

# Appendix A

## INNOVATION PARK MEDWAY

### STATEMENT OF REASONS AND LOCAL DEVELOPMENT ORDER



**MADE BY TONBRIDGE & MALLING BOROUGH COUNCIL**

December 2020

## **VISION STATEMENT**

INNOVATION PARK MEDWAY WILL DELIVER UP TO 101,000 SQM OF HIGH VALUE TECHNOLOGY, INNOVATIVE, QUALITY COMMERCIAL SPACE IN A PRIME LOCATION BETWEEN LONDON AND THE CONTINENT. THE SITE WILL BE A MAGNET FOR HIGH VALUE TECHNOLOGY, ENGINEERING, MANUFACTURING AND KNOWLEDGE INTENSIVE BUSINESSES LOOKING TO GROW IN THE SOUTH EAST, JOINING THE 14,000 BUSINESSES WHICH HAVE ALREADY MADE MEDWAY THEIR HOME. PART OF THE NORTH KENT ENTERPRISE ZONE, THE SITE WILL OFFER ACCESS TO WORLD-CLASS RESEARCH AND DEVELOPMENT AND HIGHLY SKILLED TALENT THROUGH THE CLUSTER OF KENT AND MEDWAY BASED UNIVERSITIES.

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## **Interpretations and Definitions**

*Please see Appendix 1*

## Foreword

### **Cllr Nicolas Heslop (Leader and Cabinet Member for Economic Regeneration, Tonbridge & Malling Borough Council)**

*Tonbridge & Malling Borough Council is hugely positive about supporting its local economy. We want to help foster an environment in which local businesses can flourish, as we recognise the massive contribution they make to the economic well-being of the Borough.*

*In this vein, the Council is undertaking a range of actions with its partners to help create a strong, dynamic and inclusive economy that fosters sustainable growth in Tonbridge & Malling, with the delivery of Innovation Park Medway as “a key location for business growth where businesses are supported to innovate and thrive and our local population has access to quality jobs and skills development”.*

### **Cllr Alan Jarrett (Leader of Medway Council)**

*'Medway is fast becoming known as the new economic powerhouse for the south-east'*

*This is an exciting time for Medway, with a monumental regeneration programme already underway and providing opportunities for those who live, study and work in the area. Medway is fast becoming known as the new economic powerhouse for the south-east and has a growing reputation for innovative businesses.*

*We are committed to creating a high quality, commercial innovation space for a wide range of high-value technology, engineering, manufacturing and knowledge-intensive businesses, and Innovation Park Medway ('IPM') does just that. It offers new and existing businesses the opportunity to grow and be surrounded by successful companies, some of which already do business internationally.*

*The site also offers attractive business rates, something we were keen to introduce to further support our business community. We recognise the importance of helping businesses grow and to build foundations now to benefit Medway's future and the development of IPM is fundamental to achieving this.*

## Executive Summary

The core ambition of the Council is to strengthen the performance of the local economy, securing high value jobs in the local area, capitalising on the further and higher education offer, and realising the area's potential.

Whilst, Tonbridge and Malling ranks within the top 25% of authorities in relation to GVA per head (with this having increased from £26,471 in 2015 to £29,606 in 2019), it now ranks lower compared to other authorities in relation to economic indicators such as, job density, workplace earnings and employment rate<sup>1</sup>. We therefore recognise the importance of IPM and the role it can play in enhancing the wider economic performance of the area.

The aim is for Innovation Park Medway ('IPM') to provide modern day commercial space that will both enable and encourage innovation and business growth across both Tonbridge & Malling Borough and Medway, complementing the existing Innovation Centre and Innovation Studios. IPM will deliver approximately 101,000 sqm metres of high value technology and high quality commercial floor space designed in such a way to encourage collaboration, the sharing of skills, ensure flexibility of workspaces to foster face-to-face communication and to allow for technology change and at the same time strengthen links with local universities which already provide highly skilled talent and world-class research and development facilities.

Through the implementation of the Local Development Order ('LDO') and the creation of a site of high value-technology, engineering, advanced manufacturing and knowledge-intensive businesses, IPM will help create many new high-skilled jobs and allow for the up-skilling of local residents and thereby, reduce the levels of out-commuting. It is the expectation that IPM will act as the key driver in continuing the growth of professional, scientific and technical industries jobs which in 2019 accounted for 21.3% (1,265/5,935) of all businesses in Tonbridge and Malling. This is still slightly higher than the South East average of 19.8% and well above the England & Wales average of 17.6%<sup>2</sup>.

High-value technology, engineering, advanced manufacturing and knowledge-intensive businesses are therefore sectors which the Council are keen to encourage and see as very important for the future growth of the economy. Tonbridge and Malling is already home to a number of businesses in these sectors including MEP Ltd and Ecolution as well as learning establishments such as Mid Kent College, West Kent College and Hadlow College along with independent research institutions such as NIAB EMR at the East Malling Research Station. The presence of a range of successful universities and Further Education providers in the area presents great opportunities to raise skills levels and enable

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<sup>1</sup> Kent Economic Indicators 2019 (April 2019)

<sup>2</sup> UK Business Counts – Information on Businesses in Kent (KCC, October 2019)

further economic development based on a knowledge economy, providing for higher value employment that could drive the success in the local area. It is the intention of IPM to build on this platform.

# 1 STATEMENT OF REASONS

## Purpose of Document

- 1.1 This section provides the justification for undertaking the type of development sought on an area of land extending to 3.7 hectares within the administrative boundary of Tonbridge & Malling Borough Council (hereafter referred to as the 'Council') through a Local Development Order ('LDO') at Innovation Park Medway ('IPM')
- 1.2 The LDO will support the objectives of both the Council and Medway Council ('Medway'), who as the administrative bodies, are seeking to create high value jobs, improve skills, retain talent and deliver on the opportunities that arise from IPM forming part of the North Kent Enterprise Zone ('NKEZ'). An LDO is a favoured route to secure this type of development and the justification for this is set out below.
- 1.3 The aim is to deliver a high-tech cluster of companies sharing similar skills, infrastructure, ambition and drive. IPM comprises Use Class E(g) and Use Class B2 uses focused on high value technology industries, engineering, manufacturing and knowledge intensive industries. All businesses are committed to delivering high GVA and exploring opportunities and synergies for collaboration, innovation and skills retention with links to universities. Specifically, this LDO will deliver up to 101,000 sqm (GEA) including up to 23,700 sqm (GEA) for Use Class E(g) and up to 76,948 sqm (GEA) for Use Class B2 of buildings falling within the following Use Classes of the Town and Country Planning (Use Classes) Order 1987 (Amendment) (England) Regulations 2020:
  - Use Class E(g)(i) - Business (Office);
  - Use Class E(g)(ii) - Research and Development of products and processes
  - Use Class E(g)(iii) – Industrial processes; and
  - Use Class B2 (General Industrial).
- 1.4 Within IPM there will also be a small amount of ancillary floor space Use Class E(a) (Sale of cold food and drink only) and Use Class E(b) (Sale of food and drink for consumption (mostly) on the premises).
- 1.5 This LDO provides certainty as to the type, use and form of development that is permitted and in return, facilitate economic growth, enabling it to happen in a timely manner and allowing firms to react quickly to growth opportunities through a simplified planning process. Through the LDO providing certainty to developers, it will stimulate investment by reducing the potential and perceived risks and barriers associated with the formal planning process. The LDO also reduces

associated costs as a full technical evidence base with all required studies have been carried out in support of the LDO.

1.6 Through the implementation of the LDO, the accompanying IPM Design Code ('Design Code') and Environmental Statement ('ES'), the Council will be able to strengthen the performance of the local economy, create high skilled jobs and drive innovation in order to secure growth and prosperity in the region, and to realise the potential of the area whilst ensuring the operational longevity of Rochester Airport. This LDO will also support the Council's goals of supporting commerce and encouraging the development of high value technology, advanced manufacturing and engineering and knowledge-intensive businesses which are considered by the Council to be key target areas with the potential for significant economic growth.

1.7 Other intentions of this LDO include:

- Providing the Council, Local Highways Authority, local community and other stakeholders with certainty as to the type, use and form of development permitted at IPM;
- Deliver a key part of the NKEZ and assist the economic growth of both Tonbridge and Malling and Medway, the Thames Estuary and the wider South East by utilising and enhancing the linkages of local universities;
- Providing IPM with a source of competitive advantage compared to other areas in Kent, the South East and wider area;
- Creating high skilled jobs for local people;
- Ensuring the layout and design of IPM embraces the spirit of innovation and where possible exceeds, the prevailing sustainability standards;
- Ensuring new landscape character types enhance the sustainability, amenity and bio-diversity value at IPM;
- Creating an environment that puts Medway on the map as a smart and sustainable city; and
- Ensuring that the IPM is a good neighbour and mitigates its impacts.

## **Sector Focus**

1.8 Whilst the percentage of businesses in Tonbridge and Malling that operate in the professional, scientific and technical industries has increased in recent years to approximately 21% in 2019, the Council is keen to ensure that the local economy remains competitive and creates high quality jobs. Science and technology are therefore sectors which the Council is keen to encourage and sees as very important for the future growth of local economy.

1.9 By promoting the creation and expansion of technology, advanced manufacturing and knowledge-intensive businesses, IPM will help create new high-skilled jobs and allow for the up-skilling of local residents to help meet the needs of new business occupiers and help increase student retention and reduce the issue of out commuting. Approximately two-thirds of economically active residents currently commute out of the Borough for work (mostly travelling to work in Maidstone, Sevenoaks, Tunbridge Wells, and including further afield to London).

- 1.10 Investment to enhance the skills of local residents will be made through the creation of new apprenticeships, post-graduate opportunities and training facilities. This will then go on to improve the resilience of local residents in today's complex working world and allow wider access to job markets.
- 1.11 The local Universities produce many high-calibre graduates but many currently seek graduate opportunities elsewhere. IPM will create opportunities for graduates to establish themselves, grow and flourish in the local area.
- 1.12 The LDO is intended to be in place for a period of 10 years and has been made to drive economic development through the delivery of IPM which will act as a new and vibrant employment hub for high-value technology, advanced manufacturing, engineering and knowledge-intensive businesses all as part of 21<sup>st</sup> century sustainable development.

### **Spatial extent of LDO**

- 1.13 Due to IPM falling across two authorities, two separate LDOs have been prepared - one to guide development proposals in Tonbridge and Malling and one for Medway, and the exact coverage within each administrative boundary is shown below at Figure 1. The total floor space set out in the Description of Development of 101,000sqm is across both authority areas.
- 1.14 IPM is located on two areas of the Rochester Airport site which is a general aviation aerodrome on the southern edge of Rochester approximately 3.5 kilometres (km) to the south of Chatham and Rochester town centres and 57 km east of Central London. It is located approximately 1.4 km north of Junction 3 of the M2 motorway and 5.7 km north of Junction 6 of the M20 motorway, linking the site with London, the M25 motorway and Continental Europe thereby making IPM an attractive location for business. Javelin Trains using HS1 mean Rochester is just 37 minutes from Central London, whilst Eurostar services to Europe can be accessed from Ebbsfleet International Station.
- 1.15 The Universities at Medway and their ability to provide the skilled workforce required by creative, digital and advance manufacturing businesses have been identified as key components to the future economy. The presence of a number of well performing Universities presents great opportunities to raise skills levels and enable further economic development based on a knowledge economy, providing for higher value employment that could drive the success of the area.

