
Kings Hill Kings Hill	567710 156279	25 .01.2008	(A) TM/07/03969/RM (B) TM/07/04000/RM
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Proposal: (A) 3 storey B1 development with separate energy centre building and associated landscaping and car parking (approval of reserved matters TM/05/00163/FL)
(B) New access road from Tower View, Kings Hill (to be known as Jubilee Way)

Location: (A) 1 Jubilee Way Kings Hill West Malling Kent ME19 4UW
(B) Jubilee Way Kings Hill West Malling Kent

Applicant: (A) The Rolex Watch Company Limited
(B) Liberty Property Trust (UK) Limited

1. Description (A) and (B):

- 1.1 Application (A) was withdrawn from the agenda of 9 January 2008 in order to carry out statutory advertisement due to the inclusion in the site of the definitive line of a PROW. In the meantime, the application site has been modified so that it no longer includes the PROW.
- 1.2 These Reserved Matters applications relate to a new business development to be used as an administrative centre for watch storage and distribution plus servicing/repair workshops. The outline planning permission commitment goes back to an original planning permission in 1990.
- 1.3 The main building will be 3 storeys high and the top floor will include a roof garden screened by a parapet wall. The detached energy centre building will have 2 floors of accommodation with the lower floor at basement level. Total floor area is 6771 sq m.
- 1.4 Illuminated car parking for 123 vehicles and 30 cycles is to be provided plus landscaping comprised of block paving, water features and seating areas. CCTV cameras will be included, including some on 6m high poles. The car park lighting will be cowled on 6m high poles. There will also be bollard lighting and ground level uplighting to illuminate the walkways and landscaping during office hours. This is supplemented with floodlighting, near the loading and unloading area, for security purposes.
- 1.5 The boundary fronting the access road is proposed to be planted with landscaping plus gates 1.5m high and 13m wide that will slide open behind the hedge during normal office hours.

- 1.6 The main building will have 2 external facades of curtain walling in a green tint with silver/white vertical wave frit patterns in front of glazed curtain walling with charcoal grey/black spandrel panels. The other facades will be glazed curtain walling with charcoal grey/black spandrel panels plus chestnut timber louvres. The building as a whole is designed with high levels of energy efficiency in mind.
 - 1.7 The energy centre has external facades of polyester powder coated panels in charcoal grey/black.
 - 1.8 The site has a boundary with Tower View, and the access road is the subject of a separate planning application (TM/07/04000/RM).
 - 1.9 Originally, TM/07/4000/RM was a full planning application which included a proposed "Left in-Left out" junction (LILO) with the A228 Bypass. This aspect of the scheme has been removed from the application and it is understood will be pursued separately in relation to a proposed Hotel development next to the A228.
 - 1.10 The access road application does include some alterations within Tower View itself - the central landscaped strip is to be altered so that all vehicles leaving the site will have to turn left, they will not be able to turn right across the landscaped strip as is currently the case. It is understood that this element of the design was required following the stage 1 road safety audit.
 - 1.11 Application (A) includes an archaeological report (which concludes that there is no archaeological interest on the site) and arboricultural report plus a sustainability report. An ecological report concludes no occupation of the site by protected species such as bats, dormice or reptiles.
- 2. Reason for reporting to Committee (A) and (B):**
- 2.1 These applications are being reported to Committee due to the level of local interest and due to the relatively long period of time since the principle of development on the site was established in 1990 by the original outline planning permission for Kings Hill (TM/89/1655/OA).
- 3. The Site (A) and (B):**
- 3.1 The site is 2.6 ha and is mostly formerly orchard, the fruit trees having been cleared recently. To the south is a copse of woodland on the northern side of Tower View.
 - 3.2 To the north, east and west are undeveloped areas of former orchard, plus areas of copse and lines of Poplar shelterbelts.
 - 3.3 The site is generally level but is raised on a slight plateau at a ground level of approx 75m OD.

