

DEVELOPMENT CONTROL BOARD

10 September 2020

Reference: 20/00312/REM **Officer:** Steven Bell

Location: The Bridge Plot 34
Rennie Drive
Dartford
Kent

Proposal: Reserved matters relating to access, appearance, landscaping, layout and scale pursuant to condition 1 of outline planning permission DA/11/01207/OUT for erection of commercial units with flexible use B1(c)/B2/B8 with associated office space, parking and landscaping. Also, approval of details of Materials, Landscaping, Site Levels, Land Contamination, Tree Protection, Parking, Boundary Treatments and Refuse Storage pursuant to conditions 5, 6, 7, 9, 13, 17, 18 & 32, of outline consent reference 11/01207/OUT.

Applicant: Railway Pension Nominees Ltd

Agent: Barton Willmore/Lyndon Gill

Parish / Ward: Not Parished / Bridge

RECOMMENDATION:

Approval of Details

SITE DESCRIPTION

(1) The application site is located on the southern side of Rennie Drive and to the east of plots 32-33 application (reference 20/00311/REM also considered on this agenda). The site is separated from plots 32-33 by the existing lake that extends from just south of the Rennie Drive boundary and to the south towards the Fastrack route. The site is set slightly below road level and covers an area of approximately 1.57ha. The site is surrounded by water on three sides and therefore the site differs from plots 32-33 in that residential properties are not immediately adjacent with the closest residential properties being to the south-west of the site and the closest of these is approximately 100m from the nearest part of the site. Further to the east are other commercial/industrial properties within Rennie Drive.

(2) Vehicle access is already provided to the site and this was constructed when Rennie Drive was originally built and this leads directly to the north and onto Rennie Drive.

(3) The vast majority of development to the south and west of this site is residential being the remainder of The Bridge development, although as noted above this site is separated from this by the lake. To the north of the site the surrounding area is generally either open space or industrial/commercial development.

(4) The site has sat vacant for a number of years whilst the remainder of the Bridge development has been constructed and for a number of years signs around the site have advertised, 'Commercial Development' on this site.

THE PROPOSAL

(5) The applicant seeks approval of reserved matters (pursuant to the main Bridge outline planning permission) for the provision of industrial units. Two units are proposed (units D & E) and these have floor areas of 4,658 sqm and 2,679 sqm respectively. This floorspace includes internal office accommodation. The site is arranged such that the buildings are set

perpendicular to Rennie Drive with the larger unit D being located adjacent to Rennie Drive and the smaller unit E being located at the southern end of the site and adjacent to the lake. Both units have their service yards to the west of the buildings and the car parking is also located to this side of the buildings. A 4m high acoustic fence is proposed to the western site boundary adjacent to the lake. The proposal has a single vehicular access point that is shared by both units, utilising the location of the existing vehicular access point onto Rennie Drive.

(6) The application seeks a flexible permission being for Class B1(c) (light industrial), B2 (general industrial) and Class B8 (Storage and distribution). The application also seeks permission for 24 hour use of the premises.

RELEVANT HISTORY

(7) Outline planning permission was granted for the overall Bridge development under reference 02//00129/OUT. A masterplan for The Bridge Development, including plots 32 & 33 was approved under reference 04/01006/REM. This showed the intended use of plot 34 as being commercial development. The 2002 outline permission was renewed under reference 11/01207/OUT and subsequently numerous detailed applications were submitted for the various elements of The Bridge development. In 2014 an amendment to the masterplan was approved (14/01098/REM) which altered the use of plots to the south from commercial to residential. Detailed plans for the residential development of plots 29 & 31 were granted under reference 15/01287/REM and this has been built out and is now the residential development which is south-west of the application site.

(8) In 2017 an application for residential development of plots 32-33 was submitted under reference 17/00979/OUT. This application resulted in significant objection from neighbouring residents; with lack of adequate school facilities being the main concern. Following discussions with KCC Education it was not possible to overcome the educational issue raised by the application and it was subsequently withdrawn.

COMMENTS FROM ORGANISATIONS

(9) KCC Highways: No objection is raised to the application. (Detailed comments from KCC are incorporated in the traffic/highway section below).

(10) Environmental Health: No objections (comments from Environmental Health are included in the noise/disturbance section below).

(11) KCC Ecology: No objection to the principle of the application but details need to be agreed with regard to the suitability of the receptor sites. The proposed lighting strategy is also considered acceptable with regard to bio-diversity impacts.

(12) Environment Agency: No objection but it is recommended that flood resistant and resilient design techniques be employed given the risk of flooding in the area and the proposed floor levels of the development. Also, as the proposed floor level of 3.5m AOD, which is below predicted flood levels, safe refuse should be provided above a level of 4.92m AOD. With regard to the land contamination they advise a verification report should be submitted prior to first occupation.

(13) Kent Fire Brigade: No objection

(14) KCC Heritage: Following an assessment of information submitted in support of the application and given that this site has previously been disturbed as part of the overall Bridge development no conditions are suggested with regard to archaeology.

(15) Highways England: Consider that the application will result in less traffic generation compared to that expected from the extant outline permission and are satisfied that the proposals will not affect the safety, reliability and/or operation of the Strategic Road Network.

(16) KCC SUDS: No objection

(17) National Grid Plant Protection: No response

(18) Ministry of Housing, Communities and Local Government (required as the application is accompanied but an Environmental Statement): No objection.

NEIGHBOUR NOTIFICATION

(19) Neighbouring occupiers were consulted when the application was originally submitted and at that time a significant number of site notices were also posted in the surrounding area. A summary of the responses received in the 46 objections is below.