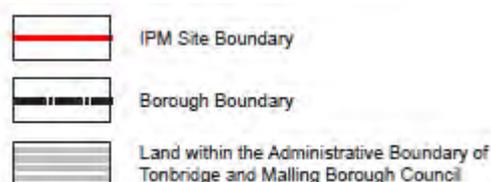
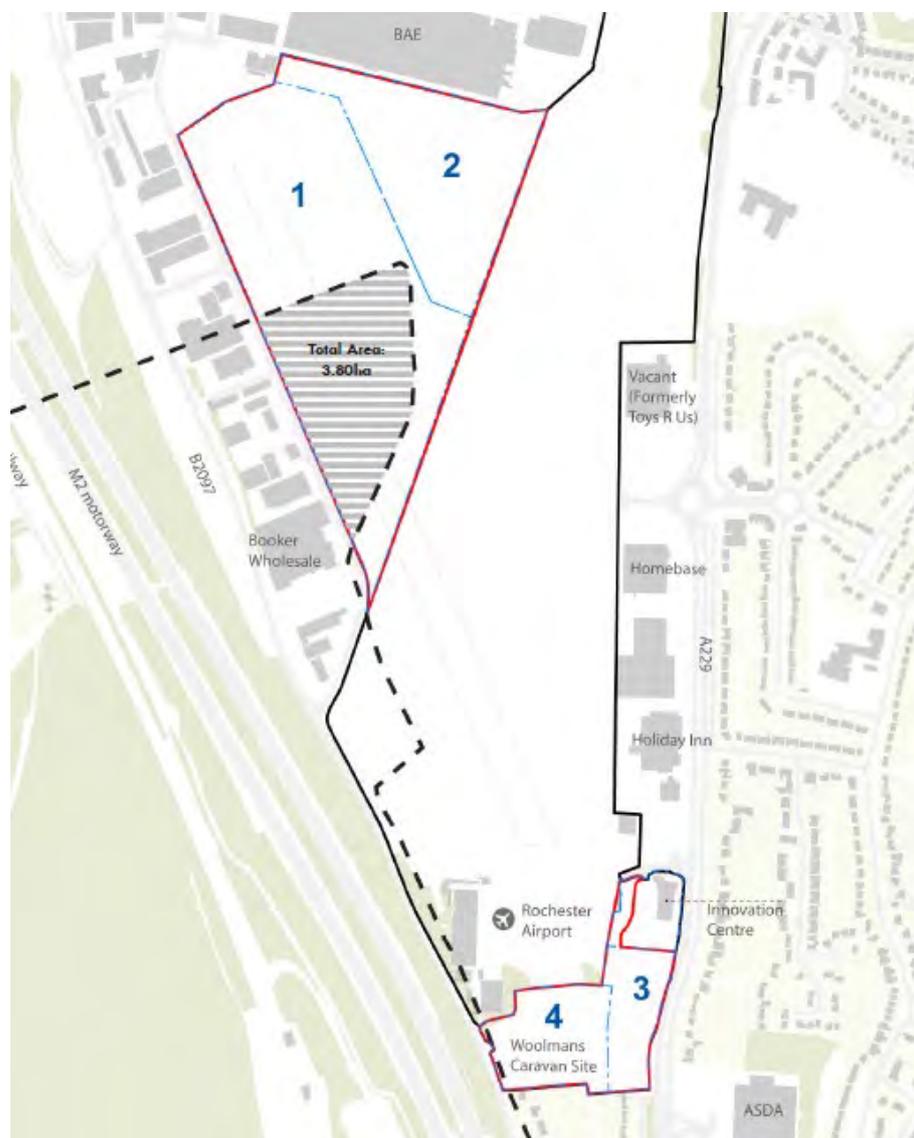
### **The Site**

- 1.16 IPM will be split into two separate areas which will comprise two distinct parcels with the overall area extending to 18.54ha across both Tonbridge and Malling and Medway, of which 3.7ha sits within the Council's administrative boundary with the remaining 14.84ha being within Medway. The Northern site consists of a main parcel (Parcel 1) which currently forms part of Runway 16/34

and is made up of laid to well-maintained grass and a second parcel (Parcel 2) currently laid to concrete slabs with a secured palisade fence since it is used by BAE Systems as a car park. The Southern site consists of an eastern parcel (Parcel 3) which comprises the remnants of previously demolished structures, a small utilities structure, associated compound and an overflow car park for the adjacent Innovation Centre Medway. The western parcel (Parcel 4) comprises an operational caravan storage park, Woolmans Wood Caravan Park, which has capacity for approximately 100-125 caravans (see Figure 1 below).

1.17 The areas within the LDO are split into a number of smaller development areas and these are the subject of general parameters and conditions as set out within the LDO and the Design Code.

**Figure 1 - IPM LDO Area**



## The Surrounding Area

- 1.18 Adjacent to the Airport are a number of successful employment uses including the BAE Systems Rochester Campus and Rochester Airport Industrial Estate to the north and west and to the east the Innovation Centre Medway which opened in 2008.
- 1.19 Running alongside the eastern edge of the Airport is a Holiday Inn hotel and Horsted Retail Park, which is home to a number of national retailers. To the South East of the Airport is the Bridgewood Manor Hotel and an Asda superstore, which includes a pharmacy and petrol station. Immediately to the south is a small collection of residential homes whilst further east of the Airport are the residential suburbs of Walderslade.
- 1.20 To the west of the Airport, on the opposite side of the M2 motorway, is the Kent Downs Area of Outstanding Natural Beauty ('AONB') which stretches from the county border with Surrey down to Dover (see Figure 2 below). The AONB is a peaceful, rural landscape with significant ecological value and also provides recreational opportunities. It is afforded the highest status of protection in relation to landscape and scenic beauty. As part of the management of the AONB, Medway is a member a member of the Joint Advisory Committee ('JAC') a body of twelve authorities who have joint responsibility to prepare and manage the Management Plan.

**Figure 2 - Location of IPM within the wider context**



## **Public Consultation and Engagement**

- 1.21 It is a requirement that LDOs are the subject of consultation with the procedures set out in Article 38 of DMPO 2015. The Council recognises the choice of consultation method needs to reflect the audience that it was seeking to reach and has ensured the consultation process is compliant with the requirements of not just Article 38, but also the EIA Regs 2017 and the Council's own guidance on public consultation as set out in the Statement of Community Involvement ('SCI') adopted in February 2015.
- 1.22 All necessary documentation was placed on the Council's website<sup>3</sup> from 29<sup>th</sup> October to 30<sup>th</sup> November 2020 and was available for inspection and public consultation for the statutory period.
- 1.23 Medway also undertook a separate consultation process from 26<sup>th</sup> October to 27<sup>th</sup> November 2020.

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<sup>3</sup> <https://www.tmbc.gov.uk/ijpm>

## 2 BACKGROUND TO THE LOCAL DEVELOPMENT ORDER

2.1 This section explains the legislative background, what an LDO is and the relevant policy/economic position.

### **Legislative Background / What is an LDO?**

2.2 LDOs were introduced through the Planning and Compulsory Purchase Act 2004 ('2004 Act') and allow Local Planning Authorities (LPAs) to extend permitted development rights for certain specified forms of development subject to conditions. The powers were subsequently amended in the Town and Country Planning Act 2008 ('2008 Act') which removed the requirement that LDOs should implement policies set out in the Development Plan. The Growth and Infrastructure Act 2013 ('2013 Act') went further and simplified the LDO process by replacing the requirement for LPAs to submit them to the Secretary of State ('SoS') before adoption. Instead, it is now a requirement to inform the SoS as soon as practicable after adoption. The 2013 Act also removed the requirement for an LDO to be reported on as part of the Annual Monitoring Report ('AMR').

2.3 As part of these amendments, updated legislation was published and set out the requirements for LDOs under Section 61A (2) of The Town and Country Planning Act 1990 ('1990 Act') (as amended) and Article 38 of the Town and Country Planning (Development Management Procedure Order) ('DMPO 2015').

2.4 Article 38, paragraph 1, of DMPO 2015 outlines that if a Council proposes to make an LDO they must first prepare:

- a) A draft of the Order; and
- b) A statement of their reasons for making the Order.

2.5 Article 38, paragraph 2, of the DMPO 2015 states that statement of reasons must contain:

- a) A description of the development which the Order would permit; and
- b) A plan or statement identifying the land to which the Order would relate.

2.6 The LDO satisfies the requirements of Article 38(1) and (2) of the DMPO 2015.

2.7 LDOs are recognised in the National Planning Policy Framework ('NPPF') at paragraph 51 as a means of setting the planning framework for a particular area where the impacts would be acceptable and where it would promote economic, social or environmental gains.

2.8 The process governing the preparation and the implementation of LDOs is outlined in Planning Practice Guidance ('PPG'). At paragraph 077 of the section entitled 'When is permission required?'<sup>4</sup> it states that an LDO cannot cross local authority boundaries. Two or more local

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<sup>4</sup> See: <https://www.gov.uk/guidance/when-is-permission-required>

planning authorities may wish to co-implement or co-consult on cross boundary LDOs, but each individual authority must adopt their own LDO. As the site crosses the authority boundary between Tonbridge & Malling and Medway, accordingly, both Councils have worked together to jointly prepare and consult on two separate LDOs before each adopting their own version.

- 2.9 Given the simplified process in granting permission, LDOs are gaining increasing importance as the government encourages local authorities to streamline planning to increase certainty and reduce both delay and cost in delivering sustainable development.

### **Strategic Environmental Assessment (SEA)**

- 2.10 Directive 2001/42/EC confirms the assessment of the effects of certain plans and programmes on the environment (the SEA Directive) requires that an environmental assessment is undertaken for all plans and programmes that are prepared for town and country planning or land use and which set the framework for future development consent of projects listed in Annexes I and II to the Environmental Impact Assessment Directive (now 2014/52/EU), or in view of the likely effect on sites, have been determined to require assessment pursuant to Article 6 or 7 of the Habitats Directive (92/43/EEC).
- 2.11 The Council and Medway, as the competent authorities, have considered the requirements of the SEA Directive and the applicable domestic legislation (Environmental Assessment of Plans and Programmes Regulations 2004) in the context of the LDO being prepared to support IPM. LDOs are not included in the list of applicable plans and programmes within domestic SEA guidance and the LDO does not provide the framework for future development consents; rather it will issue development consent for full planning permission once adopted. It will set out the form and nature of development to be permitted with additional guidance to supplement this. For these reasons, the competent authorities have confirmed that the LDO is not a plan or programme and that SEA will not be required.
- 2.12 The appropriate mechanism for the environmental assessment of LDOs is the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ('EIA Regs 2017') within which Regulation 32 paragraph 5, provides specific guidance and this forms the basis for the EIA undertaken.
- 2.13 Regulation 32, paragraph 5, EIA Regs 2017 states that a Council must not make an LDO which would grant planning permission for EIA development unless:
- An Environmental Statement has been prepared in relation to that development; and
  - The EIA has been carried out in respect of that development.
- 2.14 The LDO is accompanied by an Environmental Statement ('ES') which was prepared to carry out the EIA for the development proposed. It comprises EIA development by virtue of it exceeding the threshold criteria of 0.5 hectares for industrial estate development as set out in Schedule 2 Category 10a of the EIA Regs 2017.

## **North Kent Enterprise Zone**

- 2.15 Officially opened for business in 2017, the North Kent Enterprise Zone ('NKEZ') is strategically located between London and the continent is one of the South East's new hubs for innovation and entrepreneurial growth. The NKEZ comprises five sites across three highly accessible locations in Medway, Maidstone and Ebbsfleet and includes IPM. Each site is intended to promote sustainable development alongside providing state-of-the-art commercial, space and a positive business environment for high value, forward-thinking companies.
- 2.16 The designation of the NKEZ was the result of successful collaboration between local authorities, the Thames Gateway Kent Partnership, Locate in Kent, the Kent & Medway Economic Partnership and the South East Local Enterprise Partnership.
- 2.17 Enterprise Zones are Government-designated areas that offer incentives to business occupiers to stimulate business growth and the creation of new jobs including simplified local authority planning such as LDOs.
- 2.18 Enterprise Zone status has already attracted an £8.1 million allocation in Government support from the Local Growth Fund to provide the infrastructure and facilities to make IPM a thriving high-value employment centre. The NKEZ has also provided a network to link private sector businesses, local universities at the Universities at Medway and other Higher and Further Education providers such as MidKent College. This network allows for discussion and collaboration between parties to share new ideas, skills and expertise. This drives forward innovation by breaking down the silos of different knowledge bases bringing together academic expertise and business know-how to create new opportunities.

## **The Council's Local Plan**

- 2.19 The Council's Adopted Local Development Framework (LDF) comprises the Core Strategy (adopted in 2007), Development Land Allocations DPD (2008), the Tonbridge Central Area Action Plan (2008), Managing Development and the Environment DPD (2010) and the Saved Policies (2010).

