

MC/22/1078

Date Received: 28 April 2022
Location: London Thamesport, Grain Road, Isle of Grain ME3 0AE

Proposal: Proposed new concrete products manufacturing facility comprising of warehouse and manufacturing plant for the production, storage and distribution of concrete blocks.

Applicant Gill Aggregates Limited
Mr Lucky Gill

Agent Architecture Design Limited
Mr Matthew Phillips Fitted Rigging House
The Historic Dockyard
Chatham
Kent
ME4 4TZ

Ward: All Saints
Case Officer: Tom Stubbs
Contact Number: 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 5th July 2023.

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:

Received 9 May 2022:

20/13/P.01 Proposed Building Plan
20/13/P.02 Proposed Building Sections
20/13/P.03 Proposed Building Elevations
20/13/P.03.1 Proposed Building Elevations
20/13/P.04 Site Plans
20/13/P.06 Block Plan Proposed

Received 21 November 2022:

IOG/002/B Proposed New Site Layout

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

- 3 No development shall take place including site clearance or preparation until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include amongst other matters details of hours of construction working; measures to control noise and vibration affecting nearby residents; dust and air pollution control measures; pollution incident control, bat mitigation measures indicated within the ecology report and site contact details in case of complaints. With regard to highways impact the CEMP should include numbers, frequency, routing and type of vehicles visiting the site. (Including measures to limit delivery journeys on the SRN during highway peak hours such as the use vehicle booking systems etc); measures to ensure that HGV loads are adequately secured, travel plan and guided access/egress and parking arrangements for site workers, visitors and deliveries; plus, sheeting of loose loads and wheel washing and other facilities. The construction works shall 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, wildlife and to prevent detrimental impact on the strategic road network with regard to Policies T1, BNE2, BNE37 and BNE39 of the Medway Local Plan 2003.

- 4 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 has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.

Those details should be submitted in conjunction with the site Landscape Plan, and shall include (if applicable):

- i. a timetable and construction method statement for its implementation (including phased implementation where applicable).

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 168 of NPPF.

- 5 No development shall commence 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 LLFA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the

approved plan for the duration of construction.

The approved CSWMP and 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 off-site flood risk associated with the development site and surrounding area.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 168 of NPPF.

- 6 No development shall take place until an Air Quality Emissions Mitigation Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall be prepared in accordance with the Medway Air Quality Planning Guidance and shall specify the measures that will be implemented as part of the development to mitigate the air quality impacts identified in the approved Air Quality Assessment, reference H3549-AQ-v2, dated 20 September 2022. The total monetary value of the mitigation to be provided shall be demonstrated to be equivalent to, or greater than, the total damage cost values calculated as part of the approved Air Quality Assessment. The development shall be implemented, and thereafter maintained, in accordance with the measures set out in the approved Mitigation Statement.

Reason: Reason: Required prior to commencement of development to ensure no long-term detrimental harm to conditions of amenity in accordance with Policies BNE2 and BNE24 of the Medway Local Plan 2003.

- 7 Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not take place until conditions 8 to 11 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified in writing by the Local Planning Authority until condition 11 has been complied with in relation to that contamination.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on human health water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 8 No development shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, including risks to groundwater, whether or not it

originates on the site. The scheme shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination.
- (ii) an assessment of the potential risks to:
 - o human health
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes.
 - o adjoining land,
 - o groundwaters and surface waters,
 - o ecological systems,
 - o archaeological sites and ancient monuments.
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on human health and water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 9 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared and submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on human health and water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 10 No development shall take place (other than development required to enable the remediation process to be implemented) until the approved remediation

scheme has been carried out in accordance with its terms. The Local Planning Authority must be given not less than two weeks written notification prior to the commencement of the remediation scheme works.

Following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and submitted to and approved in writing by the Local Planning Authority prior to the bringing into use of the development.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on human health and water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 11 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 8, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 9, which is subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in the approved remediation scheme a verification report providing details of the data that will be collected in order to demonstrate that the works set out in condition 9 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 10.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 12 No piling or any other foundation designs using penetrative methods shall 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.

