

---

**Addington Downs**                      **566361 158786**                      **19 April 2007**                      **TM/07/01426/FL**

Proposal:                      Demolition of existing buildings and structures and construction of a new 3610m<sup>2</sup> self storage building, external areas and upgraded access road.

Location:                      Windsor Car Breakers London Road Addington West Malling Kent ME19 5AN

Applicant:                      Tremain Construction Ltd

---

**1. Description:**

- 1.1 This full planning application proposes the demolition of existing buildings and structures and construction of a 3610 sq m self-storage building with associated external areas, parking and the upgrade of the access road on the Windsor Car Breakers site, London Road, Addington. This application is a re-submission of a similar, previously refused application, TM/06/02828/FL.
- 1.2 The proposed self-storage unit will be accommodated over two floors and provide fitted out internal space for various size storage cages or units for use by the public and small businesses. The internal layout of the building provides for customer entrance and loading area, reception and staff operational services.
- 1.3 The completed building will be manned on a 24 hours, 365 day basis and open to patrons to use the hired space at all or any time.
- 1.4 Access to the site will be retained via the existing access road directly from the London Road A20 with the existing access to be widened to 6m over its full length and surfaced in tarmac. Use of the rented storage space is not directed at large business use and therefore it is anticipated that the site will attract cars and small van deliveries only. Minimum parking is proposed only to provide waiting space for users within the building and for staff.
- 1.5 The key changes to the current proposal over the previously refused application include: building footprint has been reduced from 3985 sq m to 3610 sq m, and an increased building setback to the north and east boundaries adjoining open Green Belt land is provided.

**2. The Site:**

- 2.1 The application site is a rear site known as the Windsor Car Breakers site located off London Road A20, behind the existing Mitsubishi Garage and Scarbutts buildings. The site is located within the Metropolitan Green Belt (MGB), a Special Landscape Area (SLA) and is identified within policy P6/18(f) of the TMBLP 1998 as a site in the green belt suitable for redevelopment.

- 2.2 The current use of the site appears to be a transportation / truck storage and scaffolding business yard. Adjoining the site to the south are existing business uses, Scarbutts and the Mitsubishi Garage, to the east and north is open green belt / rural land, and to the west are residential properties. A cluster of residential properties is also located on the south side of London Road, opposite the site access. Access to site is gained off London Road A20, running between the Mitsubishi Garage/Scarbutts to the east and a residential property, 'Emlyn', to the west.
- 2.3 A stream, classified as an "ordinary watercourse" runs along the northern edge of the site. The Environment Agency has confirmed that the watercourse would not be maintained by the Agency or by an Internal Drainage Board. In the absence of any express agreement to the contrary, maintenance is the responsibility of the riparian owners. The north, west and east boundaries are screened by large existing trees, however the east boundary is more open to the Green Belt than the others.
- 2.4 The bulk of the site slopes gently down from south to north towards the watercourse, however the access is relatively steep, with London Road to the north being approximately 6 to 8 metres above the majority of the site.

### 3. Planning History:

TM/63/10703/OLD grant with conditions 4 March 1963  
(MK/4/63/17)  
Outline application for workshop for Messrs. Winsor garage (Maidstone) Ltd.

TM/75/11392/FUL Refuse 2 May 1975  
(TM/75/44)  
Workshop.

TM/06/02828/FL Refuse 19 January 2007

Demolition of existing buildings and structures and construction of a 3985 sq m self-storage building and external areas; upgrade of access road.

- 3.1 A previous application (TM/06/02828/FL) for the demolition of existing buildings and structures and construction of a 3985 sq m self-storage building and external areas and upgrade of access road was refused on the basis that: *the site lies within the Metropolitan Green Belt where there is a strong presumption against permitting inappropriate development, as defined in PPG2: Green Belts and SS2 of the Kent and Medway Structure Plan 2006. The siting and design of the building by virtue of its height, size and bulk, are such that the development would adversely affect the open character of the area and result in a cramped and overdeveloped site. The proposed development does not meet the terms of policy*

*P6/18 of the Tonbridge and Malling Borough Local Plan, constituting inappropriate development and is therefore contrary to policy SS2, and policies P2/16 and P6/18 of the Tonbridge and Malling Borough Local Plan 1998.*

**4. Consultees:**

4.1 PC: No response at the time of preparing this report.

4.2 KCC (Highways): Support for the proposal, with conditions relating to parking space provision and the provision of turning area recommended.