- 3.4 The definitive line of a PROW runs along the north-west boundary of the site. This was previously in the boundaries of the site, but the application site has since been modified to exclude it.
- 3.5 The north-eastern boundary of the site is some 500m from the edge of the hamlet of New Barns, a Conservation Area with a number of listed buildings.
- 3.6 The access road runs along the eastern and north-eastern boundaries of the site and includes 2 mini roundabouts leading to other potential development areas within Kings Hill. The application site includes part of the central reservation of Tower View as the application includes altering the crossing at that point.

4. Planning History:

TM/89/01655/OUT Grant with Conditions 12 June 1990

Mixed use development, comprising business use, with ancillary storage and ancillary distribution (use class B1); residential (C3); hotel/conference centre (C1); convenience retail (A1 and A3); financial and professional services (A2); residential education and training facilities (C2); creche (D1); leisure (D2); sports and recreation facilities, open spaces and landscaping, new access on approx 647 acres with ancillary road works.

TM/02/03429/OAEA Grant with Conditions 28 October 2004

Outline Application: Additional 92,900 square metres B1 Business floorspace, residential development, public open space, sports, leisure and recreation facilities and associated infrastructure at Kings Hill and adjoining land at Heath Farm, East Malling.

TM/05/00163/FL Grant with Conditions 6 June 2005

Variation of conditions 2 and 6 of planning application no. TM/02/03429/OAEA (outline application: Additional 92,900 square metres B1 Business floorspace, residential development, public open space, sports, leisure and recreation facilities and associated infrastructure at Kings Hill and adjoining land at Heath Farm, East Malling) to enable the submission of details and implementation of the development to be undertaken in phases.

5. Consultees:

(A) TM/07/03969/RM:

- 5.1 PC: No objections in principle but wishes for clarification on the chemicals to be stored on the site. *[DPTL comment: This information has been provided to the PC and any further comments from the PC will be the subject of a supplementary report.]*

- 5.2 EA: No objections in principle but would need more details if the ground source heating system is to be progressed.
- 5.3 KCC (Highways): I am mindful of the fact that Tower View at present is unadopted but was designed and built to adoption standards. The proposed modification to remove the right turn from Jubilee Way will be acceptable as most drivers would prefer to use the roundabout to effect an equivalent right hand turn and the resulting “weaving length” would be sufficient. Should it be found necessary there is scope for modifications to be carried out prior to adoption. As such I would not object to this proposal.
- 5.4 Private Reps + site and PROW press notice: (10/6R/0S/0X) Objections are as follows:
- Although there is currently a buffer consisting mainly of orchards between New Barns (which is 19th Century conservation area) and Kings Hill, we are concerned about the plans which have been submitted for the development. We believe that in their current form they would adversely impact on the countryside surrounding the Kings Hill boundary and that they do not take account of the rural setting of the area.
 - The overall environmental impact of developing this near-boundary site has not been adequately assessed.
 - 18m is unacceptably high for the new building, it should be lower and wider.
 - More tree screening is needed, for example on earth bunding at the edge of the Kings Hill Site.
 - Materials need to be sympathetic to a semi-rural site; glass could be a huge reflector.
 - There should be no lighting outside opening hours and the pole heights should be reduced to reduce light pollution in the rural area.
 - Will affect the quiet enjoyment of the historic New Barns hamlet.
 - The application site is 15m higher than the New Barns hamlet.
 - Sound insulation measures around the site are needed.
- (B) TM/07/04000/RM:
- 5.5 KCC (Highways): No response at the time of writing report.
- 5.6 CPRE: Object to the Left-in/Left out junction with A228.
- 5.7 EA: Conditions needed with regard to protection of the ground water environment.