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 line with paragraph 174 of the National Planning Policy Framework.

- 13 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 line with paragraph 174 of the National Planning Policy Framework.

- 14 Within six months of works commencing, details of how the development will enhance biodiversity shall be submitted to, and approved in writing by, the local planning authority. The approved details will be implemented and thereafter retained.

Reason: To provide ecological enhancement with regards to paragraph 180 of the National Planning Policy Framework 2021.

- 15 Prior to the bringing into use of the development hereby permitted, a scheme to minimise the transmission of noise from the use of the premises, shall be submitted to and approved in writing by the Local Planning Authority. Noise from the premises should be controlled, such that the noise rating level (LAr,Tr) emitted from the development shall be at least 10dB below the background noise level (LA90,T) 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 brought into use and shall thereafter be maintained in accordance with the approved details.

Reason: To safeguard conditions of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 16 Prior to occupation (or within an agreed implementation schedule) a signed verification report carried out by a qualified drainage engineer (or equivalent) shall 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. 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 168 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.

- 17 Prior to occupation, a lighting design plan for biodiversity shall be submitted to, and approved in writing by, the local planning authority. The plan will show the type/locations of external lighting and feature a lighting contour plan (showing lux levels) to demonstrate that areas to be lit will not adversely impact biodiversity. All external lighting will be installed in accordance with the specifications and locations set out in the plan and will be maintained thereafter.

Reason: In order to limit the impact of the lighting on the wildlife and with

regard to Policies BNE1, BNE2, BNE5, BNE12, BNE14, BNE34 and BNE39 of the Medway Local Plan 2003.

- 18 No part of the development shall be occupied until details of cycle storage facilities have been submitted to and approved in writing by the Local Planning Authority. The cycle storage facilities shall be implemented in accordance with the approved details prior to occupation.

Reason: to ensure satisfactory cycle storage in accordance with Policy T4 of the Medway Local Plan 2003.

- 19 Prior to the occupation, the area shown on the submitted layout as vehicle parking space/garaging shall be provided, surfaced and drained. 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 the land so shown or in such a position as to preclude vehicular access to this reserved parking space/garaging.

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking and in accordance with Policies T1 and T13 of the Medway Local Plan 2003.

- 20 The development herein approved shall incorporate the measures to address energy efficiency and climate change as set out within Review of Energy Efficiency Requirements and Sustainable Design Measures. The development 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.

- 21 The hereby permitted use must operate in accordance with the approved mitigation within Appendix 4 of the February 2023 air quality assessment (v3), including a dust management plan.

Reason: To ensure no harm to conditions of amenity in accordance with Policies BNE2 and BNE24 of the Medway Local Plan 2003.

- 22 No development above slab level shall take place until details 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.

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

Proposal

This application seeks planning permission for the construction of a new concrete products manufacturing facility comprising of warehouse, concrete batching and manufacturing plant for the production, storage and distribution of concrete blocks. The concrete products will be stored externally before being distributed by road.

The proposed mixed B2 (plant and warehouse) and B8 (storage of product) use is proposed to operate 24 hours per day and the process would consist of:

- Receipt of aggregate from the existing adjacent aggregates handling facility.
- Importation of cement by road.
- Construction and operation of a concrete products manufacturing facility incorporating a concrete batching plant alongside loading and external storage area; and
- Exportation of concrete blocks by road.

The proposed cladded warehouse building has a footprint of 3,282m² with mixed heights ranging from approx. 4.3m to 10.2m and various stacks, equipment and conveyors with maximum heights of approx. 16-20m.

