

**MC/21/2292**

Date Received: 2 August 2021  
Location: BAE Marconi Avionics  
Marconi Way Rochester  
Proposal: Outline application with some matters reserved (Appearance and Landscaping) for the redevelopment of the land associated with BAE Systems to include the provision of a new factory building, PPS building, 2 no. office buildings and a deep storage building, with ancillary car parking areas, alongside associated highways and access works, heat pump / chiller plant, pump house, sprinkler tanks and gate houses following demolition of the existing buildings bar Faraday building and Falcon building which will remain (outline application with matters of access, scale and layout applied for)  
Applicant BAE Systems  
Mr Stephen Bursi  
Agent Cassidy + Ashton Group Ltd.  
Mr Alban Cassidy 7 East Cliff  
Preston  
PR1 3JE  
Ward: Rochester South & Horsted Ward  
Case Officer: Wendy Simpson  
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 6<sup>th</sup> April 2022.**

**Recommendation - Approval with Conditions**

- 1 Details of the appearance and landscaping, (hereinafter called "the reserved matters") for all or a part of the site shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

Reason: To accord with the terms of the submitted application and to ensure that these details are satisfactory.

- 2 Application(s) for approval of the reserved matters relating to the development shall be made to the Local Planning Authority no later than three years from the date of this permission.

Reason: To comply with Section 92(2) of the Town and Country Planning Act 1990.

- 3 The development to which this permission relates must be begun no later than the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

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

Received on 2 August 2021:

ROCSD-CASA-11-XX-PL-A-1002\_P1 (Existing Location Plan)  
ROCSD-CASA-11-XX-DR-A-1003\_P1 (Existing Site Plan)  
ROCSD-CASA-01-00-PL-A-2000 (Office Building 1 Proposed Ground Floor Plan)  
ROCSD-CASA-01-01-PL-A-2001 (Office Building 1 Proposed First Floor Plan)  
ROCSD-CASA-02-00-PL-A-2000\_P1 (Office Building 2 Proposed Ground Floor Plan)  
ROCSD-CASA-02-01-PL-A-2001\_P1 (Office Building 2 Proposed First Floor Plan)  
ROCSD-CASA-03-00-PL-A-2000\_P1 (Factory Proposed Ground Floor Plan)  
ROCSD-CASA-03-01-PL-A-2001\_P1 (Factory Proposed first floor Plan)  
ROCSD-CASA-04-00-PL-A-2000\_P1 (Deep Storage Building Proposed Ground Floor Plan)  
ROCSD-CASA-05-00-PL-A-2000\_P1 (PPS Building Proposed Ground Floor Plan)  
ROCSD-CASA-05-01-PL-A-2001\_P1 (PPS Building Proposed First Floor Plan)

Received on 6 August 2021:

ROCSD-CASA-11-XX-PL-A-1016\_P1 (Proposed Site Levels)

Received on 10 September 2021:

ROCSD-CASA-11-XX-DR-A-1004\_P2 (Proposed Site Plan)  
ROCSD-CASA-11-XX-PL-A-1000\_P2 (Building Heights Restrictions Plan)  
ROCSD-CASA-11-XX-PL-A-1001\_P3 (Building Height Restrictions Site Sections)  
ROCSD-CASA-11-XX-PL-A-1006\_P2 (Proposed Site Access Plan)  
ROCSD-CASA-11-ZZ-PL-A-1021\_P2 (Building Scales and Heights)

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

- 5 Pursuant to the first reserved matters application, a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority. The content of the LEMP shall include recommendations within Ecological Assessment (Ecology Solutions July 2021) and detail the following:
- a) Description and evaluation of features to be implemented and managed.
  - b) Constraints on site that might influence management.
  - c) Aims and objectives of management.
  - d) Appropriate management options for achieving aims and objectives.
  - e) Prescriptions for management actions, together with a plan of management compartments.
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
  - g) Details of the body or organisation responsible for implementation of the plan.
  - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set how contingencies and/or remedial action will be identified, agreed and implemented.

An updated LEMP shall be submitted with each subsequent Reserved Matters application, pertaining to the inclusion of that phase.

The approved plan will be implemented in accordance with the latest approved details.

Reason : To ensure protection and enhancement of biodiversity on the site and in the vicinity to accord with Policy BNE39 of the Medway Local Plan 2003 and paragraph 180 of the National Planning Policy Framework 2021.