- With the daily traffic from Dartford bridge, concerns that this will add to traffic issues.
- Air pollution would increase along with the noise level.
- This development does not need more traffic, pollution, congestion, noise or unsightly buildings affecting the price of houses here.
- A 24/7 warehouse use is just inconsiderate.
- The space is far too close to the current housing development and will cause far too much disruption.
- Feel it will bring far too many lorries into an already small road development and do not agree with it being built here.
- People use our estate as a cut through so having more commercial premises is ludicrous.
- Will have a massive negative impact on their house and community due to noise and air pollution! I feel people will not want to buy houses right next to noisy warehouses that are operating 24/7 therefore meaning if they were to sell it would decrease their house price too.
- Overall view will be impacted.
- What about the safety of children in the estate.
- Concerned about light pollution.
- Too close to the bridge estate. Ruining wildlife and a beautiful space.
- The bridge estate infrastructure CANNOT support this.
- Very much against this plan, without some form of improvement in access to the M25.
- Whilst the 'Heavy' traffic will exit from the back of the estate, this does not help on a day when the traffic is backed up along Bob Dunn Way, and local residents, and employees in cars try to exit out of the one exit from the estate.
- Daily life will be impacted from vibrations and dust.
- Will be far too disruptive whilst being built and once finished. Commercial vehicles will not use the correct entrance to the estate either to access it, causing issues in the road as well.
- Far too close to residential buildings.
- There will be a lot more traffic going along Marsh Street North which will keep me awake at night. There was a diversion put in place a couple of nights ago and the noise from the lorries passing was unbearable.
- When we bought here we were not aware that this would be in the middle of an industrial estate.
- Added pollution and this is the only area where we can escape to go for a run or walk with nice views of the lake.
- The width restrictions in place on Marsh Street North act as a useful way of limiting the road for industrial use as an alternative to Bob Dunn Way when there is congestion. Removing these restrictions to facilitate construction and then to facilitate access for vehicles using the site will create unacceptable levels of traffic using the development as a cut through.
- The Fastrack A bus that serves the estate is consistently poor with services being infrequent and late (in practice not every 10 minutes as stated in the application). With the buses at present often over capacity, it cannot cope with the increased demand that the facility will require without significant improvement to the service.

- An approval for this to go ahead would leave many with no option but to sell up and move away from the area, again impacting house prices.
- The houses closest to the plot will no doubt have a loss of privacy but also possible overlooking to contend with.
- The walls of the houses are thin and this would have a massive impact on us.
- The majority of residents here are young families and do not want to be disturbed all hours of the day from noisy lorries/employees as these warehouses operate.
- Just recently there was a diversion through Marsh Street North and many Lorries crashed into the width restriction that is in place to combat speeding vehicles, in particular one lorry crashed very late at night causing damage and disturbance to all surrounding residents.
- With 400 new jobs available it means another 400 people travelling to and from the bridge, by bus and car, which will only add to the current problems we face.
- I appreciate this land has always been assigned for commercial use, but the close proximity to people's homes should have been considered when houses were built on Henry Walk and Jennings Close, land that was previously also assigned for commercial use, but changed to residential.
- I note that Policy DP3 of the Dartford Development Policies Plan on 'Transport Impacts of Development' states that: 'Development will not be permitted where the localised residual impacts from the development on its own, or in combination with other planned developments in the area, results in severe impacts on road traffic congestion and air quality.'

(20) Following revisions to the scheme, re-consultation was undertaken in August and no further responses have been received although I do not consider that the changes made to the scheme will have overcome the issues raised by objectors following initial consultation as the majority of issues raised relate to the principle of development. Also it should be noted that some of the respondents on this application appear to have confused the application and have referred to issues associated with the application for plots 32-33.

(21) A letter of support has been received from Kent Invicta Chamber of Commerce. The letter advises that the application brings much needed class B1c, B2 & B8 industrial development into the area together with welcomed employment. They also comment that the application will account for fewer trips into the area than the existing planning permission with significant landscaping improvements between the development and local housing together with the relocation of existing walkways and cycle routes. The letter also points out that the sustainability measures within the scheme are a credit to the development.

RELEVANT POLICIES

(22) The Dartford Core Strategy 2011, the Dartford Development Policies Plan 2017 and the Kent Minerals and Waste Local Plan 2016 form the Dartford's Development Plan and the application should be determined against this unless material considerations indicate otherwise.

(23) Adopted Dartford Core Strategy adopted 2011

CS1: Spatial Pattern of Development
 CS6: Thames Waterfront
 CS7: Employment Land and Jobs
 CS8: Economic Change
 CS9: Skills and Training
 CS14: Green Space
 CS15: Managing Transport Demand
 CS16: Transport Investment
 CS23: Minimising Carbon Emissions

(24) Adopted Dartford Development Policies Plan 2017

DP1: Presumption in favour of sustainable development

DP2: Good Design

DP3: Transport Impacts of Development

DP4: Transport Access and Design

DP5: Environment and Amenity Protection

DP11: Sustainable Technology and Construction

DP12: Historic Environment Strategy

DP20: Employment Sites

DP25 Nature Conservation and Enhancement

(25) The site falls within an identified Employment Site, The Bridge. It also lies within a Biodiversity Opportunity Area

(26) Adopted Dartford Parking Standards Supplementary Planning Document 2012

(27) The National Planning Policy Framework is also a material consideration and paragraphs 8, 48, 80, 109, 118, 149, 170, 178 & 180 are particularly relevant.

(28) Regard has also been had to the Council's emerging Local Plan to replace the adopted Dartford Local Plans.

COMMENTS

Key Issues

(29) The main issues in this case relate to the principle of development, appearance/design, impact on adjoining occupiers (including noise/disturbance), traffic/parking/highway issues, ecology, air quality, energy/BREEAM, ES Mitigation and Construction Management.

Principle of Development

(30) This application seeks approval of Reserved Matters following the previous outline permission which as noted above was originally approved in 2002 and subsequently renewed under the 2011 permission. As noted above, the majority of the Bridge development that was granted under these applications has been completed and these are some of the last few remaining plots within the Bridge development to be completed. The 2011 application (11/01207/OUT) imposed a time limit for the submission of reserved matters and this required that reserved matters be submitted by 3rd April 2020. This application was validated on 5th March and therefore complies with this requirement.

(31) The second issue to be considered is compliance with the outline permission in terms of the content of the submission and the application. As noted above, the outline permission included a masterplan and this identified these plots as being 'allocated' for commercial development. The outline consent or the masterplan did not limit the type of commercial development and therefore whilst the proposed commercial use is in principle in accordance with the masterplan, the acceptance of any particular commercial proposal is subject to the detailed consideration of the proposal and its impacts. Additionally, this site is within an Employment Area as set out in the adopted Development Plan and Policy DP20 advises that identified Employment Areas are important for providing storage, industrial and distribution services, and other business uses.