## **Emerging Local Plan and Programme**

- 2.20 The Council is now preparing a new Local Plan (covering the period up to 2031), which once adopted will replace the LDF. The Plan was submitted to the Secretary of State on 23 January 2019 and the first phase of the Examination in Public (EiP) is programmed to take place from the 6<sup>th</sup> October 2020, having been delayed by the Coronavirus restrictions. The current timetable anticipates adoption to be by the end of 2021.
- 2.21 The emerging Local Plan allocates 3.7ha of Rochester Airfield as an Employment Land Allocation (Policy LP36) for economic development uses and this accords with Medway's drive to attract high value businesses offering skilled employment opportunities through the delivery of IPM. It

is intended that the uses will include workspace for advanced manufacturing, R&D and prototyping and aims to be a focus for entrepreneurial growth to strengthen links between local academic and industrial partners.

- 2.22 Amongst the various issues identified in the emerging Local Plan and evidence base, economic regeneration is highlighted as a key priority for the Council.

### **The Local Economy**

- 2.23 Local growth in the employment rate between 2015 and 2019 was relatively flat, with an increase of only 0.3% over the course of this period. Further analysis shows that this falls notably below the level of growth seen over the same period in the Kent County Council ('KCC') area (1.8%).
- 2.24 However, between 2015 and 2019, whilst the number of businesses in Tonbridge and Malling increased by just over 18%, the number of enterprises in the KCC area grew at a slower rate of 13.1%. This indicates that the business growth in the Borough has primarily been driven by a strong increase in the number of micro businesses, with more limited growth in the number of small and medium enterprises. This is backed up by the high level of self-employment in the Borough, which is currently at 18% of the workforce.
- 2.25 Whilst the Tonbridge and Malling economy performs well, there are certainly specific elements of the local economy that need strengthening, and this has only been exacerbated by the recent Covid-19 crisis. This includes the need for greater investment in R&D, increased support for our self-employed and micro-businesses, helping to upskill the workforce and providing greater resilience in our sector mix.
- 2.26 In addition, although Tonbridge and Malling Borough is within the top 25% of authority areas in relation to GVA per head, it now ranks lower compared to other authorities in relation to job density, workplace earnings and employment rate .
- 2.28 We therefore recognise the importance of IPM and how this can be a factor in enhancing the wider economic performance of the borough. The realisation of this initiative will lead to the creation of high-quality jobs in the local area, capitalising on the further and higher education offer, and realising the area's potential which enjoys a strong strategic location with easy access to the M2, M20 and M26 as well as nearby ports. Furthermore, IPMs location offers excellent opportunities to capitalise on regeneration and other investment, and to stimulate business growth, benefiting from connectivity through the motorway and rail networks to the wider economy.

### **Employment Land**

- 2.29 To plan for future economic growth and to ensure that it supports the needs of the local economy, enabling it to remain competitive and create quality local jobs, the Local Plan evidence base

confirms the need for an additional 46ha of employment land which will need to be met through the allocation of new sites including IPM<sup>5</sup>.

2.30 Furthermore, the designation of the Enterprise Zone represents an opportunity for the Council to support the provision employment uses with an aspiration for accommodating high-value technology, engineering, manufacturing and knowledge-intensive businesses<sup>6</sup>. Thus, IPM has the ability to provide a development that is attractive to the modern day demands of higher value businesses wanting to locate into the area and which can 'develop initiatives that provide regular contact between students and employers, and run events that open up new [high skilled] employment opportunities for local residents<sup>7</sup>. In turn, it is the intention of the Council that this will reduce the level of out-commuting which currently accounts for two thirds of residents<sup>8</sup>.

2.31 It is therefore the intention of the Council to continue to provide the platform for GVA growth and improve levels of high quality employment opportunities and the delivery of the LDO is fundamental to this.

### **The Medway Regeneration Agenda**

2.32 The Council is supportive of the work being undertaken by Medway and its partners in the public and private sectors to regenerate the wider Medway area which is set out in Medway's regeneration strategy<sup>9</sup>, Medway 2037.

2.33 The strategy aims to deliver Medway's aspiration to become a thriving Waterfront University City that connects innovation, people and place and as the South East's leading smart city. IPM sits at the apex of their aspirations and will help deliver on the six priorities of the regeneration strategy as demonstrated below.

- **Destination and Placemaking:** put Medway on the map as a smart and sustainable waterfront university city;
- **Inward investment:** Increase high-value businesses and expand high-quality employment;
- **Innovation:** Continue to support business creation and growth;
- **Business Accommodation and Digital Connectivity:** Provide the right infrastructure for business success;
- **Sector Growth:** enhance a strong mixed economy; and
- **Improving employability:** Match business demand and skills supply.

2.34 With specific focus on IPM, a total of £9.6m has been awarded from Central Government's Local Growth Fund ('LGF3b') through the South East Local Enterprise Partnership ('SELEP') to help

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<sup>5</sup> TMBC – Economic Regeneration Strategy – (2019 – 2023)

<sup>6</sup> Employment Land Needs Assessment (Turley, November 2017)

<sup>7</sup> TMBC – Economic Regeneration Strategy – (2019 – 2023)

<sup>8</sup> TMBC – Economic Regeneration Strategy – (2019 – 2023)

<sup>9</sup> <https://www.medway.gov.uk/info/200177/regeneration>

bring this site forward for development, creating a hub for knowledge-based employment and innovation. Further funding has been awarded through the Growing Places Fund and Sector Support Fund to support the development of the IPM masterplan and the LDO.

### **The Vision**

- 2.35 Following a detailed analysis of the site including its opportunities and constraints, an illustrative Masterplan has been developed that incorporates design features based on research into the innovation environments of national and international best practice projects. The masterplan focuses on creating a place where people belong, make connections, test ideas and are inspired.
- 2.36 IPM will be a high value technology cluster of companies sharing similar skills, infrastructure, ambition and drive. IPM will comprise predominantly Use Classes E(g) and B2 focused on high value technology industries, engineering, manufacturing and knowledge intensive industries. All businesses will be committed to delivering high GVA and exploring opportunities and synergies for collaboration, innovation and skills retention and with links to universities.

### 3 THE LDO

3.1 The structure of this Section is detailed below:

- Details of the Evidence Base which supports the LDO;
- The Masterplanning;
- The Order; and
- Details of Development Permitted.

#### **Evidence Base**

3.2 The LDO is supported by a range of technical studies and assessments including:

- Design Code prepared by LDA Design, January 2019, updated September 2020
- Environmental Statement prepared by CampbellReith, June 2019 and includes the following technical appendices:
  - Request for an EIA Screening and Scoping Opinion prepared by CampbellReith, May 2019
  - Aviation Risk Assessment prepared by Geoff Connolly, December 2018
  - Transport Assessment prepared by CampbellReith, January 2019
  - Fore Consulting Modelling Report prepared by Fore Consulting, December 2018
  - Air Quality Assessment prepared by ACCON, January 2019
  - Land Quality Statement prepared by CampbellReith, May 2019
  - AONB Assessment prepared by LDA Design, January 2019
- ES Addendum, October 2020
- Landscape and Visual Impact Assessment prepared by LDA Design, January 2019, Addendum December 2019
- Ground Conditions Desk Study prepared by CampbellReith, September 2018
- UXO Screening Study prepared by Fellows International, January 2019
- Noise Impact Assessment prepared by ACCON, September 2018
- Ecological Impact Assessment prepared by BSG Ecology, September 2018
- Ecological Management and Enhancement Plan prepared by BSG Ecology (October 2020)
- Archaeological & Heritage Impact Assessment prepared by Headland Archaeology, August 2018
- SuDS Design prepared by CampbellReith, August 2018
- Flood Risk Assessment prepared by CampbellReith, August 2018
- Habitats Regulation Assessment Screening prepared by BSG Ecology, January 2019
- Travel Plan Framework prepared by CampbellReith, January 2019
- Illustrative Masterplan prepared by LDA Design, January 2019
- Parameter Plans including;
  - 6278\_PL\_001A (Site Boundary)
  - 6278\_PL\_0038 (Indicative Plot Plan)
  - 6278\_PL\_0048 (Parameter Plan Access)

- 6278\_PL\_0058 (Parameter Plan Landscape)
- 6278\_PL\_0038 (Parameter Plan Building Heights)
- Innovation Environment Study prepared by Vivid Economics, June 2018

3.3 In addition to these technical studies, the Council has prepared:

- Environmental Impact Assessment (EIA) Screening Opinion; and
- Environmental Impact Assessment (EIA) Scoping Opinion.

## **The Masterplan**

3.4 The Masterplan which has been prepared in support of IPM is based around the following ‘four big design moves’:

- ‘The Runway Park’ shown at Section 6, p.54 of the Masterplan;
- ‘Iconic Buildings’ shown at Section 6, p.54 of the Masterplan;
- ‘Pedestrian Friendly Clusters’ shown Section 6, p.54 of the Masterplan; and
- ‘Landscaped Character’ Areas shown at Section 6, p.54 of the Masterplan.

3.5 Further detail on land use, building heights, access & movement and landscape can be found in the masterplan document.

3.6 The Design Code (at pp. 26-31) then outlines four proposed character areas:

- **Park Edge** – This character area is centred around the proposed green spine that will serve as a significant structural element of the masterplan;
- **Runway Edge** – This character area is driven by the desire to respect site heritage. The development plots will be nestled into a unique landscape backdrop with pavilion typologies linking to the site’s heritage as ‘hangars’ on the airport;
- **Core** – Situated at the heart of the IPM development and enclosed by other character areas. This area should comprise the larger scale buildings with a strong central street accommodating major vehicular and public transport linkages. The masterplan for this area is driven by the desire to promote a higher quality density quarter as it is further away from the airfield and industrial estate; and
- **Woodland and Landscape Edge** – This will form a natural edge complementing the existing industrial estate to the north and residential area to the south. This area will form the gateway of the site, complemented by two iconic buildings to define the quality, and identify of IPM. The woodland should prevent visual coalescence of buildings in Phase 1.

## ***Plot Passports***

3.7 Within each character area, IPM is split into plot parcels as shown below which provide a greater level of guidance to assist with the design as set out in the Design Code. The plot passports do not aim to be an overly prescriptive manual but rather a tool to assist both Councils and the end

user. Each plot belongs to a defined character area (please refer to Section 3.6 - Character Areas of the Design Code at p.26).

### **The Order**

- 3.8 The Order sets out the relevant legal provisions under which the Council has made the LDO. It outlines the length of time for which the LDO is valid and highlights the limitations which apply to developments granted planning permission under the terms of the LDO Schedule.

### ***The LDO Schedule, Conditions and Informatives***

- 3.9 The LDO identifies the specific classes of permitted development which are granted planning permission by the Order. The range of permitted development is confirmed by the Schedule which is described in further detail in the next section.
- 3.10 Planning conditions for the various types of permitted development are listed under the respective class in the LDO Schedule. Any applicant wishing to remove or vary a condition can apply to do so through the standard procedure established in Section 73 of the 1990 Act.
- 3.11 The informatives provide additional guidance on particular issues but do not act as specific requirements of the LDO Schedule and conditions.

### ***LDO Appendices***

- 3.12 The LDO appendices should be read alongside the Order and LDO Schedule.
- 3.13 The LDO's conditions and appendices should be read in full to determine the precise details and requirements of the classes of the permitted development.

### ***Limitations***

- 3.14 There are a number of limitations to the types of permitted development which are set out in full in the Order.
- 3.15 The LDO does not allow for changes of use between use classes, including those that would otherwise be permitted under the GPDO 2015 (or any order amending, revoking and re-enacting that Order).
- 3.16 The LDO does not grant planning permission for any developments other than those expressly listed. Normal planning application requirements will apply to those developments that fall outside the scope of the LDO.

### ***The Lifetime of the LDO***

- 3.17 The LDO will be implemented for a period of 10 years from the date the LDO is made by the Council, but will be reviewed after 5 years or when the maximum of floor space has been developed (whichever is the sooner) to consider whether the terms should be amended.