- 6 Prior to the commencement of the development hereby permitted, a scheme to minimise the transmission of noise from the use of the premises, shall be submitted and approved in writing by the Local Planning Authority. Noise from the premises should be controlled, such that the noise rating level (L<sub>Ar,Tr</sub>) emitted from the development shall be at least 10dB below the background noise level (L<sub>A90,T</sub>) at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014. All works which, form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reasons: To ensure residents are protected from operational noise to comply with Policy BNE2 of the Medway Local Plan 2003.

- 7 No works shall commence, including site clearance, in any phase containing bee orchid flowers as shown on plan ECO2 in the Ecological Assessment (Ecology Solutions July 2021), until details of bee orchid translocation have been submitted to and approved in writing by the Local Planning Authority. This will include details of the methodology, locality of translocation area, associated management prescriptions and timescales. The works shall take place in accordance with the approved details and timescales and be maintained as such thereafter.

Reason : To ensure protection and enhancement of biodiversity on the site and in the vicinity to accord with Policy BNE39 of the Medway Local Plan 2003 and paragraph 180 of the National Planning Policy Framework 2021.

- 8 All works (including site clearance) shall be carried out in full accordance with all the precautionary mitigation measures for reptiles and birds detailed in sections 5.5.18 through to 5.5.27 of the Ecological Assessment (Ecology Solutions July 2021).

Reason: To ensure protection of reptiles and birds on the site in accordance with Policy BNE39 of the Medway Local Plan and paragraph 180 of the National Planning Policy Framework 2021.

- 9 No development shall take place, including any demolition or remediation works, until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority. Works shall be carried out in accordance with the agreed programme and timetable.

Reason: To ensure that historic building features are properly examined and recorded in accordance with Policy BNE21 of the Medway Local Plan 2003.

- 10 No works shall commence within any phase until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority, who shall consult with Highways England and KCC Highways. Thereafter the approved CEMP shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- Hours of construction working.
- Measures to control noise and vibration affecting nearby residents.
- Wheel cleaning/chassis cleaning facilities.
- Dust control measures.

- Pollution incident control and site contact details in case of complaints.
- The anticipated number, frequency, types and timing of vehicles used during construction (construction vehicles should avoid the network peak hours of 0800-0900 and 1700-1800 where practicable);
- Routing of construction and delivery vehicles to and from the site,
- Preventing access for unauthorised vehicles.
- Ensuring footways are open and unobstructed at all times and that suitable diversions are provided if required.
- Measures to minimise the impact of vibration and disruption to utilities.
- The ingress, egress, and parking arrangements of vehicles by site operatives and visitors.
- Parking and turning areas for construction and delivery vehicles and personnel
- The loading and unloading of plant, materials, and waste.
- The storage of plant and backfilling materials to be used.
- The impact of any site illumination.
- A vehicular (and pedestrian if required) signage strategy.
- The erection and maintenance of security hoarding or other appropriate security or screening barriers, signs, and scaffolding.
- The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders); and
- Measures to prevent loose material and reduce dust, dirt, and any other airborne contaminants and to avoid these passing beyond the site boundaries, including sheeted loads and dampening stockpiles where necessary.

The development shall be carried out in accordance with the approved CEMP for that phase.

Reason: To ensure that the works on the site do not harm the amenities of neighbours, the public or the surrounding area in accordance with Policies BNE2 and BNE23 of the Medway Local Plan 2003 and to does not result in avoidable congestion on the M2 in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety, in accordance with paragraph 110 of the National Planning Policy Framework 2021.

- 11 No development shall commence within any phase until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) has been submitted to and agreed in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The details shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:
- i. Temporary drainage systems.
  - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses.

iii. Measures for managing any on or offsite flood risk

The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the relevant phase for the duration of construction.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at paragraph 169 of the National Planning Policy Framework 2021.

12 No development shall take place in any phase or sub-phase until a scheme showing details of the disposal of surface water within that phase, based on sustainable drainage principles and including details of the design, implementation, maintenance, and management of the surface water drainage scheme, has been submitted to and approved in writing by the Local Planning Authority. Those details should be submitted in conjunction with the Landscape Plan for that phase and shall include (if applicable):

- i. A timetable and construction method statement 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.

The works shall be carried out in accordance with the approved details and maintained as such thereafter.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at paragraph 169 of NPPF 2021.