(32) The original outline application and the 2011 renewal were subject to an Environmental Impact Assessment. Given the change to conditions/circumstances due to the length of time that has elapsed, the applicant has submitted an updated Environmental Statement (ES) that deals with the specific issues of this proposal. It should also be noted that whilst an ES has been submitted with this application for the reasons set out above, had this proposal been submitted as a fresh planning application rather than a reserved matters submitted it is not likely to have required the submission of an Environmental Impacts Assessment in its own right.

(33) Given that the application has been submitted within the required timescale, that a commercial use is in accordance with both the outline permission and the masterplan 'as amended', that the site falls within an identified Employment Area and that the application has been accompanied by an Environmental Statement that considers the details aspects of the application, I consider that this is both a valid submission and the principle of commercial development on this site is acceptable. Detailed matters therefore need to be considered and these are set out below.

(34) With regard to the proposed uses listed in the description of the application. Members will be aware that the Use Classes Order has recently been amended. Prior to the 1st September the proposed Light Industrial Use fell within Class B1(c), however, the change to the Town Country Planning (Use Classes) Order means that this use will now fall within a new Class 'E'. However, the Town and Country Planning (use Classes)(Amendment) (England) Regulations 2020 states that applications submitted before the 1st September 2020 must be determined in accordance with the use classes that were existing on 31 August 2020, i.e. in this case Use Class B1(c).

Appearance/Design/Landscaping

(35) The application proposed two units and as noted above these are located towards the eastern boundary of the site and have their front facades facing west towards the lake. The design/appearance of these units and particularly the landscaping is important as views of the development will be possible from across the lakes and open space areas within the Bridge development.

(36) The proposed units are typical of modern industrial units open space and of the same design as the units within plots 32-33 being rectangular curved roof units, similar to other units within the Bridge development, in particular the recently completed developments at Plots 4 & 36. Unit D being the larger of the units is slightly higher than unit E and has a maximum height of 16m with an eaves height of 13m. Unit E has a maximum height of 13.5m with an eaves height of 11m. This means that the development will be lower than the recently completed unit at plot 36 which is approximately 18m high.

(37) As noted above, the two units vary in size but their general design/appearance is similar with metal clad walls and gently curving roofs. The details submitted show that the metal cladding to the walls of the building will include a mixture of colours which seek to visually break up the apparent bulk of the building. In addition to this, glazed corner entrances to the buildings are proposed and these extend nearly to the full height of the building. Different colouring is also proposed around the area of the loading bays/dock levellers.

(38) In addition to the specific design of the building, the landscaping to this development is also an important consideration on all boundaries given its location on the lake. For this plot land is retained between the buildings and the eastern site boundary which is sufficient to allow for new tree planting. The buildings are set away from the eastern boundary and an acoustic fence (as discussed further below) and tree planting is proposed between the edge of the lake and the acoustic fencing. Further landscaping is also proposed on the northern site boundary that separates the building from Rennie Drive.

(39) Along the western, southern and part of the eastern boundaries, the application indicates the retention of the existing scrub trees and shrubs with new shrub planting proposed. However, an acoustic fence is also proposed along much of this area and I have some concerns that the footings for this fence plus the construction of access road along the western boundary will impact on the existing landscaping. Although there are no trees of any value in this group, it does create an attractive landscape setting for the lake. I have suggested a condition [Condition 7] is imposed therefore requiring greater construction details along this strip of land and detailed planting to replace an existing landscaping lost to ensure that the acoustic fence is screened appropriately and the landscaped edge to the lake is maintained for the future.

(40) I consider that the landscaping character of the site, both with new planting, and retention of existing planting reflects other recently approved/constructed units and maintains the landscaped character the Bridge development.

Impact on neighbouring occupiers

(41) The consideration of impact on neighbouring occupiers relates to various different considerations such as direct impact from the location of the building including shadowing, overlooking, loss of outlook/overbearing impact and noise/disturbance.

Visual impact

(42) There is a significant difference between this site and the application for plots 32 & 33 in that the site is located a minimum of 100m from the closest residential property. Given this, the proposal will have no impact in terms of shading and also will not have any overbearing impact on neighbouring occupiers.

(43) Buildings will clearly be visible from residential properties to the south-west of the site and whilst objectors have raised concerns with regard to the proposed development and the impact of the buildings, I do not consider that there are any grounds for refusing the application due to the impact from the buildings themselves given the separation distances involved and also given that commercial development of this site is in accordance with the approved masterplan and adopted planning policy.

(44) The submitted ES includes a Landscape and Visual Impact Assessment and this comments, "On considering Plot 34 as a vacant plot, the magnitude of change arising from the loss of a limited extent of scrubby vegetation and trees would be very small. However, taking into account the beneficial effect of the landscape proposals for the development, including not only the extent of proposed tree and native shrub planting, but also the proposed wet meadow planting to the North Lake edges; the frontage planting to Rennie Drive; and the increased inter-connectivity of the retained and proposed landscape features on Plot 34; the development would have a minor beneficial effect on landscape features."

(45) I also note that as set out above, this development is lower than recently completed development. However, it is clear that commercial development has always been planned for this site and there is no suggestion in the outline permission that that the height/scale of this should be limited to that of surrounding residential development. I also consider that the proposed commercial development is adequately separated from the residential development so that its bulk is not excessive when compared to these properties. There is a difference in the assessment of impact between a development that can be seen and a development that is sufficiently close to have direct impacts. I therefore conclude that the appearance/design and scale of the buildings are appropriate for this location.

(46) I have no concerns with the applicant's assessment and conclude that the impact on adjoining residential occupiers in terms of outlook, character, overbearing impact and shading are acceptable.

Noise/disturbance

(47) The land is identified for Employment Use in the Local Plan and has outline planning permission for such. Many of the objectors have understandably raised concerns with regard to noise/disturbance from the proposed use and impact on surrounding occupiers is an important consideration for this detailed submission in order to ensure that it is designed to minimise such impacts.