Relevant Planning History

MC/15/1670	Partial relocation and extension to aggregates importing facility for the storage and handling of aggregates and the storage, processing and distribution of used railway ballast. Decision Approval with Conditions Decided 27 September 2017
MC/02/1557	Use of land for the open storage, processing and distribution of used railway ballast Decision Approval with Conditions Decided 24 December 2002

Representations

The application has been advertised on site, in the press and by individual neighbour notification to the owners and occupiers of the surrounding residential and commercial properties. St James Isle of Grain Parish Council, National Highways, Southern Water, Southern Gas, EDF Energy, Environment Agency, KCC Biodiversity, National Grid, Peel Ports, Maine Management Organisation, Network Rail, Health and Safety Executive, RSPB, Natural England and the Kent Wildlife Trust have also been consulted.

National Grid Grain LNG object to the proposal raising the following concerns:

- The development is in close proximity to Grain LNGs site which facilitates the offloading and reloading of Liquefied Natural Gas. The site is responsible for approx. 20% of the UK gas demand a day. There is a lack of information and assessment as to what is proposed and any potential effects. The concern is around the operations within the warehouse and the possible impact from deposition of cement dust on the Grain LNG equipment resulting in smothering, binding, abrasion, chemical reaction and accumulation. The Air Quality Assessment (originally submitted) does not consider Grain LNG equipment.

Officer response - an updated air quality assessment has been provided since this representation was received, considering their equipment and no response has been received.

Thamesport Interchange Limited (who are the freeholders of the land) have objected to the proposal raising the following concerns:

- Impact on their drainage network and possible contamination impacts.
- Concerns about the piling and contamination.
- Location of attenuation tank likely to mobilise contamination.
- Concerns over proposed drainage strategy.

St James Isle of Grain Parish Council have commented on the supporting information of this planning application raising the following concerns:

- The A228/B2001 is already stretched, and the additional HGV traffic would constitute a major issue for residents and is not fit for purpose.
- Concerns over the figures provided in the transport statement.
- Noise disturbance/light pollution and air quality of a 24-hour operation on residents on A228.

The Marine Management Organisation (MMO) have written to indicate that any development within the Marine Area require a license from the MMO. Standard information is provided about areas of consideration including the need to assess the application against the Marine Policy Documents.

National Grid Asset Protection Team have written to confirm the proposal would not affect any National Grid apparatus.

National Grid Gas Asset Protection Team have responded that the development is outside the high-risk zone from National Grid Gas Transmission PLCs apparatus and can proceed. Information regarding HSE consultation is also provided.

Southern Gas Networks have written sending a map of pipes under ownership by SGN and guidance on development within proximity to pressure gas mains and safe digging practices. An informative is recommended to advise the applicant.

UK Power Networks have written providing a map of their power lines and advice on using the provided plan and working around their equipment. An informative is

recommended to advise the applicant.

National Highways originally requested additional information. On provision of the additional information National Highways have indicated the development would be unlikely to materially impact on the safety and operation of the M2 and A2 being the strategic road network. However, there is concerns about impact on the construction phase and a Construction Environment Management Plan is requested to be imposed to any permission granted.

Officer comment - *This and the informative regarding their conditions would be imposed on any permission given.*

The Environment Agency have written to not raise objection to the proposal subject to conditions. The previous uses of the proposed development site present a medium risk of residual contamination that could be mobilised during construction to pollute controlled waters which are sensitive in this location. The submitted information provides enough confidence that this risk can be suitably managed. The requested conditions include for strategy to deal with risks; verification of remediation strategy; unexpected contamination; no infiltration and pilling designs. An informative is also requested. They also note that any on site drainage system in the wider site and eventual discharge into the Medway must be authorised by relevant landowners.

Dickens Countryside Protection Society have not objected but requested that moving traffic from road to rail should be investigated.

Southern Water have written with a map of water mains in the area. They indicate that there are no public foul and surface water sewers to serve this development and the applicant is advised to examine alternative means. The LLFA should comment on acceptance of the drainage into local water source. They also indicate a sewer now deemed public could be crossing the site and provides information for the applicant to undertake before development. A formal application is also required for the connection of the water supply. An informative will be included with the decision to bring this representation to the applicant's attention.