13 Prior to first occupation/use (or within an agreed implementation schedule) within a phase a signed verification report carried out by a qualified drainage engineer (or equivalent) must be submitted to and approved in writing by the Local Planning Authority to confirm that the agreed surface water system has been constructed as per the agreed scheme and plans for that phase. 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 169 of the NPPF 2021 to ensure that suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk onsite or elsewhere.

- 14 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.

Reason : 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 accordance with Policy BNE23 of the Medway Local Plan 2003.

- 15 Notwithstanding the Remediation Options Appraisal (BAE Systems, ref X10281-R5-1, dated July 2021) no development shall commence within any phase until a remediation strategy and verification plan for that phase have been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall give full details of the remediation measures required and how they are to be undertaken. The verification plan shall provide details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action. The works shall take place in accordance with the approved remediation strategy and verification plan for that phase.

Reason : 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 to accord with Policy BNE23 of the Medway Local Plan 2003

- 16 No part of any phase shall be first occupied/brought into use until a verification report for that phase demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason : To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete to accord with Policy BNE23 of the Medway Local Plan 2003

- 17 In the event that contamination is found at any time when carrying out the approved development that was not previously identified in the 'Contaminated Land Desk Study' (BAE systems, ref X10281-R2-1 dated May 2021), 'Factual Report on Ground Investigation' (BAE Systems, X10281-R3-1, dated July 2021) and 'Contaminated Land Risk Assessment' (BAE Systems, ref X10281-R4-1, dated July 2021) 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.

Reason : To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete to accord with Policy BNE23 of the Medway Local Plan 2003.

- 18 Piling or any other foundation designs, including installation of basements involving deep excavations or 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 risk assessment for these activities that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason : 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 accordance with Policy BNE23 of the Medway Local Plan 2003.

- 19 The development hereby approved shall not be fully occupied until all of the areas shown on the submitted layout as vehicle parking space have been provided, surfaced, and drained. Thereafter those parking areas 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 2018 (or any order amending, revoking, or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking and in accordance with Policy T13 of the Medway Local Plan 2003

- 20 The development hereby approved shall not be fully occupied until details of the provision of at least 70 spaces (5% of the total parking provision) electric vehicle charging points, including timescale(s) for installation, has been submitted to and approved in writing by the Local Planning Authority. Details shall include the location, charging type (power output and charging speed), associated infrastructure and timetable for installation. The development shall be implemented in accordance with the approved details and shall thereafter be maintained.

Reason: In the interests of sustainability in accordance with paragraph 112E of National Planning Policy Framework 2021.



- 21 Pursuant to any reserved matters application(s) for the whole site details or any phase measures to address energy efficiency and climate change, based on the Climate Change Statement (Cassidy and Ashton, dated July 2021) and including the installation of Air Source Heat Pumps and Photo Voltaic panels (unless otherwise agreed in writing by the Local Planning Authority), shall be submitted to and agreed in writing by the Local Planning Authority. The development within any phase shall not be occupied until a verification report prepared by a suitably qualified professional has been submitted to and approved in writing by the Local Planning Authority confirming that all the approved measures have been implemented.

Reason: In the interests of sustainability and to positively address concerns regarding climate change in accordance with paragraph 154 the National Planning Policy Framework 2021.

- 22 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 (including an overlay of the proposed lighting onto the site landscaping plans), nearby residential properties, 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, nearby residents, and wildlife and with regard to Policies BNE1, BNE2, BNE5 and BNE39 of the Medway Local Plan 2003.

- 23 No building shall be occupied within a phase until a plan indicating the positions, design, materials, and type of boundary treatment to be erected within that phase has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be implemented in accordance with the approved details before any building within that phase is occupied and shall thereafter be retained.

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.

- 24 The development shall be carried out in accordance with the site levels as shown in drawing ROCSD-CASA-11-XX-PL-A-1016 \_P1 (Proposed Site Levels) and building heights as shown in drawings ROCSD-CASA-11-XX-PL-A-1000 \_P2 (Building Heights Restrictions Plan), ROCSD-CASA-11-XX-PL-A-1001

\_P3 (Building Height Restrictions Site Sections)' ROCSD-CASA-11-ZZ-PL-A-1021 \_P2 (Building Scales and Heights).

Reason : To ensure acceptable visual amenity and safety in relation to the adjacent airport operation in accordance with Policies BNE1 and BNE2 of the Medway Local Plan 2003.