(48) The application and the ES include an extensive noise assessment which considers impacts both during construction and during normal operation of the completed development. The assessment considers what would be the 'worst case' scenario from the application in terms of mix of uses and hours of operations. The ES considers that there would be two different scenarios that could both be considered as worst case scenarios. These being a B8 use with

significant external activity from movement of HGV's and loading with the second scenario being a B2 use and noise from manufacturing processes within the building. Both are considered in the assessments as a 24 hour operation; with clearly night-time hours having the greatest likelihood of creating issues. The noise model used in assessing the impacts is then a combination of the two worst case scenarios being HGV movements from a B8 use and manufacturing noise from a B2 use. It also has to be noted that whilst there is a separation distance of 100m from the application site to the closest residential property (provided by the lake) noise does not reduce over water in the same way as it reduces over land and consequently noise from the site still needs to be considered.

(49) Following the submission of additional information from the applicant's noise consultant, the Council's Environmental Health Manager confirms they are satisfied with the proposals. The Council's Environmental Health officers have advised that the submitted information is acceptable and demonstrates that the application would not result in an adverse impact. They advise that the assessment, "... addresses the requirements of paragraphs 170(e) and 180(a) of the National Planning Policy Framework and demonstrates that Compliance with the Noise Policy Statement for England (NPSE). Indeed the noise levels are typical and fall within No Observed Adverse Effect Level (NOAEL) with some calculated levels marginally above the Lowest Observed Adverse Effect Level (LOAEL) which is acceptable in planning terms as identified within the Defra Noise Policy Statement for England. Furthermore the assessments to BS4142, which allow a weighting to be added to allow for the characteristics of the noise, indicate no adverse intrusion from noise."

(50) To expand on the above conclusion by environmental health, what the applicant's assessment does is consider existing/background noise levels, (from actual measurements taken on site), assess the likely noise generation from a worst case scenario taking into account the various operations that could be undertaken at the site, the site layout and building design. The results are then assessed with regard to the magnitude of effect on a scale that starts with Negligible as the lowest level, followed by Minor, Moderate and then Major. The impacts of this scheme are considered to be Negligible. As I have explained, the loading areas are separated from the residential areas by 100m and also an acoustic fence. It is considered that the acoustic fence (as shown on the submitted drawings) is an important part of the mitigation and is necessary to limit impacts on adjoining occupiers. Following an assessment of the application and consultation with the Council's Environmental Health officers I consider the impact on neighbouring occupiers in terms of noise/disturbance to be acceptable, including the provision of acoustic fencing.

Traffic/parking/highways

(51) As with other applications in this area, the impact of traffic generation on the local highway network is an important consideration and this application has resulted in objections from surrounding residents about traffic. However, with this application the consideration is different to some other recent developments in the area as the site benefits from outline permission for commercial development and this is a very important issue as the outline permission has accepted the traffic generation from a commercial use on this site. The site is also identified as an Employment Area in the Local Plan. In addition the traffic generation arising from the outline planning permission is taken account in the modelling for all new junction improvements in the area and for all other traffic modelling considering new developments as it is considered to be committed development. It should also be noted that the outline permission set a maximum, rather than minimum, parking standard of 1 space per 50sqm.

(52) Looking at the detail of this current application, the anticipated traffic generation has been based on TRICS data which is an industry standard approach to estimating traffic generation. Traffic generation during peak hours is the main consideration as this is the time at which the greatest impact from traffic generation would occur. From an assessment of the scheme and traffic generation during peak hours (8am-9am and 5pm-6pm) the applicant estimates that the scheme would generate 72 vehicle trips in the morning peak (including 5 HGV's) and 53 trips in the pm peak (including 2 HGV's). KCC Highways have assessed and accepted these traffic generation figures and conclude that the proposal will not have a severe adverse impact on the highway network. In reaching this conclusion KCC Highways have had

regard to the outline permission granted for this site and the existing traffic generation assumptions for the site. They conclude that the traffic generation from the proposed uses will not be greater than the maximum anticipated traffic generation already assumed from the outline planning permission.

(53) Having assessed the likely traffic generation figures, traffic distribution then has to be considered. This plot has a single access point which leads onto Rennie Drive. The applicant's assessment is that all HGV traffic would travel eastwards (given the width restriction in Marsh Street North which is considered further below). With regard to car traffic, it is assumed that a 50/50 split for eastbound/westbound is assumed and KCC have not raised any concerns with regard to the assumed traffic directions or impact on local junctions, including the consideration of the traffic impacts of this scheme when combined with Plots 32-33 (also considered on this agenda ref 20/00311/REM). I feel it is important to note that the outline planning permission does not control the nature of the commercial use on this site and therefore there is potential that the site could be occupied by a use generating more cars than the current proposal which would be likely to lead to a greater number of vehicles using Marsh Street North as cars would not be constrained by the width restriction.

(54) With regard to parking provision, the application proposes a flexible permission for light industrial use, general industrial use or a storage and distribution use. With the use being dependant on the final occupier. The Council's adopted Parking SPD advises that for developments of 2,500 sqm and over, parking requirements are assessed on an individual basis for each site. Additionally, with regard to parking provision, the outline permission sets a maximum level of parking provision that can be provided within the scheme and this requires less parking than could potentially be required by the Council's parking SPD. The aim of setting a maximum level of parking is to reduce reliance on car borne transport and reduce vehicle trips in the area. In this case this is possible as parking on surrounding roads is restricted and the development benefits from close access to Fastrack as well as an immediate population around the site that can walk/cycle to the site.

(55) The proposed site layout proposes the provision of 50 car parking spaces (including 3 disabled) and provision for 5 HGV's at dock-levellers for unit D. Unit E has 30 car parking spaces and 3 dock-levellers. Given the parking restrictions within the Bridge development, I am satisfied that overspill parking is not likely to occur in local roads. KCC Highways have assessed the proposed parking provision and consider this to be acceptable.