- 5.8 PROW: The original road crossed the definitive line of a PROW.
- 5.9 KHPC: Object to the Left-in/Left out junction with A228.
- 5.10 WMPC: Object to the Left-in/Left out junction with A228.
- 5.11 Private Reps + PROW site and press notices (15/10R/0X/0S): Most objections primarily relate to the LILO, additional points being the concerns over light pollution of the rural area from street lighting of the access road, plus visual and noise impact on the New Barns hamlet. Issues raised include:
- The plans for TM/07/03969/RM and TM/07/04000/RM contradict each other with regard to proposed changes to Tower View.
 - Tower View is 30mph but traffic travels along it at 40mph - this speed needs to be used to assess the safety of the junction.
 - We suffer noise and light pollution from the current Tower View layout and hope there will be no additional street lighting for the new junction and that there will be a remedy for the ever increasing traffic noise from Tower View.
- 5.12 Reconsultation has taken place to advise of the removal of the LILO and any further comments will be included in a supplementary report.

6. Determining Issues (A) and (B):

- 6.1 The site is subject to saved Policy P2/2 of the TMBLP and strategic policy TM1 of the KMSP.
- 6.2 This together with planning permission TM/89/1655 establishes both the principle of built development on this site, and the principle of B1 development being acceptable within a campus style business park on certain parts of the Kings Hill policy area. The subsequent permissions in 2004 and 2005 re-confirmed this situation.
- 6.3 The main issue for application (A) is therefore an assessment of the proposal against Policy QL1 of the KMSP and Policy CP24 of the TMBCS in terms of design and impact on the locality. Policies QL6 and QL8 of the KMSP and PPG15 (Planning and the Historic Environment) relate to the character and appearance of Conservation Areas and the setting of listed buildings respectively. The main issue for Application (B) is highway safety.
- 6.4 The main building reflects the established bulk of similar office complexes on Tower View. In this case, the materials are dark coloured facades with frit work that will be a mix of colours mainly black/dark grey/green. It is considered that this use of materials and the colours to be used will be the most effective in creating a subdued visual impact in the surrounding rural area. These are good colours to

help the building blend in with its setting when it is viewed against treescape that is predominantly green with black shadows in the summer and brown with black shadows in the winter.

- 6.5 Members are advised that the objectors mention that the height of the Rolex building is 18m but this is not correct. The finished floor level of the building is 75.85m OD on an **average** ground level of approx. 75m OD. The building is 88.61m OD to the top of the parapet and 89.12m OD to the top of the screen to the roof plant. Hence the building is approx. 14.12m high at its tallest point above average ground level. It is the case that the lowest part of the site (the very north-west corner) is 71.5m OD which gives a relative height of the building of 17.6m viewed from that corner.
- 6.6 The building is over 500m from the edge of the New Barns hamlet. The New Barns hamlet is set at a lower level than the application site as the orchards slope downhill to the north-east. It is feasible that a building in this location will be visible from that area. However, there are further areas of land allocated for office and hotel development (and subject to the outline planning permissions) between the application site and the hamlet. The residential development that has taken and is taking place along the northern edge of Kings Hill also impinges to a certain extent on the wider setting of the hamlet, albeit at some distance. I recognise the legitimate concerns regarding any impact there might be on the rural setting of the New Barns hamlet. Members will also be aware of statutory requirements relating to the preservation of the settings of listed buildings and Conservation Areas. However, given the context outlined, I believe that all these factors will be adequately protected, and the development now proposed will not have an unacceptable impact.
- 6.7 The development involves a relocation of the occupier from its premises in Dartford. Initially, it is understood that the staff will be provided with a coach service to access the site. Notwithstanding this, it is considered that a building of this size warrants a travel plan but, as this is an application for approval of Reserved Matters (i.e. it is not an application for planning permission) this cannot be required by condition. An informative is recommended to address this issue.
- 6.8 The application includes a scheme of uplighting of the building, to accentuate its urban design features and the high quality landscaping. Other lighting is needed for security. I note the concerns of the residents of New Barns hamlet with regard to light pollution of the rural area but security lighting is a normal requirement for this type of premises and of course the street lighting on the A228 Bypass already affects the hamlet. I therefore suggest a condition requiring the submission of a detailed scheme of lighting management, with the objective of ensuring that any lighting outside operating hours is the minimum required for security purposes as opposed to the pursuit of aesthetic benefits.