## **Proposal**

The application seeks outline planning permission for the redevelopment of the land associated with BAE Systems. Matters of matters of 'Access', 'Layout' and 'Scale' are for consideration as part of this application while 'appearance' and 'landscaping' remain as reserved matters.

The proposed redevelopment includes:

- New factory building
- PPS building
- 2 no. office buildings
- Deep storage building
- Ancillary car parking areas
- Associated highways and access works
- Heat pump / chiller plant
- Pump house and sprinkler tanks
- Gate houses

The above works would follow demolition/enabling works applied for under planning application MC/21/2291 – also on this agenda. The Faraday building and Falcon building would remain and not undergo demolition.

The site gains access from the Horsted gyratory, via Marconi Way. There is also a secondary access from Laker Road.

## **Relevant Planning History**

MC/21/2291      Enabling works comprising demolition of existing buildings followed by remediation works, construction of a new substation and waste storage compound, fencing, construction / extension / improvement of car parking areas and reconfiguration of site entrance  
Also on this agenda

### Innovation Park Medway, Rochester Airport, Maidstone Road, Chatham ME1 2XX

MC19/1556      Preparation of Local Development Order and accompanying Environmental Statement in support of the creation of a mixed-use business park, featuring c101,000sqm of predominantly high tech

and innovation-oriented E(g)/B2 commercial uses - The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Regulation 38) and the Town and Country Planning (Environmental Impact Assessment) Regulation 2017 as amended Approved 3 December 2020

## **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.

Rochester Airport, EDF Energy, Southern Gas Network, Southern Water, National Highways, Tonbridge and Malling Council, Kent Downs AONB Unit, KCC Biodiversity, KCC Archaeology, Environment Agency, Natural England, LLFA, KCC Highways and Historic England have also been consulted.

**Southern Gas Network** have provided a plan showing infrastructure in the area and guidance when working near their infrastructure.

**Southern Water** have provided a standard response showing that the development will lie over an existing sewer which it may be possible to divert at the developer's expense. There are relevant statutory provisions for such works.

**Fulcrum Pipelines Ltd** have provided a standard response and plan showing infrastructure in the area.

**UK Power Networks** have provided a standard response and plan showing infrastructure in the area.

**Tonbridge and Malling Council** do not object to the proposal but 'raise issues' which related to the determining authority being satisfied of various matters in relation to the screening of the proposal under the Environmental Impact Assessment Regulations 2017 and in regard to impacts on the local road network and the Strategic Road Network (SRN).

**National Highways** do not object to the development, advising that the proposals would not have an unacceptable impact on the safety, reliability, and/or operational efficiency of the Strategic Road Network in the vicinity of the site (M2 Junction 3). They have agreed a Construction Management Plan which can be secured by a planning condition.

**Kent County Council Highway Authority** has no objection subject to a condition requiring a Construction Management Plan.

**KCC Archaeology** accept that it is probable that the current building stock would have resulted in the removal of archaeological remains but consider that it is possible that significant archaeological remains could survive beneath the slabs of existing buildings

and under areas of hard landscaping. Furthermore, clarification should be sought from Historic England on the significance of the factory complex and Towers, and only then should building recording work be secured by the use of a planning condition.

**Historic England** undertook an assessment of buildings on the site in respect to their potential for listing. Following this assessment, no buildings are to be listed on the site, but they consider the two Fuel Flow buildings to be undesignated heritage assets.

**Lead Local Flood Authority** advise the enabling works are acceptable subject to condition for a Construction Surface Water Management Plan (CSWMP). The submitted application seeks to address the existing flood risk issues on the site and ensure that there will be no increase within the surrounding area. The Ground Investigation details submitted highlight that the site is suitable for infiltration, however this would need to be confirmed through soakage testing during the detailed design stage.

**Natural England** advise they have no comments.

**KCC Biodiversity** advise that neither mitigation measures or a precautionary approach are required for the clearance/construction phase in relation to bee orchids, breeding birds and reptiles. Lighting details also are needed with regard to biodiversity, as are biodiversity enhancement details.

**Environment Agency** advise that suitable remediation and mitigation would be possible, but conditions are required in relation to the proposed mitigation and unexpected contamination. However, they also requested a condition that no infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority as they state that there may otherwise result in pollution of the ground water (secondary aquifer), and they would object to the proposal.

## **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**

### *Principle*

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan).

The site is located within the urban boundary and part of the site is shown on the Local Plan map as Existing Employment Land (Local Plan Policy ED1) and 'Rochester Airfield' strategic land (Local Plan Policy S11).