(56) In addition to the above, each unit is provided with generous cycle parking provision (30 spaces for unit D and 18 spaces for unit E) and I also consider the sites to be sustainably located with a walking distance of 525m from the Rennie Drive site access to the Fastrack Bus Stops to the south of the site. Fastrack is considered to be a high-quality bus service running on a largely dedicated route in order to provide fast travel times. Comments have been made by residents with regard to Fastrack capacity and this is an issue that KCC Highways have considered. They have advised:-

"Concerns have been raised by local residents regarding the Fastrack services being at capacity. I have liaised with the KCC Fastrack Team over the concerns and they have confirmed that it is accurate that for some of the peak services the service is at capacity. However, whilst we currently have no direct control over the capacity or reliability of Fastrack A, come April 2022, when KCC formally adopt the service from Prologis' obligation, we will. We already have plans to both increase frequency and capacity based on forecast demand growth. This is opposed to the current arrangement, where the agreed fixed service level is operated. Our contract will match supply to demand and the service will grow organically as it hits capacity trigger points (likely 95%). The method for service provision is to ensure a schedule that meets capacity during the peak requirement. E.g., the timetable and capacity is modelled for the busiest time of day, and therefore, it copes with the rest of the day too by default. Therefore, I hope this provides you with the assurance that Fastrack will meet any new demand from 2022"

(57) As noted above, some of the car traffic from this site will travel west and along Marsh Street North when leaving the estate and it is also assumed above that all HGV's will travel east from the site due to the width restrictions. However, I am aware that there are concerns that

HGV's may 'ignore' the current width restrictions in Marsh Street North, which is possible due to their current design. KCC Highways have advised that KCC Schemes Team along with KCC Operations are looking into the local concerns with the Marsh Street North width restrictions. HGVs cannot fit through the width restriction and I am advised that driving around breaches the Traffic Regulation Order which is enforceable by Kent Police. KCC Highways do not believe that this application for reserved matters should be responsible for addressing an existing situation on the network, as this is not something the applicant can control. However, the provision of directional signs are required to be in place from first occupation of either of the units to avoid HGV's using the route. The current restrictions have adequate signage at both roundabouts to inform drivers of the existing width restriction.

(58) In addition to the site specific considerations as noted above, work has now started on the large warehouse building on the former Littlebrook Power Station site, granted planning permission by Board Members in June 2020 and this will also provide transport improvements in the area. This scheme will improve the north-bound 'on-slip' at A282/M25 junction 1a and will also make a contribution of £2.3m towards works in and around this junction. The Council have also set up a joint working group with KCC and Highways England to look at these issues and it is likely that significant additional funding for road improvements will be available through additional funding from KCC and also from CIL contributions, in particular from the application referred to above. Additionally, the Council are likely to seek similar contributions from other unidentified development in the area, although this current application will not provide a contribution as it is a reserved matters submission.

(59) From the above, I conclude that the application provides adequate parking facilities, it will not generate levels of traffic above that already granted planning permission that will result in severe impacts on the highway network and the site is reasonably well located so that staff have the opportunity to use Fastrack to access the site. I also note that the site provides adequate cycle facilities. I therefore consider the highway aspects of this application to be acceptable and in compliance with adopted planning policy.

Air Quality

(60) As noted in the objections, the impact on air quality is an issue of concern and this is of particular concern with regard to new development in this area, given that the scheme will generate traffic that travels through Air Quality Management Areas (AQMA's). The applicant is undertaking various measures to reduce air quality impacts as far as possible and these include achieving a BREEAM 'Excellent' rating despite the fact that the Council's policies require a 'Very Good' rating. The applicant is also proposing the provision of 10% Electric Vehicle Charging Points on occupation, with passive provision for 100%.

(61) An air quality assessment has been submitted with the application and this considers the impacts of the scheme on air quality both in relation to construction and also once the development is operational. The assessment considers the traffic generated by the scheme and its impact at various locations around the site within adjoining roads. The assessment concludes that the impact on existing air quality from the proposed development will be negligible.

(62) I also note that the Council has been unsuccessful at appeal in resisting applications where traffic movements have potentially resulted in adverse air quality impacts. In the Howbury appeal, the Inspector did not agree with the Council's concerns with regard to air quality impacts, despite the scheme generating around 5,000 vehicle movements per day, approximately 2,000 of which were HGV's. This was due to the fact that despite the congestion issues in and around Dartford, air quality is slowly improving due to the improvements in vehicle engines, despite the level of traffic generation. A significant factor in this assessment with regard to HGVs is the increasing number of Euro 6 compliant vehicles leading to improvements of air quality. The applicant's submission with this application assumes that road traffic emissions will remain at 2018 levels and therefore I consider provides a robust assessment of traffic generated emissions.

(63) The Council's Environmental Health department have assessed the scheme and have accepted the applicant's assessment with regard to air quality. It is also important to consider that the traffic generated by this scheme is not additional to that envisaged by the original Bridge development and masterplan, in granting outline permission for this site, the principle of traffic generation and related air quality impacts have already been accepted. For a scheme of this scale, that has separate occupiers, I consider that the measures proposed are all that can reasonably be achieved and therefore I consider that the proposed development is acceptable in terms of air quality mitigation.

Construction Management Plan

(64) The submitted ES considers potential issues from both the completed development and also during construction. However, the applicant has not appointed the contractor at this stage and so final details of construction with regard to issues such as piling (which is likely to be necessary), hours of work, contractor parking etc are to be agreed and a condition is proposed ensuring that details are agreed prior to commencement. Given the proximity to residential properties, adjacent residents will be consulted when this is submitted together with KCC Highways and the Council's Environmental Health department.

Ecology

(65) The application includes details and an assessment in relation to ecological issues including a proposal for translocation of reptiles that are currently on the site. KCC Ecology have confirmed that they are satisfied with the submitted reports which have detailed that grass snake and a breeding population of common lizards have been recorded within the site and also that there is potential for water vole, foraging bats and breeding birds to be present. The applicant proposes translocation of the reptiles (elsewhere within the Bridge development) and the details of this relocation is currently being discussed between the applicant's ecologist and KCC Ecology with additional information recently received. Also, KCC Ecology have advised that the grass snake should be retained within the immediate area. It should be noted that KCC Ecology have not objected to the principle of the development and are happy for these matters to be dealt with by condition but the recent information submitted by the applicant seeks to provide the reassurances sought by KCC prior to determination. The position with regard to ecological issues will therefore be updated in the update report circulated prior to the DC Board meeting.

Details of conditions submitted for consideration

(66) Whilst this application principally seeks approval of reserved matters, the submission also include details of various detailed elements that were required to be submitted under the 2011 outline consent. These relate to detailed matters that are commonly considered separately to and after the main application but in the case the applicant has decided to seek approval of these details at the same time as the main application. The details relate to Materials, Landscaping, Site Levels, Land Contamination, Tree Protection during construction, Boundary Treatments and Refuse Storage. Consideration of these details is set out below.