- 3.18 Prior to the expiration of the 10 year period following adoption the LDO will be reviewed again to determine whether an extension to its lifespan should be considered, whether the terms should be amended, or whether it should be allowed to lapse.
- 3.19 Development permitted under the terms of the Order that has begun (as defined by Section 56 of the 1990 Act) before the LDO expires will be permitted to be completed and operated in accordance with the requirements and conditions of the LDO.
- 3.20 Uses which have been developed and implemented under the provisions of the Order will be allowed to continue to operate following the expiry of the LDO, provided these uses are carried out in accordance with the relevant conditions set out in the LDO.

***Prior Notification Procedure***

- 3.21 Applicants will be required to familiarise themselves with the general principles of the LDO, Masterplan and Design Code before discussing with officers at the Council.

**Step 1:**

Arrange a meeting with Medway Council's regeneration team prior to any pre-application discussions, whereby a suitable plot will be discussed and agreed. During these discussions, the Applicant will be made aware of the different statutory consultees/key stakeholders that would need to be consulted and any issues dealt with prior to a pre-application meeting being arranged.

Please find details via [www.medway.gov.uk/ipm/](http://www.medway.gov.uk/ipm/)

**Step 2:**

Consult with key stakeholders following the advice received at the meeting with Medway Council's regeneration team.

**Step 3:**

Arrange a pre-application meeting with officers at the Council to discuss proposal and to ensure validation.

For pre-application meeting costs and further information, please contact us on 01732 844522 or email us at [planning.applications@tmbc.gov.uk](mailto:planning.applications@tmbc.gov.uk) to arrange the pre-application meeting.

The first pre-application meeting is mandatory and would be charged at a cost of a standard pre-application meeting. Any follow up advice (where required) will be charged at the officer's hourly rate.

**Step 4:**

Complete Self-Certification Form following discussions with Council.

**Step 5:**

Consult the Design Code and Masterplan for more detailed guidance.

**Step 6:**

Submit Self-Certification Form with all necessary supporting evidence including evidence of the pre-application discussion (date and note of advice given by officers from Council) and confirmation of compliance with the Design Code. This should include details to discharge conditions.

All Self-Certification applications, should be submitted via email to [planning.applications@tmbc.gov.uk](mailto:planning.applications@tmbc.gov.uk) with the subject title '**LDO Application**' to enable the application to be processed in a timely manner.

**Step 7:**

Upon submission of the Self-Certification Form and accompanying documentation to the Council, officers will require 7 days to validate all of the information and for the case officer to confirm the content of the documentation is as agreed during the pre-application meeting. Upon completion of the 7 days, the case officer will either send a request for further information or provide confirmation of the application being validated.

**Step 8:**

Once the Council has confirmed that the application is validated, the 28 days for determination begins.

The development must not begin before the occurrence of one of the following:

- *receipt of written notice from the Council of their determination that such prior approval is not required;*
- *where the Council give the applicant notice within 28 days following the date of validating the application of their determination that such prior approval is required, the giving of such approval;*  
*or*
- *the expiry of 28 days following the date on which the application was validated without the Council making any determination as to whether such approval is required or notifying the applicant of their determination.*

- 3.22 Proposed development which falls outside the scope of the LDO will require the submission of a planning application or other appropriate application. For the avoidance of doubt, the LDO does not prevent applicants from applying for planning permission for developments that are not permitted by the Order. Neither does the LDO supersede the requirements for development to comply with all other relevant legislation including, but not limited to, Building Regulations, Environmental Health requirements, Hazardous Substances Consent, and licences or permits from bodies such as the Environment Agency and Natural England. Applications that are complementary to the aims and vision of IPM but not permitted under the LDO are encouraged

and will be determined on a case-by-case basis. Examples of certain ancillary / supporting uses are set out in Appendix 1 which include Use Class E(a) - Sale of cold food and drink only and Use Class E(b) - Sale of food and drink for consumption (mostly) on the premises.

### ***Application of the Design Code***

- 3.23 The Design Code is applicable within the boundary as defined as shown at Figure 1.
- 3.24 The Design Code will work alongside the Masterplan and the LDO to provide certainty as to what is considered acceptable design. The Design Code will also help ensure the high standard of place making at IPM is delivered.

### ***Monitoring***

- 3.25 The 2013 Act removed the requirement for an LDO to be reported on as part of the AMR. However, the Council consider it useful to monitor the progress of IPM in order to assess the effectiveness of the LDO. As such, through information that will be requested and collated through the Form, the Council will include the following information about IPM in its AMR<sup>10</sup>.
- Amount and type of completed employment floor space in Use Class E(g) and Use Class B2;
  - Number of people employed and jobs created (both Full Time Equivalent (FTE) and part-time)<sup>11</sup>;
  - Gross Value Added (productivity); and
  - Trip generation.
- 3.26 The information will be updated annually and reported as part of the Council's AMR for the following monitoring period.
- 3.27 The monitoring data gathered will inform the first review of the LDO which will take place prior to 5 years after its adoption. The review will assess how successful the LDO has been in delivering development at IPM. Depending on the results of this assessment, the terms of the LDO may be altered to ensure more effective delivery.

### ***Compliance and Enforcement***

- 3.28 Failure to comply with the terms of this LDO or any other statutory requirements may result in appropriate enforcement action.

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<sup>10</sup> An AMR provides statistical information on a range of datasets for the annual period running between 1 April and 31 March of the following year. The report is a key element in effectively monitoring the Local Plan, measuring how far the policies set out are being achieved. The gap between reports must be no longer than 12 months.

<sup>11</sup> Each business that locates to IPM will be required to provide an update to the Council on the anniversary of opening

## **Development permitted by the LDO**

3.29 The types of permitted development are set out in four separate Schedules of the LDO which cover the following forms of development:

- Building Development including the provision of Infrastructure, Facilities and Public Realm (Schedule A);
- Extensions and Alterations (Schedule B);
- Change of Use (Schedule C); and
- Other Operations (Schedule D).

3.30 The LDO does not grant planning permission for any developments other than those expressly listed. Normal planning application requirements will apply to those developments that fall outside the scope of the LDO.

## **Delivery and Governance**

3.31 Medway Council as landowner will be delivering off-site mitigation required to enable delivery of the Innovation Park Medway and in doing so has identified trigger points where mitigation will be required. As developers occupy the site, this will be monitored closer to the estimated trigger points to understand what mitigations are required, where and when. Such mitigations include air quality, transport/travel plan, biodiversity (see Informative 8 and associated table on page 57).

### ***Highways and Local Road network***

3.32 Medway Council will be delivering the infrastructure required to bring forward development. This includes the main access through the site with associated public realm, accompanying infrastructure such as drainage/power/broadband and runway park. As the first phase of delivery on the IPM, it is anticipated that this works would create some construction traffic, however it is envisaged this would have minimal impact and can be satisfied by a comprehensive construction traffic management plan as required to discharge Condition C2.

3.33 We recognise the delivery of the IPM will have an impact on the strategic road network and the local road network. Medway Council considered the Taddington Roundabout M2 northbound off-slip' in the AM peak to be the most critical location to use as a trigger for mitigation. By 2024, or as a result of 10,159 sqm of IPM development being occupied, this location would see a delay increase of 30 seconds, understood to indicate a requirement to start considering the need for mitigation. The proposals are assessed as having an impact on junctions 2, 3 and 4 of the M2 in addition to the Laker Road and Lankaster Parker Road junctions and Rochester Maidstone Road - B2097. Medway Council has undertaken appropriate transport modelling which has predicted this as the worst-case scenario and identifying the required mitigation as a result. IPM will contribute towards impacts in the longer term but to a lesser and later extent than the emerging Local Plan. In preparing the new Local Plan, the Strategic Transport Assessment, due to be completed in Spring 2021, will address longer-term impacts at M2 Junction 2. No development

comprising buildings will take place until details of the monitor and manage strategy has been approved and appropriate mitigation delivered in the right place at the right time. Applicants are also expected to provide sustainable solutions to reduce vehicular movements required by Condition H4 (submission of travel plan).

- 3.34 In delivering the mitigation for each junction, trigger points have been estimated and are set out in conditions RN1-6 and in addition identifies a monitor and manage approach that will review the actual mitigation against the worst case to ensure the mitigation is fit for purpose and delivered at the appropriate stage determined by trip rates. The mitigation triggers have been derived from the modelling work previously undertaken, including detailed junction statistics showing queues and delays at each junction, as well as a table showing the differences between scenarios. In line with guidance provided by Highways England at a meeting on 4 September 2020, an increase in delay of 30s or more is considered to indicate a requirement to start considering the need for mitigation from an operational viewpoint. Similarly, an increase in queueing that results in the queue blocking back to the mainline carriageway indicates a need to consider mitigation from a safety perspective.
- 3.35 Considering the 2023 scenarios, the modelling results show increased delays on the A2045 Walderslade Woods and B2097 Rochester Road approaches to Bridgewood Roundabout as a result of IPM. Similarly, there is an increase in delay at the B2097 Rochester Road approach in the PM peak hour. There are no material increases in delay or queueing at other locations in the network. Whilst the increases at Bridgewood Roundabout are significant, it is unlikely that they are severe in the context of paragraph 109 of the NPPF, especially considering the lack of impact elsewhere in the network. Moreover, requiring the IPM development to deliver the full mitigation package prior to opening to address only the impacts at Bridgewood Roundabout is disproportionate to the impact. It was considered that no mitigation should be required prior to opening but that some mitigation would be required prior to 2028 with the proposed mitigation package which has been designed to address these issues. To derive triggers for each component, the most critical location has been identified. The mitigation has then been split into three packages based on when that mitigation is likely to be required and possible triggers in terms of occupied gross floor area (GFA) and two-way trip generation have been identified.
- 3.36 Mitigation package 1: Mitigation would be required at the M2 J3 Taddington Roundabout in approximately 2024 for a delay increase of approximately 30s. Therefore, by interpolation, 10,159 sq.m of employment could be occupied at IPM before the delay on the M2 westbound off-slip increases by 30s. This equates to a trip generation of 110 two-way trips. The table shows that mitigation would also be required at the Bridgewood Roundabout, B2097 Rochester Road / Lankester Parker Road and B2097 Rochester Road / Laker Road junctions in 2023. However, this mitigation would be deferred and included as part of the first mitigation package. The need for this mitigation will be determined by the monitor and manage approach.

3.37 Mitigation package 2: The below table demonstrates that the delay increase on the A229 (East) approach is 22.6s in 2023 and 39.9s in 2028. By interpolation, a delay increase of approximately 30s would occur in 2025. This equates to a floor area of 17,318 sq.m or 188 two-way trips. Modelling shows that there is no requirement to provide mitigation at M2 J4 as a result of the unmitigated impact of IPM, rather, it is the proposed full package of mitigation at the Bridgewood, Lord Lees and Taddington roundabouts that results in the requirement for mitigation. Since the Lord Lees roundabout mitigation completes this mitigation, this is taken as the trigger for the M2 J4 mitigation and is therefore included as part of mitigation package 2.

3.38 Mitigation package 3: The final component of mitigation is for M2 J2, which is a requirement to provide an additional eastbound mainline lane between the eastbound off-slip and the eastbound on-slip with associated changes to the diverge and merge facilities. This would be triggered when the eastbound mainline flow between the diverge and merge exceeds 5,400 vehicles per hour, which has been confirmed at 2026. This equates to a floor area of 24,477sqm GFA or 265 two-way trips.