KCC Biodiversity have written to agree with the ecology reports conclusion that there is unlikely to be any significant impacts on site or to the nearby designated site regarding the development subject to conditions regarding providing ecological enhancements and control lighting with regards to biodiversity and bats. They have recommended a Habitats regulations assessment is undertaken for the impact of water management and potential contamination.

Kent County Council Flood and Water Management have written to raise no comment on the proposal as within Medway.

Network Rail have written to raise no comment on the proposal.

Natural England have written to indicate they would not provide specific advice on this application and there has no comment on the details and should be dealt with by standard advice.

A Habitats Regulations Assessment was sent for comment to Natural England regarding impact of water management and potential contamination. The conclusions are that the supporting information and conditions recommended in this application would not result in a detrimental impact. The assessment was accepted by Natural England.

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 2021 (NPPF) and are generally considered to conform. Where non-conformity exists, this is addressed in the Planning Appraisal section below.

The Southeast Inshore Marine Plan June 2021 (the Marine Plan) has also been considered.

Planning Appraisal

Environmental Impact Assessment (EIA) screening.

The Proposed Development does not fall within Schedule 1 of the 2017 EIA Regulations. Whilst it is over the Schedule 2, Section 5(b) screening threshold of 1,000sqm, it does not exceed the Planning Policy Guidance (PPG) indicative threshold of 10 hectares. The PPG does note that smaller projects may require EIA where they are expected to give rise to significant discharges of waste, emission of pollutants or operational noise. The proposal has been supported by technical assessment reports that have been submitted which do not consider that significant effects will arise.

The proposed development has been considered in relation to the scale, the location of the site, the nature of the proposals along with the proposed mitigation measures that will be imposed as part of the scheme. The full assessment is not provided in this report but available online. The assessment has determined that there is no potential for significant environmental effects giving rise to an EIA. An Environmental Statement is not required, and the application can be considered based on the provided specialist reports.

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 site is located within an existing employment area which is also part of the Isle of Grain strategy area as designated in the Local Plan. Policies S13, ED1 and ED7 of the Local Plan apply which encourage B1, B2 and B8 uses at the Isle of Grain and within the Thamesport Site. Paragraphs 11, 81 and 83 of the NPPF encourage sustainable development, business growth and local requirements of certain industrial uses.

Consequently, the proposed B2 and B8 uses raise no objection in principle, subject to the consideration of further material planning considerations and the impact on the environment as set out below.

Design

Paragraph 126 and 130 of the NPPF emphasises the importance of good design within sustainable development and encourage visually attractive, good architecture, layout, appropriate and effective landscaping. Policy BNE1 of the Local Plan states that development should be satisfactory in terms of scale and mass and should respect the visual amenity of the surrounding area.

The proposed warehouse, batching plant and open storage would not be considered to be out of character within an established industrial area and within close proximity to other large industrial buildings including warehouses, the Thamesport cranes, Pacadar site and Medway Power Station.

By virtue of its proposed size and scale and in the industrial context of the site, with larger building in close proximity and existing screening it is considered the proposal would have a low visual impact on the surrounding landscape within long and medium views with the building blending into the industrial nature of the area. Subject to a condition relating to materials the proposal is acceptable in design terms and in accordance with Policies BNE1 of the Local Plan and paragraphs 126 and 130 of the NPPF.

Amenity

The site is within an established commercial area which includes the Thamesport Container Port and other aggregate industries. There are no residential properties nearby and therefore there would be no detrimental impact on sunlight, daylight, overlooking and privacy.

The application is supported by a noise assessment on human receptors only. The assessment has considered noise from the manufacturing plant and indicate the noise from the manufacturing building itself will be inaudible from the nearest noise sensitive residential property due to the natural attenuation of sound with distance. Although this is likely to be true, weather systems could make this unreliable and modelling would usually assess this, however no modelling has been provided. The report also fails to assess external noise sources such as HGVs, for lifts and their reversing sirens etc. Consequently, a condition is recommended to require a scheme to minimise transmission of noise.