- 6.9 In conclusion, whilst the proposal has resulted in some opposition from some local residents (partly because of concern at the original form of the concurrent road access application) I am of the view that application (A) is a development that should be welcomed, being in compliance with strategic policy and a long standing outline planning permission.
- 6.10 Application (B) is considered to be acceptable in highway safety terms, although it is noted that Tower View is still unadopted. The main part of the road serving the business plots is designed as other estate roads in Kings Hill. The application does include the removal of a right hand turning lane in Tower View. This means that drivers leaving Jubilee Way will have to turn left into Tower View and make a U-turn around the roundabout in order to reach the A228. KCC is satisfied that the Tower View/Kings Hill Avenue roundabout is adequate for that purpose and there are not foreseen to be any highway safety concerns.
- 6.11 With regard to the concerns over light pollution and noise to Sportsmans Cottages from Tower View, it is considered that the removal of the right turn will not worsen the situation.

7. Recommendation:

(A) TM/07/03969/RM:

- 7.1 **Grant Planning Permission** as detailed by: Letter dated 01.11.2007, Certificate B dated 01.11.2007, Certificate B dated 01.11.2007, Notice dated 01.11.2007, Site Plan 1813(PI)102 P2 dated 25.01.2008, Location Plan 1813(PI)104 P4 dated 25.01.2008, Floor Plan 1813(PI)111 P7 dated 01.11.2007, Floor Plan 1813(PI)112 P7 dated 01.11.2007, Floor Plan 1813(PI)113 P5 dated 01.11.2007, Elevations 1813(PI)125 P4 dated 25.01.2008, Elevations 1813(PI)126 P5 dated 01.11.2007, Section 1813(PI)135 P5 dated 01.11.2007, Section 1813(PI)136 P5 dated 01.11.2007, Floor Plans And Elevations 1813(PI)150 P2 dated 01.11.2007, Landscaping WT1265Y001 B dated 25.01.2008, Landscaping WT1265L002 dated 01.11.2007, Landscaping WT1265L003 dated 01.11.2007, Planning Layout 4644/E/204 Lighting Layout dated 25.01.2008, Design and Access Statement dated 01.11.2007, Report SUSTAINABILITY REPORT dated 01.11.2007, Section A-a B-b dated 25.01.2008, Section C-c D-d dated 25.01.2008, Section E-e F-f dated 25.01.2008, Section G-g H-h dated 25.01.2008, Landscaping WT1265Y001 B dated 25.01.2008 subject to the following:

Conditions

1. The development shall only be accessed as detailed in application TM/07/04000/FL or by an alternative scheme, the details of which shall have been submitted to and approved in writing by the Local Planning Authority. The premises shall not be occupied until an access to Tower View has been completed as approved.

Reason: To ensure adequate access to the premises.

2. The premises shall not be occupied until a detailed scheme for the control and management of external lighting has been submitted to and approved in writing by the Local Planning Authority, and the approved scheme shall be adhered to at all times thereafter.

Reason: In the interests of amenity of the surrounding rural area.

Informatives

1. You are reminded of the need for on-going compliance with conditions on outline planning permission TM/05/00163/FL.
2. Tonbridge and Malling Borough Council endorses the Government's strategic aim of working towards sustainable forms of travel. In order to promote this objective, you are strongly advised to draw up a travel plan, particularly with regard to staff travel arrangements. The travel plan should include robust monitoring arrangements with the overall objective of securing sustainable travel patterns in the long term.

(B) TM/07/04000/RM:

- 7.2 **Grant Planning Permission** as detailed by: Certificate B dated 05.11.2007, Letter dated 05.11.2007, Letter dated 06.11.2007, Design and Access Statement dated 05.11.2007, Transport Assessment 11444/106 dated 06.11.2007, Letter dated 25.01.2008, Letter dated 17.12.2007, Road Safety Audit dated 04.01.2008, Drawing 4345/H08/113 dated 25.01.2008, Location Plan 4345/H08/13 dated 25.01.2008, subject to the following:

Informatives

- 1 You are reminded of the need for on-going compliance with conditions on outline planning permission TM/05/00163/FL.

Contact: Marion Geary