#### Summary of Mitigation and Triggers 1

Mitigation Package	Mitigation components	Triggers		
		110 two-way trips (10,159sqm GFA)	188 two-way trips (17,318sqm GFA)	265 two-way trips (24,477sqm GFA)
Pre-occupation	No mitigation is required	N/A	N/A	N/A
Mitigation package 1 (A)	Bridgewood Roundabout	Y		
	Taddington Roundabout	Y		
	Rochester Road / Laker Road	Y		
	Rochester Road / Lankester Parker Road	Y		
	Lord Lees Roundabout		Y	

Mitigation Package 2 (B)	M2 Junction 4	No*	Y*	
Mitigation Package 3 (C)	M2 Junction 2			Y

\*Unless delivered by Gibraltar Farm under the 200 units threshold for mitigation at M2 Junction 4

3.39 At this point, it is anticipated the worst-case mitigation required at the following trigger points as follows:

**A. 110 two-way AM trips (10, 159sqm) triggers mitigation at Bridgewood Roundabout, Taddington Roundabout, Rochester/Laker road, Rochester/Lankester Parker Road**

**Bridgewood Roundabout:**

- Widening of the B2097 approach flare to three lanes and extending the flare in length.
- Two-lane exit on B2097 from roundabout merging to the existing single lane.
- Provision of shared footway/cycleway on the approach to the junction to connect with the existing Toucan crossing.
- Changes in lane use on the approaches and circulating lanes of the roundabout, including minor widening of the roundabout between the A2097 and A229 on-slip to allow widening of the circulatory lanes for HGVs.
- Improvement in the clarity of lane use for drivers on the approaches and circulating lanes of the roundabout.
- In response to the Road Safety Audit comment this scheme also includes extending the zig-zag road markings further south from the pedestrian crossing stop line to highlight the two-lane nature of this exit and provision of an additional lane on the northern side of the pedestrian crossing with an elongated merge.

**Taddington Roundabout (M2 Junction 3):**

- Changes to existing hatching to extend northern circulatory to three lanes and associated changes to lane allocations.

**Rochester/Laker Road junction:**

- Signalised junction.

**Rochester/Lankester Parker Road Junction:**

- Signalisation of the junction.
- Addition of a lane on the southbound approach to the junction for left turn movements.
- Addition of a lane on the westbound Lakester Parker Road approach to the junction and re-provision of the existing footway.

- Improved lane markings for the right-turn filter lane on the northbound A2097 approach to the junction
- Amendment to lane markings on the southbound approach to integrate with the previously proposed improvements to the Stoney Lane junction.

**B. 188 two-way AM trips (17, 318sqm) triggers mitigation at Lord Leeds roundabout and M2 junction 4**

**Lord Lees Roundabout:**

- Extending the three-lane flare on the northern and southern entry arms.

**M2 Junction 4:**

- Provision of the two-lane right turn from the westbound off-slip, including the provision of a two-to-one merge on Hoath Way to retain the existing segregated left turn lane from the eastbound off-slip.
- This mitigation can accommodate the Gibraltar Farm scheme as well as the IPM. The trigger point for the Gibraltar Farm scheme was agreed at 200 occupancy and the IPM at 188 trips. The monitor and manage strategy will keep under review the status of Gibraltar Farm and if delayed beyond the 188 trip IPM threshold mitigation will be delivered by IPM with a review of the trigger point.

**C. 265 two-way AM trips (24, 477sqm) triggers mitigation at M2 Junction 2**

- Improvements required as a result of merge and diverge assessments reliant on the monitor and manage strategy and likely to come forward as a later phase. IPM will contribute towards impacts in the longer term but to a lesser and later extent than the emerging Local Plan. In preparing the new Local Plan, the Strategic Transport Assessment, due to be completed in Spring 2021, will address longer-term impacts at M2 Junction 2.

3.40 As stated above, Medway Council will monitor and deliver the required mitigation in consultation with Highways England and Kent County Council. When a developer submits a Self-Certification Form and satisfies the travel plan requirements for development, Medway Council will consider the need for mitigations arising from the additional floorspace to be delivered in line with the monitor and manage strategy.

***Air quality***

3.41 A damage cost figure based on trip generation across the entire site is set out at Informative 8. In the first instance developers of plots will be expected to mitigate their air quality impacts on-plot. If mitigation cannot be achieved on plot, a contribution should be made and Medway Council as landowner will deliver strategic air quality mitigation measures in agreement with the Environmental Health Officer.

### ***Biodiversity***

- 3.42 An off-site payment is required to mitigate biodiversity impacts relating to net gain and loss of grassland. A contribution should be made by all plot developers as set out at Informative 8. Medway Council as landowner will manage the delivery of mitigation off-site as set out in the supporting Ecological Management and Enhancement Plan ('EMEP').

## 4 LDO SCHEDULE

4.1 The structure of this Section is detailed below and includes:

- The LDO Schedule, conditions and informatives; and
- Appendices 1 to 4.

### **Schedule A – Building Development including the provision of Infrastructure, Facilities and Public Realm**

4.2 Class 1 – Erection of office, research and development, studios, laboratories, high technology industries, light industrial, general industries, infrastructure, facilities, provision of ancillary uses (Use Class E(a)) (Sale of cold food and drink only) and (Use Class E(b)) (Sale of food and drink for consumption (mostly) on the premises) and public realm.

#### **Development Permitted**

4.3 The erection of up to the maximum 101,000 sqm (GEA) - comprising up to 23,700 sqm (GEA) for Use Class E(g) and up to 76,948 sqm (GEA) for Use Class B2 of buildings falling within the following uses of the Town and Country Planning (Use Classes) Order 1987 (Amendment) (England) Regulations 2020:

- Use Class E(g)(i) – Business (Office);
- Use Class E(g)(ii) – Research and development of products and processes;
- Use Class E(g)(iii) – Industrial processes; and
- Use Class B2 (General Industrial).

4.4 The erection of up to a maximum of 360 sqm (GEA) (within the 101,000 sqm development across IPM) of Use Class E(a) (Sale of cold food and drink only) and Use Class E(b) (Sale of food and drink for consumption (mostly) on the premises) split across up to three units; one maximum of 150-200 sqm and two of maximum 80 sqm.

4.5 Site investigation, engineering operations, provision of site infrastructure and/or public realm required by development, public realm and ancillary uses.

#### **Requirements**

4.6 Prior approval is provided under Class 1 of Schedule A subject to the following conditions:

- Compliance conditions (CO1 to CO3)
- Highways & Movement conditions (H1 to H8)
- Strategic and Local Road Network conditions (RN1 to RN6) and Informative 9
- Drainage & Flood risk conditions (D1 to D3)
- Construction conditions (C1 to C4)
- Landscaping conditions (L1 to L3)

- Ground Investigation & Contamination conditions (G1 to G5)
- Environmental conditions (E1 to E5)
- Archaeology conditions (A1 to A5)

**Development not permitted**

4.7 No development is permitted under Schedule A other than that expressly stated.

## **Schedule B – Extensions or Alterations**

- 4.8 Class 1 – Extensions or alterations of office, research and development, light industrial and industrial buildings up to the maximum 101,000 sqm (GEA) - comprising up to 23,700 sqm (GEA) for Use Class E(g) and up to 76,948 sqm (GEA) for Use Class B2 of buildings falling within the following uses of the Town and Country Planning (Use Classes) Order 1987 (Amendment) (England) Regulations 2020:

### **Development Permitted**

- 4.9 The extension or alteration of buildings within the following uses of the Town and Country Planning (Use Classes) Order 1987 (Amendment) (England) Regulations 2020:
- Use Class E(g)(i) – Business (office);
  - Use Class E(g)(ii) – Research and development of products and processes;
  - Use Class E(g)(iii) – Industrial process
  - Use Class B2 (General Industrial).
- 4.10 Site investigation, demolition and engineering operations directly required by development permitted by Class 1 of Schedule B.
- 4.11 The provision of associated site infrastructure and facilities directly required by development permitted under Class 1 of Schedule B.

### **Requirements**

- 4.12 Prior approval is provided under Class 1 of Schedule B subject to the following conditions:
- Extensions or alterations conditions (EA1 to EA3)
  - Compliance condition (CO1 to CO3)
  - Highways & Movement conditions (H3, H4, H5, H6, H7, H8)
  - Drainage & Flood risk conditions (D1 to D3)
  - Construction conditions (C1 to C4)
  - Landscaping condition (L1)
  - Ground Investigation / Contamination conditions (G1 to G5)
  - Environmental conditions (E1 to E5)
  - Archaeology conditions (A1 to A5)

### **Development Not Permitted**

- 4.13 No extension or alteration permitted other than that explicitly stated in Schedule B.
- 4.14 No extension to buildings in Use Class E(a) or Use Class E(b) is permitted.

## **Schedule C – Changes of Use**

- 4.15 This LDO permits the following change of uses subject to prior notification of the Council up to the maximum of 101,000 sqm (GEA) comprising up to 23,700 sqm (GEA) for Use Class E(g) and up to 76,948 sqm (GEA) for Use Class B2 of buildings.

### **Development Permitted**

- From Use Class E(g) to Use Class B2 (General Industrial); and
- From Use Class B2 (General Industrial) to Use Class E(g).

### **Requirements**

- 4.16 Prior approval is provided under Class 1 of Schedule C is subject to the following Conditions:
- Compliance condition (CO1 to CO3)
  - Extensions or alterations conditions (EA1 to EA3)
  - Highways & Movement conditions (H1, H5, H6, H7, H8)
  - Drainage & Flood risk conditions (D1 to D3)
  - Construction conditions (C1 to C4)
  - Landscaping condition (L1)
  - Ground Investigation / Contamination conditions (G1 to G5)
  - Environmental conditions (E1 to E4)
- 4.17 None of the rights contained in Schedule [2] Part [3] of the GPDO 2015 (or any order amending, revoking and re-enacting that Order) shall apply to the development authorised by this LDO.

### **Development Not Permitted**

- 4.18 No change of use permitted other than that explicitly stated in Schedule C.

## **Schedule D – Other Operations**

- 4.19 This LDO permits Other Operations provided such operations are within the parameters of the LDO area and comply with both the conditions and Design Code.

### **Development Permitted**

- Class 1 – The installation, alteration or replacement of external cladding, shutters, windows or doors
- Class 2 – The installation, alteration or replacement of external lighting
- Class 3 – The erection, construction, maintenance, improvement or alteration of a fence, gate, wall or other means of enclosure
- Class 4 – The installation, alteration or replacement of fixed plant and equipment
- Class 5 – The installation, alteration or replacement of site required infrastructure and utilities
- Class 6 – The installation of a single storey structure for ancillary storage purposes
- Class 7 – The formation, layout or construction of a hard surface to form a service road or yard and the maintenance or improvement of such a surface

### **Requirements**

- 4.20 Prior approval is provided under Class 1 of Schedule D is subject to the following Conditions:

#### **Class 1 – The installation, alteration or replacement of external cladding, shutters, windows or doors**

- Compliance conditions (CO1, CO2)
- Extensions or alterations condition (EA1)

#### **Class 2 – The installation, alteration or replacement of external lighting**

- Compliance conditions (CO1, CO2)
- Environmental condition (E3)

#### **Class 3 - The erection, construction, maintenance, improvement or alteration of a fence, gate, wall or other means of enclosure**

- Compliance conditions (CO1, CO2)
- Highways & Movement condition (H2)
- Landscaping conditions (L1 to L3)

#### **Class 4 - The installation, alteration or replacement of fixed plant and equipment**

- Compliance conditions (CO1, CO2)

- Environmental Conditions (E1, E2)
- Construction condition (C1)

**Class 5 - The installation, alteration or replacement of site required infrastructure and utilities**

- Compliance conditions (CO1, CO2)
- Highways & Movement Conditions (H1, H2, H3, H5, H6, H7, H8)
- Drainage & Flood risk conditions (D1, D2)
- Construction conditions (C1 to C3)
- Landscaping conditions (L1 to L3)

**Class 6 - The installation of a single storey structure for ancillary storage purposes**

- Compliance conditions (CO1, CO2)
- Extensions or alterations condition (EA1)
- Construction conditions (C1 to C3)
- Ground Investigation / Contamination conditions (G1 to G5)

**Class 7 - The formation, layout or construction of a hard surface to form a service road or yard and the maintenance or improvement of such a surface**

- Compliance conditions (CO1, CO2)
- Highways & Movement (H1, H2, H3, H5, H6, H7, H8)
- Drainage & Flood risk (D1 to D3)
- Construction conditions (C2, C3)
- Landscaping conditions (L1 to L3)
- Ground Investigation / Contamination conditions (G1 to G5)
- Archaeology conditions (A1 to A5)

**Development Not Permitted**

4.21 No other operations are permitted other than that explicitly stated in Schedule D.

## Conditions

### COMPLIANCE

#### **Condition CO1: Confirmation of Compliance**

No development permitted by this LDO shall be begun until:

Full details of the development have been submitted to the Council by way of the completion of their Self-Certification Form together with all other supporting documents as required by the LDO Checklist contained as part of that Form.