4.2.1 This application is similar to a previous one, TM/06/02828/FL, that was refused but not on any highway grounds. The main difference is a reduction in the size of the building from [3985] sq m down to 3610 sq m. Access arrangements are as before however, there is to be a reduction in parking from 13 down to 11.

4.2.2 The proposal will result in the loss of a number of industrial uses. The application site address description shows the site as car breakers, with further descriptions encompassing offices, scaffold business, builders yard and freight depot. The proposal will replace all of these uses with one single building containing self storage units intended for use by private individuals or small businesses. The inference from this is that the site is unlikely to attract large goods vehicles but more likely transit type vehicles or private cars. Indeed the submitted site layout cannot accommodate large goods vehicles in terms of parking or on site turning.

4.2.3 The applicant has included a Transport Statement that is the same as submitted with the previous application. It includes actual traffic counts, establishing an average daily existing use of the site along with an estimate of the likely traffic generated by the proposal using TRICS, an established and extensively used data source. The analysis shows that the proposal is likely to result in a reduction in total traffic generation including a reduction in the number of large goods vehicles.

4.2.4 Improvements are to be carried out to the access drive that includes widening at the junction with the London Road. The applicant is to liaise with the Highway Manager regarding his requirements for all works affecting the public highway.

4.2.5 The adopted parking standards do not include for this type of self storage facility and therefore a judgement has to be made. A total of 11 car parking spaces are to be provided. This may be adequate, particularly as there is a reduction in the size of the building. The parking bays are to be minimum of 2.4m x 4.8m with end bays widened to 2.7m, disabled bays are to be a minimum of 3.6m wide x 5.5m long.

4.3 DHH: I refer to my comments in my memo of 10<sup>th</sup> October 2006 regarding a similar proposal under reference TM/06/02828/FL, namely:

4.3.1 The main environmental health issue here is the impact that the use, including use of the access road, will have on the amenity of "Emlyn". The access road, which is in poor condition, runs immediately at the side of "Emlyn". It's use, particularly on

a 24/7 basis as proposed, is likely to result in significant noise disturbance. It is unclear to what extent there are already actual or permitted 24/7 traffic movements.

4.3.2 The orientation of the building is such that vehicle manoeuvring, loading and unloading will occur on the elevation facing “Emlyn”. Consideration should be given to re-orientating the building so that it forms a screen to noisy activities. If consent is granted, conditions should be imposed to:

- Require the provision of an acoustic fence along the boundary with “Emlyn”
- Require the surfacing of the access road
- Control the use of artificial light.

4.3.3 I note that the transport report submitted in support of this application that alterations are to be made to the access road, and that estimated traffic movements are likely to be less than those currently arising. However, despite Members concerns about the hours of working under the previous rejected application (TM/06/02828/FL) as stated in the Design and Access Statement by GDM Architects, it is still intended that the unit will be open 24/7, and the report does not take into account the estimated traffic movements between the hours of 19:00-07:00 which although may be minimal, will occur at a time most likely to cause disturbance to “Emlyn”.

4.3.4 In addition, it was a concern of Members when TM/06/02828/FL was refused, that the orientation of the building was such that noise from vehicles manoeuvring, loading and unloading will occur on the elevation facing “Emlyn”. From the submitted plans it appears that this remains the case with this application, and in order to overcome this problem consideration should be given to re-orientating the building so that it forms a screen to noisy activities. I would also reiterate that if consent is granted, conditions should be imposed to: require the provision of an acoustic fence along the boundary with “Emlyn”; and control the use of artificial light.

4.3.5 EA: The Environment Agency has no objection to the proposal, but would like to offer the following advice.

### **Flooding issues**

The site is shown as lying within a Zone 3 flood risk area; this is a High Risk site with a statistical 1% or greater chance of flooding occurring in any one year.

A Flood Risk Assessment (FRA) has been prepared in support of this application and with the content of this in mind, we would wish to make the following comments.

PPS25 replaced PPG25 in December 2006, and considering the content of Table D2 Annex D, office and distribution/storage are considered to be 'Less Vulnerable' and therefore considered to be appropriate in this area. However, a FRA should still be submitted and the residual risks of flooding fully accounted for. It is important to look at these in more detail.

