted that the applicant proposes to provide 10 HGV parking spaces within the site in addition to the provision for 20 loading and unloading bays. It is considered that the proposed level of HGV parking provision would be satisfactory.

It is also considered that having regard to the location of the unit and its access road leading to HGV access gates, there are in this instance potential to provide holding/waiting area for 3 to 4 HGVs without causing obstruction for vehicles wishing to leave the site or access the car park of the site.

In addition to ensuring that delivery lorries arriving and leaving the site in an orderly manner, it is recommended that a Delivery Service Plan is secured by condition.

Having regard to the above, it is considered that the proposed car parking and lorry parking provision and separation arrangement proposed would be acceptable.

Consequently, subject to condition(s), the proposal would be acceptable and in accordance with Policies T3 and T13 of the Local Plan.

### *Surface Water and Drainage Management*

The application has been supported by drainage design reports. The submitted report states that the wider infrastructure works have already been implemented as part of the planning permission ref: MC/10/1342 granted on 12 April 2010.

The submitted report summarised the existing and proposed drainage strategy, including the related aspects of the wider drainage development strategy prepared by THDA Consulting and the requirements stated within the Flood Risk Assessment prepared by BWB Consulting, giving full consideration to flood risk.

The site falls within a flood warning area, operated by The Environment Agency. An appropriate flood warning and evacuation plan are to be identified ensuring the safety of staff and visitors to the site during extreme flooding events.

The previously approved BWB Flood Risk Assessment identifies a means of surface water disposal for the commercial park via an existing watercourse which flows from west to east across the park. The report submitted is not specific to the site where attenuation would be required for new development in order to address the potential flood risks to the site and introduce measures to mitigate the identified risks.

The LLFA are aware that plans for the site and locations on plots have changed since the outline application. It is, therefore, necessary to ensure the drainage strategy is still suitable. The proposal to discharge into the pond (or which sites are connected) has changed since the outline permission. Details should be submitted to evidence that the pond is of suitable size. It is also unclear if surface water from the site will be attenuated into the pond.

It has been stated in the drainage philosophy that permeable paving will not be an option due to unacceptable infiltration rates. Lined permeable paving is still an option. It is recommended this to be used where possible to ensure water quality is managed as well as possible. If this is proposed, a maintenance schedule will need to be submitted alongside. Paragraph 079 of National Planning Policy Guidance *Flood and Coastal Change* states that when considering major development, sustainable drainage systems (SuDS) should be provided unless demonstrated to be inappropriate. Currently, there are no SuDS on site. Although the plot makes use of the nearby pond, it is recommended that SuDS are used on-site to ensure surface water is managed as naturally as possible and that water quality is kept to a high standard. Options include lined permeable paving, rain gardens and tree pits for example.

Although an acceptable maintenance plan has been submitted, this should include details of who will be carrying out maintenance of any SuDS on site.

The proposed surface water management and maintenance of Suds would be acceptable subject to appropriate conditions seeking submission of further information for approval by the LPA regarding attenuation measures of surface water, maintenance arrangement and a verification report that the approved Suds have been implemented as approved.

### *Ecology*

The application is supported by an ecological report.

The report recommends mitigating measures to be carried out and the recommendation are supported by KCC Ecology. The measures would be requested to form part of a construction management plan and this would be secured by condition.

### *Contamination*

The issue of the contamination on the wider Commercial Park was dealt with at the outline stage. However, it is recommended that conditions be imposed to deal with any unexpected contaminations that may arise during the process of the development. It is considered that subject to conditions the proposal would accord with Policy BNE23 of the Local Plan.

### *Local Finance Considerations*

None identified. However, the proposal would create much needed jobs that would add to the local economy.

## **Conclusions and Reasons for Approval**

The proposed development is considered to conform to the employment use of the wider London Medway Commercial Park and is acceptable in land use term.

The proposed building is considered to be in keeping with the design, scale, bulk, mass and appearance of the other warehouse/commercial buildings in the locality.

The proposal is considered acceptable with regard to on-site vehicular parking, manoeuvring and access to the highway and on-site cycle storage.

The issues of surface water management and ecology are also considered acceptable.

Subject to conditions, the proposal would represent a development of a major employment use with consequent social and economic benefits in line with Policies S1, S2, S12, ED1, ED2, BNE1, BNE2, BNE23, BNE37, BNE39, T3 and T13 of the Medway Local Plan 2003 and paragraphs 79, 80, 106, 107, 117, 124 and 127 of the NPPF.

The application would normally be determined under delegated powers but is being referred for Committee determination due to the number of representations received expressing a view contrary to officer's recommendation and at the request of Parish Council.



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## **Background Papers**

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess1.medway.gov.uk/online-applications/>