Upon submission of the Self-Certification Form and any accompanying documentation to the Council, officers will have 7 days to confirm validation of the application.

The Council will issue written confirmation of compliance (or non-compliance) within 28 days of the date at which they confirm that the application has been validated. The Council will be deemed to have accepted the proposal if they fail to respond in writing (which may include a request for further information) within 28 days from the date of validation.

For the purposes of calculating the 28-day LDO Compliance Assessment Period, any Bank Holiday and any day between and inclusive of Christmas Eve and New Year's Day each year shall not be taken into account.

The subsequent development should be carried out strictly in accordance with the LDO Self Certification Form and the Design Code.

***Reason:*** *To ensure development conforms with the LDO and Design Code and to ensure that LDO development can be monitored over the lifetime of the LDO.*

#### **Condition CO2: Expiry of Prior Approval**

Development shall be commenced within 12 months of the date of the Council's confirmation that it is in conformity with the LDO.

***Reason:*** *To ensure construction is realised and realistic employment generating proposals proceed.*

#### **Condition CO3: Deliveries**

No commercial goods shall be loaded, unloaded, stored or otherwise handled and no vehicles shall arrive or depart, within the application site outside the hours 07:00 to 19:00 Monday to Friday, 08:00 to 18:00 Saturday or at any time on Sunday or Bank Holidays.

***Reason:*** *In the interests of neighbouring uses.*

## **HIGHWAYS & MOVEMENT**

### **Condition H1: Highways**

Before the development of plot(s) / parcels within any area as defined by the Design Code and identified on plans approved in accordance with Condition CO1 commences, a scheme for all highways works to be undertaken on land within or serving that plot (including layout, geometry, dimensions, levels, gradients, surfacing, visibility splays, means of surface water drainage and street lighting) shall be submitted to and approved in writing by the Council.

All highways works shall then be constructed in accordance with the approved details and no permanent development, whether or not permitted by the provisions of the GPDO 2015 (or any order amending, revoking and re-enacting that Order) shall be carried out at any time on the land so shown or in such a position as to prejudice those approved details.

***Reason:** To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety.*

### **Condition H2: Vehicular Visibility Splays**

The premises within any area as defined by the Design Code and identified on plans approved in accordance with Condition CO1 shall not be occupied, until any road or vehicle junction access / egress on land within that area has been provided with visibility splays in accordance with the Design Code. The vehicular visibility splays shall be provided before the road junction or vehicle access point is first used by vehicular traffic and shall be retained free of any obstruction at all times thereafter. No permanent development, whether or not permitted by the provisions of this Order or the GPDO 2015 (or any order amending, revoking and re-enacting those Orders) shall be carried out at any time on the land so shown or in such a position as to prejudices those visibility splays.

***Reason:** To provide inter-visibility between vehicles using the road junction / access and those in the existing public highway in the interest of highway safety.*

### **Condition H3: Movement / Parking**

Before the development of plot(s) / parcels within any area as defined by the Design Code and identified on plans approved in accordance with Condition CO1 commences, an assessment of vehicular trip generation and a scheme for vehicle parking provision to serve the uses within that area including the total number of bays, layout and dimensions along with provision of accessible spaces / cycle spaces shall be submitted and approved in writing by the Council. Vehicular movements associated with development plot(s) / parcels within any area and future use of car parking areas including multi-storey, at grade or temporary will accord with the principles of the Design Code and shall be submitted and approved in writing by the Council.

***Reason:** to ensure the cumulative highways impact of the development does not exceed the assessed level undertaken as part of the Transport Assessment by CampbellReith.*

### **Condition H4: Travel Plan**

No part of the development hereby permitted shall be occupied until a detailed Travel Plan, has been approved in writing by the local planning authority (who shall consult with Highways England and KCC where applicable) and implemented. The Travel Plan shall be prepared in accordance with the IPM Travel Plan and must include:

- Measures to encourage sustainable travel patterns (may include cycle schemes, car sharing, car clubs, as appropriate);
- A scheme for the management and implementation of the Travel Plan;
- Targets for modal shift;
- Implementation timescales;
- Marketing and incentives; and
- Details of on-site facilities (changing rooms / showers)

Arrangements for monitoring and review, amendment and effective enforcement. Thereafter, all businesses occupying any part of the development shall be responsible individually and severally for the monitoring, review, amendment and effective enforcement of the approved Travel Plan.

The site wide Travel Plan will be supported by detailed bespoke travel plans for each plot or subsequent occupier on the site. Where multiple Plans are used, provision must be made for the Plans to be fully coordinated. Individual Travel Plans shall implement the overarching targets outlined in the site wide Travel Plan.

***Reason:*** *In the interests of promoting sustainable development and the use of sustainable modes of transport.* To minimize traffic generated by the development and to ensure that the M2 and A2 Trunk Road continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980.

#### **Condition H5: Servicing**

The premises within any area as defined by the Design Code and identified on plans approved in accordance with Condition CO1 shall not commence, until details of servicing arrangement, including the proposed arrangement of access points to each parcel within that area have been submitted to and approved in writing by the Council: such details shall be in accordance with the broad principles set out in the Design Code. The approved details must be fully implemented prior to commencement of the use to which the servicing arrangement relate and retained at all times.

***Reason:*** *In the interests of highway safety.*

#### **Condition H6: Vehicle Turning and Circulation Areas**

Before the development of plot(s) within any area as defined by the Design Code and identified on plans approved in accordance with Condition CO1 commences, a scheme for vehicle turning, circulating and manoeuvring within that sector demonstrating that vehicles can enter and exit the sector within a forward gear shall be submitted and approved in writing by the Council.

**Reason:** To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety and to ensure that all servicing and turning of vehicles takes place within a site and not on the highway.

**Condition H7: Refuse Storage and Collection Facilities**

Before the development of plot(s) / parcels within any area as defined by the Design Code and identified on plans approved in accordance with Condition CO1 commences, a scheme for the storage and screening of refuse and facilities and arrangements for the collection of refuse within that sector shall be submitted and approved in writing by the Council. The facilities shall be provided on site, prior to the occupation of the associated buildings within the relevant sector and in accordance with the approved details. Thereafter the identified facilities shall be kept available for such use and no permanent development, whether or not permitted by the provisions of this Order or the GPDO 2015 (or any order amending, revoking and re-enacting those Orders) shall be carried out on the land so shown or in such a position as to preclude the provision of these facilities.

**Reason:** To ensure refuse arising from the development is appropriately managed.

**Condition H8: Highways Works associated with Extensions, Alterations and Change of Use**

Where any development undertaken through Schedule B, Schedule C or Schedule D of the LDO would require any work to a public highway or any road or footway to which the public will have right of access to, that development shall not be begun until details of the those highways works (including layout, geometry, dimensions, levels, gradients, surfacing, visibility splays and means of surface water drainage) have been submitted to and approved in writing by the Council. Development undertaken through Schedule B, Schedule C or Schedule D of the LDO shall not be occupied until the approved highways works have been completed in accordance with the approved details.

**Reason:** To ensure all highways works are constructed to an appropriate standard in the interests of highway safety.

**STRATEGIC AND LOCAL ROAD NETWORK**

The mitigation set out in the following conditions shall be in accordance with the specified drawings or an alternative to the same effect unless otherwise justified by the Monitor & Manage process. Any changes from the approved drawing shall be agreed in writing by the local and strategic highway authorities.

**Condition RN1**

No development comprising buildings (i.e. specifically excluding enabling works, access routes, public realm, utilities and other associated infrastructure), hereby approved, shall be commenced on site until full details of a 'Monitor and Manage Mitigation Strategy' has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Highways England and Kent County Council. The Monitor and Manage Mitigation Strategy shall be based upon the

principles outlined in the 'Draft Monitor and Manage Mitigation Strategy', dated November 2020. The development and any required mitigation identified shall be carried out in accordance with the approved details and timescales.

**Reason:** *To minimise traffic generated by the development and to ensure that the M2 and A2 Trunk Road continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980.*

### **Condition RN2**

The monitoring strategy pursuant to condition RN1 to be approved shall include details of data collection to fulfil the following:

- i. traffic entering and leaving the development, to identify trip generation from specific phases of development;
- ii. origin-destination and routing data to understand journey times (identify delay) and impact from the development; and,
- iii. traffic data to identify impacts (junction capacity, queue lengths and delay) on the Strategic Road Network and the local road network, including:
  - traffic count data on highway links;
  - turning movements at junctions;
  - queue data at junctions; and,
  - pedestrian movements at junctions with signals (as this affects the signal timings and pedestrian phases).

**Reason:** *To minimise traffic generated by the development and to ensure that the M2 and A2 Trunk Road continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980.*

### **Condition RN3**

Upon commencement of development, monitoring shall be undertaken and thereafter repeated in line with the details and frequency approved pursuant to conditions RN1 and RN2 above.

**Reason:** *To minimize traffic generated by the development and to ensure that the M2 and A2 Trunk Road continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980.*

### **Condition RN4**

No more than 10,159 sqm GFA (or 110 two-way trips generated from the development during the morning peak) hereby approved shall be occupied until the improvements to the Bridgewood and Taddington roundabouts and to the Rochester Road / Lankester Parker Road and Rochester Road / Laker Road junctions, as set out in indicative drawing numbers subject to detailed design 12841-CRH-ZZ-XX-DR-C-6600-P1, 12841-CRH-ZZ-XX-DR-C-6602-P1, 12841-CRH-ZZ-XX-DR-C-6603-P1, (Rochester Road/Laker Road signalised junction to be determined) have been completed and

an assessment of the network conditions is undertaken in accordance with the agreed Monitor and Manage Mitigation Strategy, approved pursuant to Condition RN2 of this permission, has been submitted to, and agreed in writing by, the Local Planning Authority, in consultation with Highways England and Kent County Council. The assessment of network conditions shall be used to inform further mitigation that may be required.

**Reason:** *To minimise traffic generated by the development and to ensure that the M2 and A2 Trunk Road continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980.*

#### **Condition RN5**

No more than 17,318 sqm GFA (or 188 two-way trips generated from the development during the morning peak) shall be completed ready for occupation on site, until an assessment of the network conditions in accordance with the agreed Monitor and Manage Mitigation Strategy, approved pursuant to Condition 2 of this permission, has been submitted to, and agreed in writing by, the Local Planning Authority, in consultation with Highways England and Kent County Council. Should the network conditions not be found to be acceptable, a scheme of mitigation to create acceptable network conditions for the erection of up to 24,477 sqm GFA (or 265 two-way trips generated from the development during the morning peak) (including timeframes for completing any mitigation thereby required), shall be submitted to, and agreed in writing by, the Local Planning Authority, in consultation with Highways England and Kent County Council, prior to the commencement of additional floorspace.

Such a scheme shall include consideration of the mitigation as set out in indicative drawing numbers subject to detailed design [12841-CRH-ZZ-XX-DR-C-6601-P] relating to the Lord Lees roundabout and M2 Junction 4 [drawing 18-015-027\_E].

In addition to the potential physical changes that could be made as noted in the above drawing, an evaluation of the signal staging and operating regime shall be made to assess potential increase in capacity. Mitigation schemes shall be tested in order to determine the extent of mitigation actually required. Development shall be carried out in full accordance with the agreed details and not more than 17,318 sqm GFA (or 188 two-way trips generated from the development during the morning peak) shall be constructed unless and until the agreed works have been completed.

**Reason:** *To minimize traffic generated by the development and to ensure that the M2 and A2 Trunk Road continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980.*

#### **Condition RN6**

No more than 24,477 sqm GFA (or 265 two-way trips generated from the development during the morning peak) shall be completed ready for occupation on site, until an assessment of the network conditions in accordance with the agreed Monitor and Manage Mitigation Strategy, approved

pursuant to Condition 2 of this permission, has been submitted to, and agreed in writing by, the Local Planning Authority, in consultation with Highways England and Kent County Council. Should the network conditions not be found to be acceptable, a scheme of mitigation to create acceptable network conditions for the erection of up to 101,000 sqm GFA (including timeframes for completing any mitigation thereby required), shall be submitted to, and agreed in writing by, the Local Planning Authority, in consultation with Highways England and Kent County Council, prior to the commencement of additional floorspace.