The current site layout results in buildings being located across the flood flow route and this can result in a worsening of the flood condition for the localised area. Where possible, it is important to seek an improvement over the existing condition, as all reasonable measures should be taken to reduce the flood risk. The proposed building will incorporate a voided area to allow the passage of floodwaters; this element of the design is also essential to ensure there is no loss of floodplain storage capacity. The proposed building has a larger footprint than the current buildings on site, therefore the preservation of the floodplain is essential. The comment regarding the new style of fencing are also noted.

Due to the nature of the watercourse, we have very little information on any flood levels for the site. Considering the FEH analysis undertaken as part of the FRA, we are satisfied with the output for the predicted 100-year level. It should be noted that PPS25 is now in effect and guidance on the allowances for climate change are included with Annex B. The finished floor level has been set at a minimum of 38.35mAOD, a level with which we are satisfied with considering the type of development proposed. There would also appear to be a dry escape route for workers towards the south of the site, again this aspect is highly important in the design of any development.

As the proposed development will make an improvement to the passage of floodwaters across the site, will maintain flood storage capacity and raise the finished floor level a suitable height we raise **no objection** to this proposal.

For information, the watercourse on site is classified as an ordinary watercourse and would not be maintained by the Environment Agency or by an Internal Drainage Board. In the absence of any express agreement to the contrary, maintenance is the responsibility of the riparian owners. Any culvert, diversion, weir, dam, or like obstruction to flow requires the consent of the Agency under the Land Drainage Act 1991. For nature conservation reasons, we will not normally consent culverting works except for access.

### **Groundwater and Contaminated Land**

The Hythe Beds (classed as a major aquifer) largely underlie this site. To the north, the site is underlain by Alluvium over Sandgate Beds, both of which can be considered as minor aquifers. We have no definitive records of the local groundwater level, and as such cannot rule out the possibility of a shallow water

table beneath the site. Further investigations at the site will need to determine if this is the case, particularly if soakaways are being proposed as a method of surface water drainage.

### Drainage

We have no objection to the use of existing main sewers for foul drainage. Consent will be required from the local sewerage undertaker.

The application documents have stated that surface water may be discharged to either the nearby watercourse or to soakaway. The following comments will need to be considered, and cross-referenced with any intrusive site investigation.

Only clean uncontaminated water should drain to the surface water system. Roof drainage shall drain directly to the surface water system (entering after the pollution prevention measures). Appropriate pollution control methods (such as trapped gullies or interceptors) should be used for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system.

There should be no discharge into land impacted by contamination or land previously identified as being contaminated. There must be no direct discharge to groundwater, a controlled water. There should be no discharge to make ground.

A minimum amount of unsaturated zone should be maintained at all times during the year, between the invert level of the soakaway and the maximum height of groundwater. This zone should be at least 10m in depth.

The use of soakaways in the Hythe Beds are not recommended as they can promote instability of the geology via washout of the sandier horizons, leading to the opening and enlargement of fissures within the Hythe Beds, and subsequent collapse. Given the above, and the potential for contamination at this site, we would not recommend the use of soakaways.

### Land Contamination

The preliminary site report or phase 1 investigation has been carried out in line with relevant guidance. The recommendations for further investigations at the site to determine any required appropriate remediation works should be carried out and relevant proposals agreed with the LPA before any site clean-up works are commenced.

The relevant planning condition should not be discharged until such time as all relevant works are complete and a closure report submitted and approved by the LPA. Any construction on site should not commence until this approval has been granted.

Activities on the site to investigate and improve the site through methods such as excavation or piling should ensure pollution of the environment is avoided. Poor investigation techniques or piling methods can particularly put controlled waters at risk. In most instances where removal and/or treatment of contamination is involved relevant waste management regulations are likely to be applicable.

The developer as a waste producer has a duty of care to ensure all materials removed, go to an appropriate licenced disposal site and all relevant documentation is completed and kept in line with regulations. Waste arising from the site will need to be assessed in line with the Environment Agency's guidance WM2 to establish whether any material would be classified as Hazardous Waste. Hazardous waste will require pre-treatment before disposal to landfill permitted to accept Hazardous Waste.

If waste soil is to be disposed of within a landfill, then Waste Acceptance Criteria testing will be required in order to determine which appropriately permitted waste facility the material could be deposited in. Duty of care notes should be obtained from the licensed waste haulier and kept as an audit trail as evidence that waste has been managed appropriately. Please note that European Waste Catalogue codes are now required to be entered onto waste transfer notes.

Conditions and informatives are recommended by the EA to address the issues raised in their comments above.