(67) Land levels - the will be similar to plots 32 & 33 with a finished floor level of 3.5m AOD and the land levels drop down outside the site towards the edge of the lake as would be expected. Levels at the front of the site where the access joins with Rennie Drive rise slightly to meet the level of Rennie Drive which at this point is approximately 4m high. The level within the service yard is slightly lower than the finished floor level of the building at 3.25m. I have no concerns with regard to the details of land levels submitted with the application.

(68) Landscaping - the application includes full details of landscaping and as indicated above, the proposed site layout includes landscaping (either new or retained) around the vast majority of the site. The site frontage will include a row of Whitebeam trees (with a 5m planted height) together with Hazel tree and a wildflower meadow. Further planting is proposed around the eastern, southern and western boundaries of the site with a mixture of Hazel and Silver Birch trees together with shrub planting and wildflower meadows with scattered shrubs. I consider these details are acceptable but notwithstanding this, due to the proposed acoustic

fences as part of this submission I have suggested a condition is imposed on the reserved matters approval to ensure that the working methodology for the acoustic fencing and access road seeks to minimise impact on the existing landscaping and where necessary additional replacement planning is proposed.

(69) Boundary treatment - the drawings submitted show that the boundary treatment/fencing will be a mixture of green paladin fencing and acoustic fencing and this will be used generally around the site boundaries. As noted above, there will be an acoustic fence to the west of the site and this will be a 4m high 'soundblok' fencing that will be finished in green and will reduce sound transmission from the service yards. I consider the details submitted are acceptable.

(70) Lighting - The application includes indicative details of proposed lighting and also a lighting assessment. As will all developments of this type, lighting is necessary within the car park and service yard and the applicant is proposing the use of 'flat' floodlights with Led lamps that are within the canopy of the light. The lighting scheme has been designed in accordance with the Institution of Lighting Engineers Guidance Notes and the proposed luminaries will have an upward lighting ratio of 0%. The submitted details show that the lighting will include 8m columns in the service yards and downlights on the side walls of the buildings set at 4m above ground level. Additionally, lighting is proposed to the new pathway. This will be light-sensitive so that it automatically illuminates at night and this will normally be 25% of the standard output of the luminaire and the brightness will increase to normal levels when movement is detected. I consider these details are acceptable,

(71) Site levels - the details of this are considered in the report above where it is set out that the proposed finished floor levels within the scheme will be set at 3.5m and the report sets out above the comparison of this and adjoining levels. This is considered acceptable by the Environment Agency.

(72) Refuse Storage - each unit has individual refuse storage arrangements with a refuse store area located within the service yard to each unit. The provision are considered acceptable

(73) Materials - The application includes details of materials and these show that the buildings will have grey (curved) roofs with cladding to the main walls (in a mixture of colours as set out above). The office areas and curtain walling areas are to have a different finish with these being anthracite with clear double glazed units.

(74) Tree Protection - The application includes an arboricultural assessment which includes details of Tree Protection measures during construction and the submitted details are considered acceptable

(75) Land Contamination - The applicant has submitted a phase 1 & phase 2 assessment, a remediation strategy and verification report and the Council's Environmental Department have not raised any issues with the details submitted. These submissions are therefore considered acceptable.

Other Matters

(76) The application is proposed for Class B1(c), Class B2 and Class B8 use. As members will be aware the Use Classes Order has changed. As this application was submitted previously it can still be considered under the old use classes. However, I am mindful that Class B1(c), would after construction fall within the new Class E which includes a wide range of town centre type uses, such as Shops (previously Class A1), Offices and Professional and Financial Services (Previously Class A2), Café/Restaurants (previously Class A3) and also Gymnasiums, Clinics Creches and Day Nurseries. There has been not consideration of any of these uses as a part of this application and the ES and other documents submitted with the application do not consider the impact of these uses. I consider that there could be a significant and different impact on residents and surrounding roads if the use were to change and believe that such impacts need to be considered fully. I would also be concerned to lose the proposed employment floorspace in an identified Employment area. Condition 12 below restricts the use

to light industrial only, heavy industrial and warehouse and storage use only as applied for to ensure that any future changes require consideration and assessment.

(77) I have suggested a number of additional planning conditions below. As this is a reserved matters submission, the Council cannot impose conditions that should have been imposed on the outline planning permission and should have been foreseen at that time. I am satisfied that the conditions below relate to the detail of the detailed development submitted now.

FINANCIAL BENEFITS

(78) Given that the outline permission for this development was granted prior to the adoption of Dartford CIL charging schedule, this application is not CIL liable.

HUMAN RIGHTS IMPLICATIONS

(79) I have considered the application in the light of the Human Rights Act 1998. I am satisfied that my analysis of the issues in this case and my consequent recommendation are compatible with the Act.

PUBLIC SECTOR EQUALITY DUTY

(80) Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

(81) In relation to the Town and Country Planning (Environmental Impact Assessment Regulations) 2017, the proposal constitutes Schedule 2 development for which an Environmental Statement has been submitted. I consider the mitigation set out in the submitted ES to be reasonable and required to make the development acceptable.

CONCLUSIONS AND REASONS FOR RECOMMENDATION

(82) This application seeks approval of reserved matters pursuant to the outline planning permission consent granted under reference 02/00129/OUT as renewed by application reference 11/01207/OUT. The principle considerations are therefore compliance with the outline permission and the specific considerations of the impact of this proposal. I also note that the site is located within a designated Employment Area.

(83) With regard to the outline permission, the application has been submitted within the time limit set by the outline consent and has been accompanied by an ES. Although the original application for the Bridge development was accompanied by an ES, this was clearly a significant time ago and also it did not consider the impacts of specific sites such as one. The outline permission also considered upper limits on various aspects of the Bridge development including the amount of Class B8 floorspace that could be provided. This limit was exceeded by the large Sainsburys distribution centre and this application cannot therefore rely on the Environmental Impact assessment within the original application in relation to Class B8 units, although the principle of development on this site for commercial development is not for re-consideration in this application.

(84) The proposed buildings in this application are significantly separated from residential properties. The application demonstrates that the proposal will not have an adverse impact in terms of noise/disturbance and that traffic generation and distribution within the local network. In making these assessments it is important to consider that this application follows the granting of outline permission for commercial development on this site.