Concerns have been raised in consultation responses regarding the impact of dust on the equipment of Grain LNG and dust particles on the health of residents of the village and on A228. This will be covered in the air quality and dust section below.

In terms of the impact with regard to loss of sunlight, daylight, overshadowing, privacy and noise, the proposal is considered acceptable subject to the above-mentioned condition and in compliance with Policy BNE2 of the Local Plan and paragraphs 130 and 174 of the NPPF.

Air Quality and Dust

Policy BNE24 of the Local Plan and paragraphs 174 and 186 of the NPPF requires new development to take account of the impact on air quality.

The application was supported by an Air Quality Assessment. The assessment is considered acceptable with regards to dust and impact on human health. The report does not sufficiently cover the potential impacts on the AQMA at Four Elms Hill, however given the small contribution of the development and the predicted concentrations in the AQMA it is considered that a condition requiring an air quality mitigation scheme from the road transport emissions would be appropriate and is accordingly recommended.

An objection has been received by Grain LNG about the impact and a lack of information on the impacts on their equipment and subsequent operations. The original assessment was assessed by an independent air quality consultant who was tasked with assessing the robustness of the supporting air quality information and the likelihood that the dust would reach the National Grid Grain LNG plant. Further information was requested with regard to the production of dust during operation. The further information has been provided in the document "Air Quality Assessment Version 3 dated February 2023."

The revised assessment provides details of the dust-generating activities and the amount and type of dust that may be produced during the operational phase. It also provides details of the mitigation against dust offered by the equipment and processes. Based on this information, it provides a risk-based assessment of the likely dust impacts from operation and concludes that the magnitude of dust effects is negligible at all receptors. The consultant has confirmed that the assessment is satisfactory and robust. An appropriate condition is recommended to ensure that the operations are taken place in accorded with the mitigation set out in the air quality assessment.

On the basis of all the supporting documents it is considered that development would not result in unacceptable air quality issues from operations or transport with regard to the impact on human health or neighbouring business including the National Grid Grain LNG equipment subject to conditions. The development is therefore in accordance with Policies BNE2 and BNE24 of the Local Plan and paragraphs 174 and 186 of the NPPF.

Highways

The Parish Council object based on the additional pressure on the A228 from the proposed development. The application is supported by a Transport Statement and additional information in response to comments from National Highways and the internal highways teams. Which are considered acceptable.

The proposed development would utilise the existing access and provide parking arrangement for 13 parking spaces. This is significantly below the maximum of 66 set for B2 uses within the parking standards. However, this is considered acceptable as the site employs up to 20 staff and there is sufficient space within the site to provide additional spaces if required. Similarly, there is enough room to cater for the parking

and manoeuvring of large HGVs. A Sheffield style cycle stand for 4 cycles is proposed. The number of spaces is acceptable given the number of staff. However, the cycle provision should be provided in an enclosed facility and an appropriate condition is recommended to secure a more appropriate design.

With regards to trip generation the Transport Assessment indicates that the development is predicted to generate 132 two-way trips per day; 40 private car movements; 12 HGV imports and 80 HGV exports per day. This would be 28 trips per hour with the 24/7 production. Sensitivity testing has been conducted within the supporting technical note that concludes that the cumulative impact of the traffic associated with the development and the committed development in the area would not lead to an adverse impact on traffic flows on the B2100 Grain Road or surrounding networks. The assessment provided is considered to be acceptable.

Highways England are also satisfied that the development would not have a significant impact on the strategic road network during operation but have indicated there could be an impact during construction and a Construction Environment Management Plan would be required by condition.

With regard to road safety the proposal seeks to utilise the existing access and egress into the Thamesport Site and the supporting information indicates only one accident leading to person injury between 1 January 2016 and 1 June 2021 which was classed as slight by the Police. Consequently, there is no pattern of incidents in the area and the traffic associated with the development is unlikely to impact on highways safety.

Therefore, it is concluded the proposed development is acceptable in highways terms with regards to capacity and road safety subject to the above-mentioned conditions and is in accordance with Policies T1, T2, T4 and T13 of the Local Plan and paragraph 111 of the NPPF.