#### 4.4 Private Reps and Art 8: (19/1R/0X/0S) due 1/6

The letter of objection expresses concern on the following grounds:

- Excessive footprint
- Visibility splays inadequate, given speed of traffic on the main road and proximity of crossroads
- Disturbance from 24 hour use

### 5. Determining Issues:

5.1 The site is located within the Metropolitan Green Belt and Special Landscape Area and is identified in Policy P6/18(f) of the TMBLP 1998 as a site in the Green Belt suitable for redevelopment. Accordingly, in principle, redevelopment of the site is acceptable. Policy P6/18 identifies a number of sites in the Green Belt which give rise, or have the potential to give rise, to significant conflict with residential or rural

amenity. Redevelopment of the sites will be permitted where an overall improvement in the environment is achieved. The application site is one of three existing sites identified in P6/18(f), with the other sites being the adjoining Scarbutts and Mitsubishi Garage sites. With regard to the site, P6/18(f) specifically states: *“proposals should achieve a rationalisation and improvement of access to the A20, a visual enhancement of the site, make appropriate measures to ameliorate road traffic noise, and investigate and provide for treatment of any land contamination.”*

- 5.2 The main issues are whether the proposal will result in an overall improvement in the environment, and the effects it would have on the openness and amenity of the Green Belt, flooding, site contamination, effects on amenity of residential neighbours and traffic impacts. However, these are all issues against which the previous proposal was assessed; the key issue will therefore be whether this proposal satisfactorily overcomes the reasons cited for refusal of that scheme.
- 5.3 The exact historical use of the site over the years is unclear. However, it appears that the site is currently used as a transportation / truck storage and scaffolding yard, and land use records show that it was previously a car wreckers yard. Several shed-like buildings exist on site, as well as outdoor storage piles of a variety of waste, mostly scrap metal and similar. Existing buildings are concentrated along the western and northern boundaries of the site.
- 5.4 The proposed building is of significant size being 3610 sq m in area and 7.512 – 8.512 metres in height, including the raised, stilted foundation. The building footprint also takes up the majority of the usable area of the site. However, it is considered that the building has been designed to be compact in form given its two storey internal layout and low ridgeline. The current proposal has a reduced footprint compared to the previous application. The previously proposed projections on the northern and eastern sides have been removed, making the building squarer, and it has been further offset from all site boundaries, particularly the north and east boundaries adjoining the open Green Belt. In my opinion, this increased setback and reduced building size serve to reduce the visual bulk of the building as seen from adjoining sites. Furthermore, although the building is large, the siting of it does open up the western boundary, thus improving the spaciousness to the adjoining residential site “Emlyn”.
- 5.5 As discussed above, the site is situated approximately 6 to 8 metres below the level of the A20 London Road. The applicant has submitted a plan showing two cross sections of the site and proposed building in relation to adjoining buildings and the level of the A20 London Road. As a result of this difference in level the proposed building will largely be screened from the A20 by the slope of the land and the existing Scarbutts and Mitsubishi Garage buildings. In addition, the proposed building will be screened from the residential properties to the west and the rural land / MGB to the north by the existing trees which are to be retained. Although there is some landscape screening along the eastern boundary, it is not



as dense as along other boundaries and the building will be visible from adjoining MGB sites. The site layout plan does provide for a 3.5m – 8m unbuilt margin along the eastern boundary which will provide ample opportunity for additional tree and landscape planting. There is also opportunity for further planting along the northern stream boundary and along the western boundary adjacent to the vehicle access, proposed parking and nearest adjoining residential property. A landscape plan to be implemented and maintained on the site can be secured by a condition of any planning permission granted. The provision of additional landscaping would help mitigate any adverse visual effects of the bulky building on the surrounding open green belt landscape.