Policy ED1 (Existing Employment Land) states in relation to the site that it should only be used for B1 (now E(g)), B2, B8 uses.

Policy S11 (Rochester Airfield) states that Rochester Airfield is allocated for high quality business, science and technology development comprising B1 (now E(g)), B2 and B8 uses.

The site also forms part of the land within the Innovation Park Medway [IPM] which is subject to a Local Development Order [LDO] under planning reference MC/19/1556. This granted planning permission for the creation of a mixed-use business park, featuring c101,000sqm of predominantly high tech and innovation-oriented E(g)/B2 commercial uses.

It is intended that occupation and operation of the site in its current use (high tech) will continue during the enabling and redevelopment works taking place.

The proposed works are not contrary to the aspirations of any of these policies or the LDO permission and as such are considered to comply with Policies ED1 and S11 of the Local Plan.

### *Design/Layout/Scale/Landscaping*

Local Plan Policy BNE1 'General Principles for Built Development' requires the design of development to be appropriate in relation to the character, appearance and functioning of the built and natural environment. The Government attaches great importance to the design of the built environment. Paragraph 130 of the NPPF 2021 is key to achieving well designed places. Policy BNE6 of the Local Plan directs that in relation to major development, important existing landscape features, including trees and hedgerows, should be retained and structural landscaping schemes should enhance the character of the locality.

In this case the proposal is in outline form but seeks to establish the matters of Access, Layout and Scale. Matters of Appearance and Landscaping are reserved for consideration at Reserved Matters stage. However, in support of the matter of 'Layout' and to inform landscape intent, a Landscape Strategy is submitted. In terms of the matter of Appearance, some intent is provided by indicative massing models and 3D visualisations of the proposed site.

In their submission the applicant has been mindful of the Design Codes for the IPM LDO development, which is immediately adjacent to the site, and confirms that they would be *"utilising high quality construction materials and methods selected to be sympathetic to the character of the adjacent Innovation Park Medway."*

The redesign of the site removes the large existing central block, substituting it with several smaller buildings. It is considered that this principle can greatly improve the visual impact of the site which will be further improved with good quality of design for each building.

However, the layout will be heavily dominated by parking (as it is currently) and consists of large bays of parking. The South Car Parking is located adjacent to the IPM site. IPM building plots facing the South Car Park and publicly accessible areas (roads, footpath, and cycle routes) of the innovation park would be directly impacted.

It is considered that boundary landscape treatments can provide partial screening, and if coupled with Green-Blue infrastructure within the car park the issue can be satisfactorily addressed and mitigate the impact of the extensive parking areas.

The proposed buildings are either single storey, double height (with mezzanine) or two storeys in height. The building heights proposed respect the building height restrictions related to Rochester Airport operational safety.

Overall, the proposed buildings are considered to be of an appropriate amount and scale for this site, considering its industrial area surroundings.

A Landscape and Visual Impact Assessment (LVIA) has been submitted with the application taking account of the views of the development from the Kent Downs AONB area using Public Rights of Way and nearby residential properties.

In respect to the Kent Downs AONB the LVIA concludes that the proposed development will be experienced in the context of Rochester Airport and surrounding employment areas, as distinct from the remainder of Rochester's urban area, with most of the effects being neutral in nature and of minor/negligible significance due to the removal and replacement of the existing buildings within the site. The proposal will not impact upon the special characteristics, qualities or reasons for the designation of the Kent Downs AONB. The conclusions of the LVIA in this regard are agreed.

Subject to suitably worded planning conditions the proposal is considered to comply with Policy BNE1 of the Local Plan.

### *Amenity*

Policy BNE2 seeks to protect the amenities of neighbours in terms of privacy, daylight, sunlight, noise, vibration, heat, smell, airborne emissions. Paragraph 130 of the National Planning Policy Framework 2021 requires that development functions well over its lifetime and provides a high standard of amenity for existing users.

The site is in a lawful and active use and the proposed use of the site will not change under this application. The amenities of business workers on the site and of neighbours

would need to be protected during the construction phase of the development. Any impacts on amenities from construction activities can be mitigated and controlled through the use of a Construction Environmental Management Plan (CEMP), which can be secured by the use of a planning condition.

In relation to traffic noise, vehicle trips associated with the development are predicted to reduce, and this will therefore not result in any increases in road traffic noise but a betterment from the current situation.