Contamination

Policy BNE23 of the Local Plan requires that land known to be or likely to be contaminated should be accompanied by detailed site examination and appropriate remedial measures to reduce or eliminate risk to human health and the wider environment be agreed.

The application has been supported by a Phase II Geo-Environmental Assessment. The investigation includes an intrusive investigation and revised conceptual model and reviews previously undertaken contaminated land assessment of the site. However, it is dated from 2019 and not considered current but reflects the current site conditions and current statutory guidance.

It is accepted that due to the historic uses of the land there may be unidentified contamination present, and a watching brief should be imposed with any permission.

Suitable contamination conditions would be required to ensure that the assessment reflects the current site and ensure that any necessary remediation is undertaken and verified. These conditions shall include desktop study, investigation and risk assessment, remediation scheme and verification report.

The Environment Agency has indicated that there is a potential of the mobilisation of existing contamination onto controlled waters and have requested similar contamination conditions as well as conditions to restrict infiltration and design of piling to be agreed to reduce this risk.

Consequently, subject to the abovementioned conditions, no objection is raised to the proposal under Policy BNE23 of the Local Plan and paragraph 183 of the NPPF.

Ecology

The site is located within 950m of the Medway Estuary and Marshes SPA, SSSI and Ramsar Site. The supporting Ecology & Nature Conservation assessment is generally considered to be acceptable in that the proposed development is unlikely to have an adverse impact on the integrity of the nearby European designated sites and mitigation will be provided to prevent any pollution incident on aquatic and marine environment (see below Flooding/Suds section for further information).

Appropriate conditions are recommended to secure ecological enhancements and control lighting with regard to biodiversity and bats.

A habitats regulations assessment for the impact of water management and potential contamination has been sent to Natural England which indicated that there would be no significant impact subject to conditions. The assessment was considered to be acceptable.

Subject to the abovementioned conditions the application is considered to be acceptable with regards to impacts on ecology and in accordance with Policies BNE35, BNE37 and BNE39 of the Local Plan and paragraphs 174 and 180 of the NPPF.

Flooding/SUDS

The application is supported by a Drainage Strategy Report. The site is situated within Flood Zone 3 'High Risk' in accordance with Environment Agency mapping but has a low risk of surface water flooding.

Inspection of British Geological Mapping indicates the presence of London Clay Formation which does not allow infiltration. It is noted that attenuation tanks and petrol interceptors are proposed for the site prior to discharging into the site wide drainage. Subject to conditions for SUDs scheme, verification and a construction surface water management plan the application is considered to be acceptable.

An objection has been made regarding the drainage strategy proposed. A full SUDs scheme is recommended as a condition and the applicant would work with the landowner to produce a suitable strategy.

The proposed development subject to the abovementioned condition would be considered to be in accordance with is in accordance with paragraph 167, 168 and 169 of the NPPF.

Climate Change and Energy Efficiency

The applicant has included a Review of Energy Efficiency Requirements and Sustainable Design Measures which indicates that the industrial site is exempt from Part L2 of building regulations. However, in order to reduce environmental impact several measures are proposed including future proofing roofs for solar panels, efficient water utilities for staff areas to minimise water use and materials to be low embodied energy.

Subject to a verification report for these measures the application is considered to be in accordance with paragraph 154 of the NPPF.

Conclusions and Reasons for Approval

The proposal is considered acceptable in terms of principle, design, amenity and highway aspects and with regard to all other material planning considerations. The proposal accords with the provisions of Policies S13, ED1, ED7, BNE1, BNE2, BNE23, BNE24, BNE35, BNE37, BNE39, T1, T2 and T13 of the Local Plan and paragraphs 11, 81, 83, 111, 126, 130, 154, 167, 168, 169, 174, 180, 183 and 186 of the NPPF. Accordingly, the application is recommended for approval subject to conditions.

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

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 on Medway Council's Website <https://publicaccess1.medway.gov.uk/online-applications/>