Such a scheme shall include consideration of mitigation to be determined in consultation with Highways England and Kent County Council.

In addition to the potential physical changes that could be made as noted in the above drawing, an evaluation of the signal staging and operating regime shall be made to assess potential increase in capacity. Mitigation schemes shall be tested in order to determine the extent of mitigation actually required. Development shall be carried out in full accordance with the agreed details and not more than 24,477 sqm GFA (or 265 two-way trips generated from the development during the morning peak) shall be constructed unless and until the agreed works have been completed.

***Reason:*** *To minimise traffic generated by the development and to ensure that the M2 and A2 Trunk Road continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980.*

## **DRAINAGE & FLOOD RISK**

### **Condition D1: Drainage**

Before the development of plot(s) / parcels within any area as defined by the Design Code and identified on plans approved in accordance with Condition CO1 commences, a scheme for the disposal of surface water, based on sustainable drainage principles set out in the Design Code, including details of the design, phasing (where appropriate) implementation, maintenance and management of the surface water drainage scheme on land within that sector shall be submitted to and approved in writing by the Council.

Those details shall include (if applicable):

- a timetable for its implementation,
- a management and maintenance plan for the lifetime of the development within the relevant sector which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime; and
- An assessment of the suitability for surface water infiltration.

The approved scheme shall be implemented in full in accordance with the specified timetable and retained, managed and maintained at all times thereafter and no development whether or not permitted by this Order or the GPDO 2015 (or any order amending, revoking and re-enacting those

Orders) shall be carried out on the land so shown or in such a position as to prejudice the scheme as approved.

**Reason:** *To manage surface water during and post construction and for the lifetime of the development, and to ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the National Planning Policy Framework.*

#### **Condition D2: Verification Report for SuDS**

The premises within any area as defined by the Design Code and identified on plans approved in accordance with Condition CO1 shall not be occupied, until a signed verification report carried out by a qualified drainage engineer (or equivalent) relevant to the land within that sector has been submitted to and approved by the Council to confirm that the Sustainable Drainage System has been constructed in accordance with the approved scheme and associated plans.

**Reason:** *This condition is sought in accordance with paragraph 163 of the NPPF to ensure that suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk onsite or elsewhere.*

#### **Condition D3: Foul Water**

No phase or sub-phase of the development hereby permitted under Condition CO1 shall commence until details of the means of control and disposal of foul and surface water during the construction and operational phases of that phase or sub phase of the development have been submitted to and approved in writing by the Council. The submitted scheme for the phase or sub-phase of the development under consideration shall include the provision of petrol/oil interceptors as appropriate. The approved scheme of details for that phase or sub-phase shall be implemented to accommodate foul and surface water during both construction and the operational phases of the development and shall be retained thereafter.

**Reason:** *In the interests of prevention of pollution and to ensuring provision of both surface and foul water disposal.*

## **CONSTRUCTION**

#### **Condition C1: Crime Prevention**

Before the development of plot(s) within any area as defined by the Design Code and identified on plans approved in accordance with Condition CO1 commences details of the measures, according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) have been submitted to and approved in writing by the Council as per Policy BNE8. The approved measures shall be implemented before the development is occupied and thereafter retained.

**Reason:** *In the interest of security, crime prevention and community safety.*

## **Condition C2: Pre-Commencement Condition - Construction Management Plan**

No works shall commence on the site hereby permitted (including site clearance or preparation) until the details of a Construction Management Plan have been submitted to and approved in writing by the local planning authority (who shall consult with Highways England). Thereafter the construction of the development shall proceed in strict accordance with the approved Construction Management Plan unless otherwise agreed in writing by the local planning authority (who shall consult Highways England).

Before the development of plot(s) within any area as defined by the Design Code and identified on plans approved in accordance with Condition CO1 commences, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Council. The CEMP shall include details (text, maps and drawings as appropriate) of the scale, timing, routing and mitigation of all construction related aspects of the development. It will include, but is not limited to:

- an appropriate guided construction access/egress;
- turning and off loading facilities for delivery / construction vehicles within the limits of the construction site;
- parking areas clear of the highway for those employed in developing the site, visitors and deliveries;
- wheel cleaning and other facilities to prevent dust, dirt, detritus etc from entering the public highway (and means to remove if it occurs);
- details of any hoarding to be erected during the construction works;
- the construction traffic routes;
- the hours of construction work / operation including timings of deliveries;
- site hours of operation; numbers, frequency and type of vehicles visiting the site
- the protection of public rights of way;
- provisions for a before and after road condition survey; and
- details of noise abatement procedures and means of reducing emissions to air from plant details of means of compliance with requirements for construction stated in the ecology, arboricultural, archaeological and ground conditions reports, and the ES;

The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Council.

**Reason:** *To ensure that an approved programme for construction work is carried out during specified hours in the interests of the amenity of the area and to ensure that debris or construction material is not deposited on the highway and that the M2 and A2 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.*

### **Condition C3: Details of Piling**

If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with Environment Agency guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73". Hereafter, no building(s) shall be erected in each phase or sub-phase of the development until the method for piling foundations has been submitted to and approved in writing by the Council. No piling works shall take place at any time on a Sunday or public holiday or outside the hours of 0900hrs to 1700hrs Mondays to Fridays and 0800 to 1300 on Saturdays unless any variation is specifically approved in writing by the Council. The piling shall only be undertaken in accordance with the approved details, unless any variation is otherwise first approved in writing by the Council.

***Reason:** To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the National Planning Policy Framework. The site is located on potentially contaminated land. Uncontrolled piling could result in potential contamination of groundwater in the vicinity of IPM.*

### **Condition C4: Demolition Method Statement**

Before the demolition of any buildings within any area as defined by the Design Code and identified on plans approved in accordance with Condition CO1 commences, a Demolition Method Statement relevant to the buildings or other structures within the relevant area shall be submitted to and has been agreed in writing by the Council. The Statement shall specify:

- an appropriate access and egress arrangement for vehicles engaged in the demolition of buildings;
- turning and loading facilities for delivery /construction vehicles within the limits of the application site;
- a parking area clear of the highway for those employed in demolishing buildings within the site;
- wheel cleaning facilities;
- a strategy for the recycling and / or reuse of materials;
- traffic routes to be used by vehicles engaged in demolition works;
- hours of demolition work;
- details of dust suppression;
- the protection of any public rights of way; and
- arrangements for a before and after road condition survey;
- Details of areas designated for the storage of all demolition waste material and a programme for its disposal which ensures removal of waste material within 3 months of the relevant demolition having taken place.

Thereafter, all demolition shall be undertaken in accordance with approved details.

**Reason:** *To ensure that demolition works cause the minimum of disturbance to adjoining parcels and businesses.*

## **LANDSCAPING**

### **Condition L1: Detailed Landscaping Scheme**

Before the development of plot(s) within any area as defined by the Design Code and identified on plans approved in accordance with Condition CO1 commences, a scheme for, a detailed landscape scheme shall be submitted to and approved in writing by the Council in accordance with the Design Code. The scheme will include proposed measures for a scheme of hard and soft landscaping and boundary treatments for all land within that sector including specification of all landscaping and surfacing materials will be supplied within a detailed method statement which will include site preparation, planting techniques, aftercare and a programme of maintenance for a period of 5 years following completion of the scheme and a scheme for the future management of any communal open spaces relating to the land within that sector. The approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development relevant to the specified sector, whichever is the earlier. 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. The approved scheme shall be retained and maintained at all times thereafter and no development whether or not permitted by this Order or GPDO 2015 (or any order amending, revoking and re-enacting those Orders) shall be carried out on the land so shown or in such a position as to prejudice the scheme as approved.

**Reason:** *To comply with the duties indicated in Section 197 of the 1990 Act and to ensure satisfactory landscape treatment of the Site in the interests of visual amenity and to screen and enhance the development in the interests of visual amenity.*

### **Condition L2: Tree Re-Planting**

If within a period of five years from the date of planting of any tree, that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place.

**Reason:** *In the interest of the appearance of the proposed development and to ensure any damaged or destroyed trees are replaced.*

### **Condition L3: Hedges adjacent to a public highway**

Any hedge must be maintained (pruned) so that they do not encroach upon the highway.

**Reason:** *To preserve the integrity of the public highway and in the interests of highway safety.*

## **GROUND INVESTIGATION / CONTAMINATION**

### **Condition G1: UXO Risk Assessment**

All future intrusive work should be accompanied by a UXO risk assessment at a level suitable for, and in proportion to, the nature of the works. This work is to be agreed with the Council prior to the commencement of physical works.

***Reason:** To ensure the necessary area is assessed and any required mitigation is secured*

### **Condition G2: Land Contamination**

No development approved by this planning permission shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Council. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
  - all previous uses;
  - potential contaminants associated with those uses;
  - a conceptual model of the site indicating sources, pathways and receptors; and
  - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

***Reason:** to ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.*

### **Condition G3: Contaminated Land Remediation Scheme**

If a contaminated land investigation and risk assessment scheme indicates the presence of contamination, development on that plot / parcel of development as defined by Condition CO1, shall not be begun until a scheme to bring that area into a condition suitable for the intended use by removing unacceptable risks to human health, property, adjoining land, groundwater and

surface waters, natural habitats and ecological systems and archaeological sites and ancient monuments has been submitted to and approved in writing by the Council. The scheme must:

- outline all remediation works to be undertaken;
- include proposed remediation objectives and remediation criteria;
- include a timetable of works;
- specify site management procedures; and
- ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 (as amended) in relation to the intended use of the land after remediation.

No development within any area as defined by the Design Code and identified on plans approved in accordance with Condition CO1 other than the approved scheme for remediation shall take place within the relevant area until such time as a relevant verification report that scientifically and technically demonstrates the effectiveness and completion of the remediation scheme at above and below ground has been submitted for the information of the Council. Where it is identified that further remediation works are necessary, details and a timetable of those works shall be submitted to the Council for written approval and shall be fully implemented as approved. Thereafter, no development whether or not permitted by this Order or the GPDO 2015 (or any order amending, revoking and re-enacting those Orders) shall be carried out on the land so shown or in such a position as to as to prejudice the effectiveness of the approved scheme of remediation.

***Reason:*** *To ensure that an appropriate scheme for the remediation of any areas of contaminated land identified under Condition G2 is submitted and approved.*

#### **Condition G4: Verification Report for Land Contamination**

Prior to occupation of any development as approved under Condition CO1, a signed verification report carried out by a qualified contamination officer (or equivalent) must be submitted to and approved by the Council to confirm that the Contaminated Land Remediation Works as agreed as part of Condition G2 have been carried out as per the agreed scheme and plans. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. Any longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action must be prepared, which is subject to the approval in writing of the Council.

***Reason:*** *This condition is sought to ensure that the remediation measures approved under Condition G3 have been implemented to best practice guidance and to ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the NPPF.*

### **Condition G5: Contaminated Land**

In the event that any further contamination is found on any part of a site at any time when carrying out the approved development, it must be reported in writing immediately to the Council and the following measures taken:

- an investigation and risk assessment must be undertaken in accordance with the requirements of Condition G1;
- where remediation is necessary, a remediation scheme must be prepared in accordance with the requirements of Condition G3 and shall be subject to the approval in writing of the Council; and
- the approved scheme must be implemented before the development is occupied or first used.

No further work shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Council. The remediation strategy shall be implemented as approved.