Sources of operational noise, for example fixed plant, need to be controlled by a planning condition to ensure that the living conditions of neighbours are suitably protected. However, it is anticipated that the modern buildings will perform much better in reducing noise escape than the existing older buildings.

Due to the location of the proposed buildings a significant distance from residential dwellings, and the limited height of the buildings to two storeys, the proposal will not result in harm to residential amenity in terms of loss of outlook, overshadowing or overlooking.

In conclusion, subject to the use of a planning conditions in relation to a CEMP and noise mitigation measures, the proposal is considered to comply with Policy BNE2 of the Local Plan.

### *Ecology*

Policy BNE39 of the Local Plan states that "*Development will not be permitted if statutorily protected species and/or their habitats will be harmed*" and requires conditions or obligations to be attached to permissions to "*ensure that protected species and/or their habitats are safely guarded and maintained*".

Paragraph 180 of the NPPF 2021 states that '*d) ... opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity...*'

The Kent County Council ecologist advises that neither mitigation measures or a precautionary approach are required for the clearance/construction phase in relation to bee orchids, breeding birds and reptiles but will need to be addressed via a condition on this outline application. In addition, biodiversity enhancement and lighting details (planting species, installation of bat and bird boxes etc) are required to ensure protection of notable wildlife/nature on the site and in the vicinity and biodiversity net gain and a Landscape and Ecological Management Plan (LEMP) must be agreed through the use of planning conditions.

Subject to suitably worded planning conditions the proposal is considered to comply with Policy BNE39 of the Local Plan and paragraph 180 of the NPPF 2021.

### *Contamination*

Policy BNE23 of the Local Plan requires that proposals for development of land likely to be contaminated be accompanied by the findings of a site examination, which identifies contaminants. Policy BNE23 of the Local Plan and paragraphs 183 and 184 of the NPPF 2021 require that decisions should ensure that new development is appropriate for its location and takes account of the likely effects of pollution on health, living conditions and the natural environment.

A preliminary desk study, a site investigation, a risk assessment and options appraisal have been submitted to and reviewed by the Environment Agency (EA). Conditions are required in respect to remedial/mitigation work, verification and in the event of the discovery of any unexpected contamination. These need to take account of the potential to cause risk of pollution to the groundwater (secondary aquifer) by surface water drainage and deep foundations unless suitable mitigation is secured.

Subject to suitably worded planning conditions the proposal is considered to comply with Policy BNE23 of the Medway Local Plan 2003.

### *Flood Risk*

Paragraphs 159 to 164 and 169 of the NPPF 2021 relate to flood risk and that new development should be both directed away from the areas at highest risk of flooding and should not increase flood risk elsewhere.

In support of the application has been submitted a Flood Risk Assessment, Drainage Details report and other details, which show a surface water drainage scheme connecting to existing soakaways and providing additional soakaways where required.

The application site is situated within Flood Zone 1 as shown within Environment Agency mapping. It is noted that there are areas of the site which experience medium and high surface water flooding. The submitted application seeks to address the existing issues and ensure that there will be no flooding increase within the surrounding area. The Ground Investigation details submitted highlight that the site is suitable for infiltration, however this would need to be confirmed through soakage testing during the detailed design stage and can be secured through the use of a planning condition.

Therefore, subject to suitably worded conditions and a condition to agree a Construction Surface Water Management Plan (CSWMP), no objection is raised to the proposal under the relevant paragraphs of the NPPF 2021.

### *Air Quality*

Paragraph 174 of the NPPF 2021 refers to the need for planning policies and decisions to contribute to and enhance the natural and local environment in part by "e) *preventing new and existing development from contributing to, being put at unacceptable risk from,*



*or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability...”*

An Air Quality Assessment has been submitted which addresses both the enabling works application (MC/21/2291) and the redevelopment application. The predicted air quality impacts are based upon a worst-case scenario whereby the expected reductions in vehicle trips are not accounted for. It is appreciated that the anticipated reduction in vehicle trips would likely result in a reduction in vehicle emissions associated with the development. Electric Vehicle parking is also proposed and would be secured by planning condition.

The applicant has additionally advised that they will not utilise any gas for heating/ water heating as this will be provided by Air Source Heat Pumps and Photo Voltaic panels on the roof. The only gas that would be used will be in the paint shop which will utilise a small amount in the paint shop to heat the paint. This compares with the current factory and other buildings which all utilise use gas for heating and water heating.