- 5.6 Along the northern boundary of the site runs a stream which is classified by EA as an ordinary watercourse, and the site lies partly within the floodplain of the watercourse. It is acknowledged that a degree of flooding has occurred on the site in the recent past, although there is little data on this due to the classification of the stream.
- 5.7 The EA considers that the existing buildings constitute an obstruction to flood flows across the site and therefore, they would look to any new development to result in an improvement to the existing condition. As noted by EA, the proposed building incorporates a void beneath the finished floor which would allow the floodwaters to assume their natural course across the floodplain ensuring there is no loss of floodplain storage capacity on the site. The floor levels recommended in the Flood Risk Assessment provided with the application are considered appropriate. The EA therefore raises no objection to the proposal, although a number of conditions are suggested in order to address drainage issues and to ensure that the voided area beneath the building is retained.
- 5.8 Both EA and DHH conclude that the previous use of the site (car wreckers) is likely to have left contamination that could impact on the proposed development. The proposed use of the site for an industrial / commercial activity which covers the majority of potentially contaminated land in a sealed hard surface will minimise the risk of further contamination and any harm to human and environmental health. Standard decontamination conditions are recommended for any planning permission which may be granted.
- 5.9 The proposal is for 24 hour per day, 365 day per year access to the storage building which has the potential to adversely affect adjoining residential properties due to noise disturbance, particularly from traffic movements. Previous uses of the site have not had any restriction on the hours of operation and it is unclear to what extent 24 hour use has occurred. Given that historical uses have been without restriction, it would be difficult to impose such a condition now. Indeed, it should be noted that the recent refusal of the similar proposal did not include a reason for refusal on noise impact grounds. Although, as DHH has pointed out, there were concerns expressed at the time of the previous proposal, following debate and in the light of the historical context, Members accepted that such

reasons for refusal could not be justified. However, mitigation measures can be taken to reduce the impact any noise may have on adjoining neighbours. DHH recommends conditions be imposed on any planning permission that may be granted requiring that an acoustic fence be constructed and maintained along the western site boundary adjoining “Emlyn” which will reduce any impact of traffic and loading noise on that property. Surfacing of the access in tarmac as proposed will also reduce traffic noise.

- 5.10 No external lighting is proposed as part of the application, however given the proposed 24 hour use of the site there is the potential for artificial light to cause nuisance to adjoining neighbours. A condition of any planning permission is recommended which would require any exterior lighting to be approved by the Local Planning Authority.
- 5.11 The Highway Authority has assessed the proposal and raises no objection to the proposed parking levels or access upgrade. In the absence of a parking standard for a self storage facility, the proposed parking levels are deemed to be acceptable, and the likelihood of an overall reduction in vehicle movements to the site is acknowledged, particularly with regard to large goods vehicles.
- 5.12 The upgrading of the access including the widening at the junction with the A20 and resurfacing in tarmac will improve visibility and allow for two cars to use the access at one time, preventing queuing on the main road itself. Accordingly, traffic safety at the crossing point will be improved.
- 5.13 Policy SS2 of the Kent and Medway Structure Plan 2006 sets out that there is a general presumption against inappropriate development in the Green Belt, in accord with PPG2. Policy P2/16 of the TMBLP 1998 seeks long term protection of land within the Green Belt and states that development outside established built confines of rural settlements will not be permitted unless acceptable under the terms of other policies of this plan, or otherwise exceptionally justified. Policy P6/18 identifies sites within the Green Belt which are suitable for redevelopment, with development permitted “*where an overall improvement in the environment is achieved.*” P6/18(f) sets out some site specific caveats: “*proposals should achieve rationalisation and improvement of access to the A20, a visual enhancement of the site, make appropriate measures to ameliorate road traffic noise, and investigate and provide for treatment of any land contamination.*” In addition, P6/18 sets out the following relevant criteria for redevelopment:
- *They have no greater, and where possible less, impact than the existing development on the openness of the green belt and purposes of including land in the green belt.*
  - *They contribute to the achievement of the objectives for the use of land in the green belt.*

- *The proposed coverage of the site by buildings (i.e. the footprint) is no larger than, and the development does not exceed the height of, the original buildings unless occupying a larger footprint would achieve a reduction in height which would benefit visual amenity.*
- *The character and dispersal of the proposed development compared with the existing use (including the cumulative impact of outdoor domestic paraphernalia) has regard to the main features of the landscape, appropriately integrates new development with its surroundings and has no detrimental impact on the openness of the green belt.*
- *There is an improvement to visual amenity and adequate provision is made for the maintenance of landscape areas where appropriate.*
- *For those sites not well related to the primary or secondary road network, there is no increase in the overall level of traffic generated by the site, both peak and daily flows, and a significant reduction in heavy goods vehicle movements unless it can be demonstrated that the level and nature of traffic generated can be satisfactorily accommodated without conflict with residential or rural amenity and will not prejudice highway safety.*

5.14 With regard to the above criteria, and based on the discussion above, it is considered that the proposal meets the requirements of P6/18(f) and will not have a greater impact on the openness of the Green Belt given previous uses of the site. The proposal will result in an improvement to visual amenity with all paraphernalia contained within the proposed building rather than lying out in the open as per previous uses. Furthermore, the opportunity for additional landscaping on the site will enhance the existing watercourse corridor and boundaries of the site as viewed from the surrounding environment. PPG2 sets out several land use objectives for the green belt, which include “to improve damaged and derelict land.” The site is potentially contaminated and unsuitable for alternative uses and the proposed development offers the opportunity to clean up, and cover up, the contaminated land. The proposal also improves access to the A20.