(85) The detailed layout provides adequate on-site parking, turning and manoeuvring facilities and, taking into account, the outline permission granted for the site, and the new

assessment indicates that the proposed uses will not result in significant traffic generation or a severe adverse impact on the surrounding highway network.

(86) The application includes submission of details of various issues pursuant to conditions on the outline planning permission and I am satisfied that these details are acceptable.

RECOMMENDATION:

That the submission of details in relation to the conditions are approved and that Reserved Matters approval be granted for the reasons set out above subject to the following additional conditions:

Conditions:

01 The development shall be carried out in accordance with the following plans and documents:

Drawings

3200 PL1; 3202 PL3; 3203 PL3; 3212 PL1; 3213 PL1; 3206 PL1; 3207 PL1; 3208 PL1;
3225 PL2; 3226 PL2; 3227 PL1; 3240 PL1; 3250 PL2; 3251 PL1; 3262 PL1; 3230 PL1;
3231 PL1; 3232 PL1; 3166 PL1; 3255 PL1; 3256 PL1

RG-LD-20-1 'B'; RG-LD-20-2 'A'

19-069-EX-002 PL3

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Documents/reports

Arboricultural Impact Assessment March 2020
Archaeology Desk-based Assessment February 2020
BREEAM Preliminary Assessment 30/01/2020
Energy Statement February 2020
Phase 1 Contamination Assessment February 2020
Phase 2 Geoenvironmental Assessment February 2020
Remediation Strategy and Verification Plan February 2020
External LED Lighting Assessment Report February 2020
Site Services Overview Report March 2020
Environmental Statement March 2020
Environmental Statement Addendum July 2020
External Materials Schedule 7th July 2020

- 01 For the avoidance of doubt and to ensure a satisfactory form of development.
- 02 Before commencement of any building operations on site (including demolition and delivery of associated machinery or materials) tree protection measures shall be erected around all retained/protected trees in accordance with the submitted details and shall be maintained for the lifetime of the construction works.
- 02 To prevent damage to the trees in the interest of the visual amenities of the area in accordance with Policies DP2 and DP25 of the adopted Dartford Local Plan.
- 03 No development shall take place, until a Code of Construction Practice has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall stipulate a scheme for:
 - the parking of vehicles of site operatives and visitors;

- the routing of HGV deliveries
 - wheel washing/the prevention of mud and debris on the public highway;
 - loading and unloading of plant and materials;
 - storage of plant and materials used in constructing the development;
 - the erection and maintenance of security hoarding;
 - location and details of any generators;
 - construction and delivery hours
 - measures to control the emission of dust, dirt, noise and vibration during construction including full details with regard to any piling proposed;
 - a scheme for recycling/disposing of waste resulting from demolition and construction works.
 - site lighting
 - site offices
- 03 To protect the amenity of local residential occupiers, to prevent pollution and to maintain conditions of highway safety in accordance with DP5 of the Dartford Development Policies Plan.
- 04 If during any works contamination is encountered which has not previously been identified, then no further development shall be carried out (unless otherwise agreed in writing with the Local Planning Authority) until the developer has submitted and received approval of an assessment of this unsuspected contamination together with an appropriate remediation scheme that is implemented as approved.
- 04 In the interests of safety and amenity in accordance with Policy DP5 of the adopted Dartford Local Plan
- 05 Prior to first occupation, the buildings hereby permitted shall include a temporary safe refuge at first floor level set no lower than 4.92 metres AOD.
- 05 In the interests of safety in accordance with Policy DP5 of the adopted Dartford Local Plan.
- 06 Prior to occupation of the relevant unit, a verification report with regard to contaminated land remediation, detailing all works at the site, shall be submitted to and approved in writing by the Local Planning Authority. The report should include summaries of all materials removed, details of validation sampling/monitoring carried out in remediation areas, relevant certificates for imported materials and confirmation that the site is fit for the proposed use.
- 06 In the interest of human health.
- 07 Prior to the first occupation of the development hereby approved the boundary treatments proposed shall be implemented on site in accordance with details to have been submitted and approved by the Local Planning Authority at the following stages:
- i) Prior to installation
 - A methodology for the construction of boundary and acoustic fences where these are adjacent to existing landscaping
 - A methodology for the validation assessment of the noise attenuation properties of the proposed acoustic fencing in order to comply with the noise impact assessment and meet the required mitigation within the Environmental Statement
 - ii) Post implementation of the noise attenuation fences/walls but prior to occupation:
 - A validation assessment of the acoustic fence performance shall be carried out in accordance with the methodology approved under (i) and the results shall be submitted to the LPA for approval. Where the results shown that the required noise attenuation has not been

achieved, amendments to the boundary treatment shall be submitted and approved and further assessment carried out until such time as the appropriate attenuation set out in the NIA has been achieved.

- A report reviewing the condition of the existing retained landscaping shall be submitted following the installation of the boundary fences and where necessary additional replacement landscaping shall be proposed and implemented in accordance with details to be submitted and approved by the local planning authority.

The acoustic fencing shall thereafter be maintained in accordance with the details approved.