Therefore, it is accepted that further air mitigation is not required to be provided.

Overall, no objection is raised to the proposal under the relevant parts of Policy BNE2 of the Local Plan and paragraph 174 of the NPPF 2021.

### *Archaeology*

Policy BNE21 of the Local Plan seeks to account for and protect/mitigate from harm/record findings at archaeological sites, from and during development, as do paragraphs 194 and 197 of the NPPF 2021. Paragraph 203 of the NPPF 2021 requires that *“the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard for the scale of any harm or loss and the significance of the heritage asset.”*

A Heritage Impact Assessment and additional impact assessment reports have been submitted in support of this application. The site has a historical background in relation to the Shorts Brothers aircraft manufacturing company construction of seaplanes and involvement with concord instrument testing.

During the course of the application Historic England undertook an assessment of buildings on the site in respect to their potential for listing. Following this assessment, no buildings are to be listed on the site, but they consider the two Fuel Flow buildings to be non-designated heritage assets.

The Kent County Council Archaeologist accepts that it is probable that the current building stock would have resulted in the removal of archaeological remains but consider that it is possible that significant archaeological remains could survive beneath the slabs of

existing buildings and under areas of hard landscaping. Therefore, KCC archaeology advises that a programme of archaeological work be secured by condition should planning permission be granted. This however would only be acceptable if the loss of the non-designated heritage assets on the site (as proposed) was accepted.

Paragraph 204 of the NPPF 2021 says that *‘Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.’* And at paragraph 205 *“Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.”*

In this case the balance judgement of the loss of the non-designated heritage assets needs to be balanced against the significant business and employment benefits of both retaining BAE Systems as a major high-tech employer in the Medway area and allowing the carefully designed layout and capacity of the site to enable this specialist employer to redevelop the site to allow for maximum efficiency and growth of their research, manufacturing and training programmes.

On balance the non-designated heritage asset of the Fuel Flow buildings is considered to hold a limited, although recognised, historical significance as they are situated centrally within a secure, private area where there is no public access or appreciation on a regular basis. For these buildings to remain in situ, the applicant has reviewed two alternate layouts which are not optimum in terms of the floorspace or layout they would provide (particularly in respect to the loss of factory floorspace). In addition, the alternate layouts would require the re-organisation of circulatory routes around site which would result in the partial (significant) or full loss of the green landscape area between the application boundary and the IPM site, which is considered to be highly important to address the relationship between these two development areas.

It is therefore concluded that, on balance, the loss of the non-designated heritage assets of the two Fuel Flow buildings be allowed in this instance and following the consideration of the matters of their limited historical significance, the lack of public access, the impact on the whole development to retain them in place (and without an intended use as part of the redevelopment) and the detrimental impact on the operation of this important, leading high-tech company and local employer, having regard to paragraphs 203, 204 and 205 of the NPPF 2021 and subject to a planning condition that a programme of archaeological work be secured for the site, in accordance with Policy BNE21 of the Local Plan.

### *Highways*

Policy T1 of the Local Plan relates to the impact on development in part of the highway network. It says that development will be permitted provided that: (i) the highway network has adequate capacity to cater for the traffic which will be generated by the development...;(ii) the development will not significantly add to the risk of road traffic

accidents; (iii) the development will not generate significant H.G.V. movements on residential roads; and (iv) the development will not result in traffic movements at unsociable hours in residential roads that would be likely to cause loss of residential amenity. Paragraph 111 of the NPPF 2021 states that *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'*

The proposal would continue to use the existing access points to both Marconi Way and Laker Road, including access to the existing cycle infrastructure and public transport points.

The submitted Transport Statement provides evidence of how the number of employees working at the site has reduced over time. As a result of this (and existing and proposed sustainable transport measures) the total amount of car parking at the site is to be reduced from 2100 spaces to 1400 spaces. 1500 people are currently employed in total at the site, and this is expected to remain stable or reduce during the development period with some flexible working practises available.

Trip Rate calculations have been provided which show the expected change in person and vehicle trips associated with the reduction in car parking and re-development of the site facilities. Despite the number of person and vehicle trips being expected to reduce as a result of the redevelopment, highway modelling has been undertaken to identify any knock-on impacts to the highway network, such as any significant re-routing.