5.15 P3/6 of the TMBLP 1998 sets out that within SLAs priority will be given to conservation and enhancement of the natural beauty of the landscape over other planning considerations. Where development is permitted, particular regard will be paid to the design, location and landscaping of the proposal and its impact on the character of the landscape. Although the site is located within an SLA it is identified as being appropriate for development, with enhancement of the visual amenity of the site a key consideration. As discussed above, significant existing trees are to be retained and there is ample opportunity for enhancement of the site, and thus the Special Landscape Area and Metropolitan Green Belt, through the containment of activities within one building and the provision of additional landscaping.

5.16 The previous application was refused on the basis that the siting and design of the building by virtue of its height, size and bulk, would adversely affect the open character of the area and result in a cramped and overdeveloped site. Although the height has not been reduced, I consider that on balance, the current proposal represents an improvement in the siting and design of the building, which results in a decrease in the bulk of the building and an increased openness to the green belt. Furthermore, I consider that the proposed development and use of the site would be acceptable in the context of the relevant policies of the TMBLP and given the specific characteristics of the site, including its existing / previous uses, its location amongst a cluster of industrial / commercial uses, and its potentially contaminated state. This is clearly acknowledged by policy P6/18(f) of the plan. It is considered that the proposal allows for visual enhancement of the site without impacting on the amenity of neighbours or the openness of the Green Belt. The proposal is also in accord with the objectives of PPG2 which include the improvement of damaged and derelict land.

**6. Recommendation:**

6.1 **Grant Planning Permission** in accordance with the following submitted details: Letter dated 19.04.2007, Location Plan 2985F/P01 dated 19.04.2007, Design and Access Statement dated 19.04.2007, Report FLOOD RISK dated 19.04.2007, Desk Study Assessment dated 19.04.2007, Transport Assessment dated 19.04.2007, Site Layout 2985F/P02 a dated 19.04.2007, Floor Plan 2985F/P03 a dated 19.04.2007, Drawing 2985F/P04 a dated 19.04.2007, Section 2985F/P05 a dated 19.04.2007, Section 2985F/P06 a dated 19.04.2007, subject to compliance with the following conditions:

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

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

2 No development shall take place until details and samples of materials to be used externally have been submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or the visual amenity of the locality.

3 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping and boundary treatment. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of

similar size and species, unless the Authority gives written consent to any variation. Any boundary fences or walls or similar structures as may be approved shall be erected before first occupation of the building to which they relate.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

- 4 The development hereby approved shall be carried out in such a manner as to avoid damage to the existing trees, including their root system, or other planting to be retained as part of the landscaping scheme by observing the following:
- (a) All trees to be preserved shall be marked on site and protected during any operation on site by a fence erected at 0.5 metres beyond the canopy spread (or as otherwise agreed in writing by the Local Planning Authority).
  - (b) No fires shall be lit within the spread of the branches of the trees.
  - (c) No materials or equipment shall be stored within the spread of the branches of the trees.
  - (d) Any damage to trees shall be made good with a coating of fungicidal sealant.
  - (e) No roots over 50mm diameter shall be cut and unless expressly authorised by this permission no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches of the trees.
  - (f) Ground levels within the spread of the branches of the trees shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect the appearance and character of the site and locality.

- 5 No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved by the Local Planning Authority. Soakaways shall only be used in areas on site where they would not present a risk to groundwater. If permitted their location must be approved in writing by the Local Planning Authority. Only clean uncontaminated water should drain to the surface water system. Roof drainage shall drain directly to the surface water system. Appropriate pollution control methods (such as trapped gullies or interceptors) shall be incorporated for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system. There shall be no discharge into land impacted by contamination or land previously identified as being contaminated. There must be no direct discharge to groundwater, a controlled water. There should be no discharge to made ground. A minimum amount of unsaturated zone should be maintained at

all times during the year, between the invert level of the soakaway and the maximum height of groundwater. This zone should be at least 10m in depth. The development shall be carried out in strict accordance with the approved details.