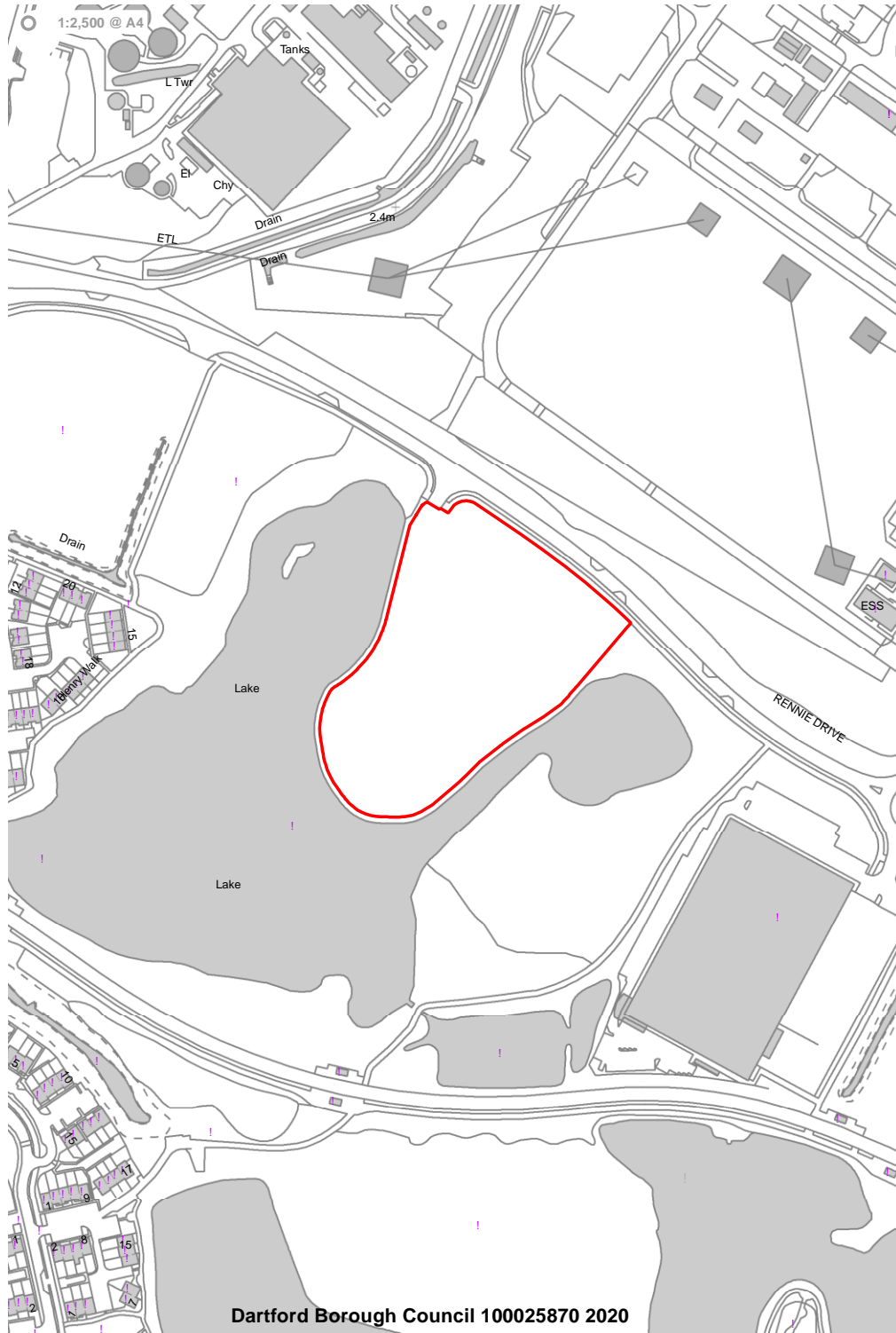
- 07 To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties, and the character appearance of the locality in accordance with Policies DP2 and DP5 of the adopted Dartford Local Plan
- 08 Prior to first occupation of the relevant unit, 10% of the car parking spaces serving that unit shall be provided with Electric Vehicle Charging points with the remaining spaces being provided with passive provision, comprising ductwork ready for the provision of further Electric Vehicle Charging Points.
- 08 To ensure that EV charging points are provided and maintained for the future occupiers of the site as a way of addressing air pollution in accordance with Policies DP3 and DP5 of the Dartford Development Policies Plan.
- 09 The car parking spaces, turning areas, loading/unloading areas, cycle parking and means of access shown on the approved plans shall be provided prior to occupation of the relevant unit hereby approved and shall thereafter be retained in perpetuity and kept available for such use at all times and no development, whether permitted by the Town and Country Planning (General Permitted Development) Order 2015 or not, shall be carried out on that area of land or to preclude vehicular access thereto.
- 09 To ensure the permanent retention of satisfactory car parking facilities in accordance with the Local Planning Authority's standards and Policies DP2 and DP4 of the adopted Dartford Local Plan.
- 10 Prior to occupation of the development hereby permitted, details of directional signage to prevent HGV's from turning west out of the Rennie Drive access shall be submitted to and approved in writing by the Local Planning Authority. The signs agreed shall be provided prior to first occupation of any of the units within the development and shall thereafter be maintained at all times.
- 10 To ensure that additional traffic to/from the site is controlled in accordance with Policy DP3 of the adopted Development Plan.
- 11 The landscaping scheme hereby approved as an integral part of the development and any changes agreed pursuant to condition 7 shall, at the latest, be implemented during the first planting season (between October and March inclusive) following completion of the first unit within the development and shall thereafter be maintained for a period of five years. Any trees, shrubs or grassed areas which die, are diseased or vandalised within this period shall be replaced within the next planting season.
- 11 To safeguard the visual amenities of the locality in accordance with Policies DP2 and DP25 of the adopted Dartford Local Plan.
- 12 The buildings hereby permitted shall be used for Light Industrial Purposes, General Industrial Purposes and/or Storage and Distribution Use (Class B8) within Classes B1(c), B2 & B8 of the Town and Country Planning (Use Classes) Order 1987, (or any Order amending, revoking and re-enacting that Order) and the primary use of any unit shall not be for the collection of goods by customers.

- 12 The development is considered unsuitable for other uses and in the interests of amenity and highway safety in accordance with Policies DP2, DP3 & DP5 of the adopted Local Plan.
- 13 No mezzanine floorspace shall be provided within any of the units hereby permitted without the prior written consent of the Local Planning Authority.
- 13 To ensure that additional floorspace is controlled in the interests of the amenities of neighbouring residents and to ensure that additional traffic to/from the site is controlled in accordance with Policy DP3 of the adopted Development Plan.

INFORMATIVES

- 01 The Environment Agency have recommended that the applicant should use flood resistant and resilience design techniques for the development to ensure those using the office space can seek a safe refuge during a flood event. Further information on flood resilience can be found on the following link:
http://www.planningportal.gov.uk/uploads/br/flood_performance.pdf.

The Environment Agency advise the applicant to consider registration with the Environment Agency's 'Flood Line' service within the submitted Flood Risk Assessment. This can be done by calling 0345 988 1188 to register.



Application No.:	20/00312/REM
Address :	The Bridge Plot 34 Rennie Drive Dartford Kent
Date: 26 August 2020	Scale: Not to Scale