The results of the modelling show that there will not be any locations in the model area which will experience a material increase in traffic flows as a result of re-assignment. Effects are primarily reductions in expected actual traffic flow, including on some links connecting into the Strategic Road Network (SRN), such as the A229 Maidstone Road. Therefore, the net effect of the re-development of the site and rationalization of car parking will be to take traffic off the local and strategic road networks and will not result in any hazard to these networks.

In respect to the proposed on-site parking, 86% of parking provision will be located at the north of the existing site in four car parks. A single car park with 40 spaces would be situated at the east of the site and a single car park with 150 spaces located at the south.

The NPPF 2021 has put sustainable development as a central core and Paragraph 112E outlines that development should provide electric charging facilities. The applicant proposes that 5% of the parking spaces will be fitted with Electric Vehicle charging facilities and cabling installed for a further 5% of the EV charging provision to be bought on-line as required. This is considered to be acceptable and can be secured by the use of a planning condition.

A Construction Management Plan (combined as part of the Construction Environmental Management Plan) can be secured by condition, in part to address the impacts of construction traffic.

Subject to suitably worded planning conditions, the application is considered to be acceptable in respect of the transport and parking policies T1, T2 and T13 of the Medway Local Plan 2003 and paragraph 111 and 112E of National Planning Policy Framework 2021.

### *Climate Change and Energy Efficiency*

A Climate Change Statement has been submitted in support of the application.

The application proposes measures in order to achieve an energy efficiency within the built development and operations as follows :

- Replacement of existing aged facilities
- Improvement in the fabric and installation of more efficient building services will provide a reduction in the electricity demand
- Introduction of passive design measures to reduce the total heating, cooling, mechanical ventilation, lighting loads and energy consumption
- Orientation of the buildings to the sun to benefit from solar gain assisting in the heating of the buildings during cooler months
- High levels of insulation will be specified to reduce energy usage and carbon emissions
- Doors and windows will be low U-value double glazing, maximising solar gains and reducing thermal losses
- New heating system will comprise of energy efficient boilers (where used) with insulated pipework and energy saving thermostatic radiators and energy saving thermostats / devices where possible
- Buildings will be naturally ventilated, or implement free cooling solutions
- Low energy lighting throughout by utilising LED fittings
- Lighting analysis will enable the design to incorporate natural levels of lighting where sufficient, reducing the amount of artificial lighting required and associated carbon emissions
- Building Regulation energy requirements, with each unit provided with a SAP energy rating in excess of the target U-value as required by App Doc L (Conservation of Fuel & Power)
- Appropriate measures will be incorporated during both the construction and operational phases of the development, to reduce the overall water consumption. This includes the provision of greywater / rainwater recycling
- Employees will be encouraged to limit their daily water usage where possible
- Employees will be provided with up-to-date information regarding the availability of public transport services, as well as the local walking and cycle network maps, to encourage sustainable modes of transportation
- Incorporate sufficient and secure bicycle storage facilities in close proximity to the main buildings, to encourage travel by cycle to work
- The redevelopment should incorporate shower facilities for employees travelling by sustainable means of transportation

- Electric vehicle charging points will account for 5% of the spaces, with a further 5% set out to accommodate future demand

Further to the Climate Change Statement the applicant has confirmed that they will not utilise any gas for heating/ water heating as this will be provided by Air Source Heat Pumps and Photo Voltaic panels on the roof. The only gas that would be used will be in the paint shop which will utilise a small amount in the paint shop to heat the paint.

### *Local Finance Considerations*

No local finance considerations.

### **Conclusions and Reasons for Approval**

The proposal is for the redevelopment and modernisation of an existing high-tech business that operates from the site and is a major employer in the Medway area. The recommendation is for the approval of this outline application.

The matters of layout, scale and access are acceptable and would not be harmful to the operation of Rochester Airport nor harmful to the character of the area. There are no significant amenity issues or highways impact from the development and the development will result in betterment to the vehicle movements, road noise, plant noise, air quality, ecology, and climate through the modernisation of the buildings, site operations, archaeological recording, biodiversity enhancement and future ways of working.

Subject to conditions, the development is acceptable in layout, scale and access in accordance with Policies ED1, S11, BNE1, BNE2, BNE6, BNE21, BNE23, BNE39, T1, T2 and T11 of the Local Plan.

The application is being referred to the Planning Committee for determination, due to the significance of the proposal and that two non-designated heritage asset buildings will be demolished. The applicant advises that the first redevelopment works on the site are anticipated to start in the later summer 2022.

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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/>