Reason: To prevent contamination of the water environment and reduce the risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

- 6 The use shall not be commenced, nor the premises occupied, until the area shown on the submitted layout as vehicle parking space has been 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 1995 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking.

- 7 No building shall be occupied until the area shown on the submitted plan as turning area has been 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 1995 (or any order amending, revoking and 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 turning area.

Reason: Development without provision of adequate turning facilities is likely to give rise to hazardous conditions in the public highway.

- 8 The building shall not be occupied until the access to it has been constructed and surfaced in accordance with the approved plans and the access shall be so retained and maintained thereafter.

Reason: To ensure the safe and free flow of traffic and to protect the aural environment of nearby dwellings.

- 9 Development approved by this permission shall not be commenced unless the method for any piling foundations has been submitted to and approved in writing by the Local Planning Authority. The piling shall thereafter be undertaken only in accordance with the approved details.

Reason: The site is contaminated / potentially contaminated and piling could lead to the contamination of groundwater in the underlying aquifer.

- 10 No development shall be commenced until details for the construction of an acoustic fence to run the full length of the eastern site and access boundary with 'Emlyn' have been submitted to and approved by the Local Planning Authority. The approved acoustic fence shall be installed prior to the commencement of construction works on the site, and retained at all times thereafter.

Reason: In the interests of the aural amenity of neighbouring residential property.

- 11 The premises shall be used for internal self storage for use by the public and small businesses and for no other purpose (including any other purpose in Class B1 or B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument amending, revoking or re-enacting that Order).

Reason: To protect the amenity of nearby dwellings and Metropolitan Green Belt.

- 12 No exterior lighting shall be installed or operated until details have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of nearby dwellings.

- 13 Development approved by this planning permission shall not be commenced unless:

a) desk top study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. And using this information a diagrammatical representation (Conceptual Model) for the site of all-potential contaminant sources, pathways and receptors has been produced.

b) A site investigation has been designed for the site using the information obtained from the desk top study and any diagrammatical representations (Conceptual Model). This should be submitted to, and approved in writing by the LPA prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken relating to the receptors associated with the proposed new use, those uses that will be retained (if any) and other receptors on and off the site that may be affected.

- refinement of the Conceptual Model.

- the development of a Method Statement detailing the remediation requirements.

c) The site investigation has been undertaken in accordance with details approved by the LPA and a risk assessment undertaken.

d) A Method Statement detailing the remediation requirements using the information obtained from the Site Investigation has been submitted to the LPA. This should be approved in writing by the LPA prior to that remediation being carried out on the site.

Reason: To ensure that the proposed site investigations and remediation will not cause pollution of Controlled Waters.

- 14 The development of the site shall be carried out in accordance with the approved Method Statement. If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA for details of how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of Controlled Waters.

- 15 Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

Reason: To protect the environment and prevent harm to human health by ensuring that the remediated site has been reclaimed to an appropriate standard.

- 16 The building shall be constructed at the level shown on the approved plans. The voids beneath the building shall be kept free of any obstruction at all times.

Reason: In order to reduce the risk of flooding and the impact of flooding on surrounding land.

**Informatives:**

- 1 With regard to works within the limits of the highway, the applicant is asked to consult The Highways Manager, Kent Highways , Joynes House, New Road, Gravesend, Kent, DA11 0AT. Tel: 08458 247 800.
- 2 This permission does not purport to convey any legal right to undertake works or development on land outside the ownership of the applicant without the consent of the relevant landowners.



- 3 Care should be taken during and after construction to ensure that all fuels, oils and any other potentially contaminating materials should be stored (for example in bunded areas secured from public access) so as to prevent accidental/unauthorised discharge to ground. The area's for storage should not drain to any surface water system.
- 4 Where it is proposed to store more than 200 litres (45 gallon drum = 205 litres) of any type of oil on site it must be stored in accordance with the Control of Pollution (oil storage) (England) Regulations 2001. Drums and barrels can be kept in drip trays if the drip tray is capable of retaining 25% of the total capacity of all oil stored.
- 5 Colour scheme details are also required to be submitted for approval under the requirements of Condition 2. Submissive colour tones that blend with the surrounding Green Belt environment will be required.

Contact: Kathryn Stapleton