***Reason:** To ensure that any further areas of contaminated land which are found following the implementation of LDO conditions G1 to G5 are mitigated and remediated in an appropriate manner and to ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 170 of the NPPF.*

## **ENVIRONMENTAL**

### **Condition E1: Noise**

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

***Reason:** In the interests of neighbouring uses.*

### **Condition E2: Air Quality**

No development, including any phase, sub-phase or change of use hereby permitted shall take place until an Air Quality Emissions Mitigation Assessment and Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall be prepared in accordance with the Medway Air Quality Planning Guidance, and shall specify the measures that will be implemented as part of the development to mitigate the air quality impacts identified in the approved Air Quality Assessment, prepared by ACCOM dated January 2019. The total monetary

value of the mitigation to be provided shall be demonstrated to be equivalent to, or greater than, the total damage cost values calculated as part of the Air Quality Emissions Mitigation Assessment and Statement and as listed in the Unilateral Undertaking table at INF8 below. The development shall be implemented, and thereafter maintained, entirely in accordance with measures set out in the approved Mitigation Statement.

**Reason:** *To protect air quality and people's health by ensuring that the production of air pollutants, such as nitrogen dioxide and particulate matter, are kept to a minimum during the course of building works and during the lifetime of the development. To contribute towards the maintenance or to prevent further exceedances of National Air Quality Objectives.*

#### **Condition E3: External Lighting Scheme**

Before the development of plot(s) within any area as defined by the Design Code and identified on plans approved in accordance with Condition CO1 commences, a comprehensive external lighting scheme serving that sector of development shall be submitted to and approved in writing by the Council. The approved lighting scheme shall be installed, subsequently operated and thereafter retained in strict accordance with the approved details before the development within that sector is first occupied in order to ensure continued compliance

**Reason:** *In the interests of minimising light pollution, intrusion and spillage to adjoining residential areas and in the interests of highways safety, to ensure that the lighting does not give rise to glare creating a hazardous distraction to drivers of vehicles on the adjacent highway.*

#### **Condition E4: Sustainability**

All development shall be constructed to achieve a minimum rating of BREEAM 'very good'.

**Reason:** *To ensure development is sustainable and that necessary measures are taken with respect to mitigating environmental impacts with respect to climate change.*

#### **Condition E5: Ecological Compliance**

Developers are required to submit an ecological compliance note by identifying all relevant plot and site wide prescriptions within the "Rochester Airport - Innovation Park Medway, Ecological Management and Enhancement Plan" and including a preliminary ecological appraisal that reviews the existing mitigation and makes recommendations of additional measures if identified. The Ecological Compliance Note must be approved by the Local Planning Authority prior to commencement of development.

**Reason:** *To ensure development is compliant with submitted Ecological Management and Enhancement Plan.*

## **ARCHAEOLOGY**

### **Condition A1: Written Scheme of Investigation / Method Statement for Archaeological Evaluation**

On any land with archaeological potential, no development shall be begun until a Written Scheme of Investigation has been submitted as part of the Prior approval Process and approved in writing by the Council as part of the prior approval process.

The Written Scheme of Investigation shall include a Method Statement which shall outline a programme of archaeological work including the proposed fieldwork techniques (including trial trenching and/or geophysical prospection) to identify archaeological deposits within IPM.

The Written Scheme of Investigation shall take account of the IPM Archaeological and Heritage Impact Assessment.

*Reason: The Site is of likely archaeological interest, as confirmed by the Historic Environmental Assessment.*

### **Condition A2: Submission of Written Archaeological Report**

On any land with archaeological potential no development, other than that required to carry out archaeological work, shall be begun until a written report outlining the findings of archaeological fieldwork has been submitted to and approved in writing by the Council. The report must include:

- a description of the survey methods used;
- the location and size of trial trenches;
- a detailed summary of all archaeological deposits and evidence gathered;
- an assessment of the significance of all archaeological deposits and evidence gathered;
- a strategy for the preservation in situ of archaeological remains and/or further archaeological investigation and recording;
- Archaeological Post-Excavation Assessment Report and Updated Project Design; and
- All future work must be carried out in accordance with the submitted report.

*Reason: To ensure all archaeological evidence is recorded and assessed and an appropriate strategy is in place for the preservation of archaeological deposits at IPM.*

### **Condition A3: Preservation in Situ and Further Investigation**

Linked to Condition A2, instances where safeguarding (preservation in situ) or further investigation and recording of archaeological remains is required, both the following is required:

- (a) Agreement of a written scheme of investigation / method statement for the preservation in situ of important archaeological remains and or further archaeological investigation and recording; and

- (b) The requirement to submit a Post-Excavation Assessment Report and Updated Project Design detailing the results of any safeguarding or investigation and recording works. The Post-Excavation Assessment Report and Updated Project Design will be submitted for approval within six months of completing the archaeological fieldwork.

*Reason: To ensure all archaeological evidence is recorded and assessed and an appropriate strategy is in place for the preservation of archaeological deposits at IPM.*

**Condition A4: Publication and Archiving**

Provision must be made for the publication and dissemination of the results of the site investigation and archive deposition of the records and finds.

*Reason: To ensure all archaeological evidence is recorded to inform future phases of development.*

**Condition A5: Archaeology (Code of Conduct)**

All archaeological works shall be carried out in accordance with the Code of Conduct and relevant Standard and Guidance of the Chartered Institute for Archaeologists (CiFA) and in line with the Written Scheme of Investigation, Archaeological Report and updated Project Design as agreed with the Council.

*Reason: To ensure archaeological survey work is undertaken in accordance with appropriate professional standards and required to deliver works as submitted and approved by the Council.*

## **EXTENSION OR ALTERATION**

**EA1: Building Materials on Extensions**

Any extension or alteration shall be constructed using materials which have a similar external appearance to those used for the original building being extended or altered and accord with the principles as set out in the Design Code.

*Reason: In the interests of the character and appearance of IPM.*

**EA2: Massing of Extended or Altered Buildings**

The height of any extended or altered building shall be in accordance with building height standards set out in the Design Code.

*Reason: To ensure extensions or alterations are undertaken in accordance with the Innovation Park Medway Design Code.*

**EA3: Highways Works associated with Extensions, Alterations and Change of Use**

Where any development undertaken through Schedule B or Schedule C of the LDO would require any work to a public highway or any road or footway to which the public will have right of access to, that development shall not be begun until details of the those highways works (including layout,

geometry, dimensions, levels, gradients, surfacing, visibility splays and means of surface water drainage) have been submitted to and approved in writing by the Council.

Development undertaken through Schedule B or Schedule C of the LDO shall not be occupied until the approved highways works have been completed in accordance with the approved details.

**Reason:** To ensure all highways works are constructed to an appropriate standard in the interests of highway safety.

## **Informatives**

### INF1: Surface Water and Wheel Cleaning

It is contrary to Section 163 of the Highways Act 1980 for surface water from private development to drain onto the highway or discharge into the highway drainage system. All development should therefore be designed and constructed so that surface water, including that from wheel cleaning, does not drain into the public highway or the highway drainage system.

### INF2: Use of Excavated Materials

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution treated materials can be transferred between sites as part of a hub and cluster project formally agreed with us some naturally occurring clean material can be transferred directly between sites. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

Developers should refer to the Position statement on the Definition of Waste: Development Industry Code of Practice (DoWCoP) and the environmental regulations page on GOV.UK. Any re-use of excavated materials not undertaken formally using the CL:AIRE DoWCoP would require an environmental permit for deposit, unless materials are solely aggregates from virgin sources, or from a fully compliant Quality Protocol aggregates supplier. Any deposit of materials outside of these scenarios could be subject to enforcement actions and/or landfill tax liabilities.

The use of DoWCoP precludes the charging of any gate fees for any imported soils materials. This restriction is paramount and any import of materials where a gate fee is charged must be covered by a relevant environmental permit for recovery or disposal.

### INF3: Trade Effluent

The Water Industry Act 1991 states that any liquid produced wholly or in part from any trade or business activity carried out on your trade premises qualifies as trade effluent and therefore requires consent from United Utilities. Trade effluent control applies only to those discharges made to the foul sewer. No discharge of trade effluent should be made to the surface water sewer; this includes vehicle washes.

### INF4: Flood Risk and Drainage

When addressing flood risk and drainage, consideration should be given to opportunities to reduce the overall level of flood risk in the area and beyond through the layout and form of the development and the application of sustainable drainage systems (SuDS). New development should be

sustainable and where appropriate contribute to the creation of infrastructure and communities that are safe from flooding for their intended lifetime through the use of SuDS.

Prior to any development involving the creation of hardstanding or impermeable surface, including the erection of ancillary structures or the extension of any existing building, it is advised that you discuss the management of surface water with the Environment Agency, the Lead Local Flood Authority and relevant Sewerage Undertaker. Applicants may be asked to provide information to allow for an assessment to be made of the appropriateness of the type of surface water drainage system for a proposed site, along with details of its extent/position, function and future management arrangements. SuDS should be properly designed and ensure that the maintenance and operation costs are proportionate and sustainable for the lifetime of the development.

#### INF5: Applications to Remove or Vary a Condition under Section 73

Applications to remove or vary any condition imposed by the LDO may be made under Section 73 of the Act 1990 (as amended).

#### INF6: Planning Applications

A normal planning application may be submitted under the Act 1990 (as amended) for development proposals within the LDO area which are outside the scope of the classes of permitted development set out in the LDO.

#### INF7: Consultation with Kent Fire / Kent Police (and other consultees as advised through pre-application process) prior to submission of Self-Certification Form

Prior to the submission of the Self-Certification Form (Appendix 2), applicants must have received written confirmation from both Kent Fire and Kent Police that their proposals accord with any necessary design related documentation. This approach will then ensure the 28-day LDO determination period is met.

#### INF8: Unilateral Undertaking contributions

Unilateral Undertaking contributions will be secured if mitigation (in relation to Air Quality, Transport/Travel Plan, Biodiversity) cannot be provided by the developer to mitigate the effects and will be calculated in accordance with the table below:

Area:		Total Amount:	Amount Required per sqm (Total GEA 100,648 sqm):	Advisory Note:
Air Quality	Damage Cost figure	£1,544,660  (As set out within the Air Quality Assessment)	£15.34	The overall damage cost figure is based on trip generation across the entire site.  Whilst this provides a broad figure of £15 per square metre this will be dependent on the nature of developments and the end user (i.e. how many vehicular movements the end user generates and the measures the mitigation in place). It is therefore difficult to apportion a figure on a £ per square metre basis.
Transport/Travel Plan	Highways Mitigation	£2,750,000 - £4,100,000  (Approximate figure subject to further design work)	£27.32 - £40.73	The mitigation work required as part of IPM is subject to further engineering/design works so is only an indicative figure at this stage.  <ul style="list-style-type: none"> <li>• Taddington: £200,000 - £250,000</li> <li>• Bridgewood: £300,000 - £350,000</li> <li>• Lord Lees: £750,000 - £1,000,000</li> <li>• M2 Junction 4: £1,500,000 - £2,500,000</li> </ul> These figures do not include costs for land ownership which may need to be incorporated into the total contribution amount required.
Biodiversity	Off-Site Net Gain Payment	£525,000	£3.77	Preferred choice is Horsted Valley as set out in the EMEP and based on an area extending to 139,179 m <sup>2</sup> .

*No development shall be commenced until details demonstrating how the impacts in relation to Air Quality, Transport/Travel Plan and Biodiversity of the development will be mitigated has been submitted to and approved in writing by the Council in accordance with the table above.*

*Approximate figure is subject to confirmation should further assessment work be required in response to a change in circumstance.*

**INF9: Re Condition(s) RN1-6**

This development involves work to the public highway (strategic road network and local road network) that can only be undertaken within the scope of a legal Agreement or Agreements between the applicant and Highways England (as the strategic highway company appointed by the Secretary of

State for Transport) and, as necessary and appropriate, the Local Highway Authority. Planning permission in itself does not permit these works.

It is the applicant's responsibility to ensure that before commencement of any works to the public highway, any necessary Agreements under the Highways Act 1980 are also obtained (and at no cost to Highways England). Works to the highway will normally require an agreement or agreements, under Section 278 of the Highways Act, with Highways England and the Local Highway Authority.

Advice on this matter can be obtained from the Spatial Planning Team, Highways England, Bridge House, Walnut Tree Close, Guildford, Surrey, GU1 4LZ. Email [planningse@highwaysengland.co.uk](mailto:planningse@highwaysengland.co.uk)  
Tel 0300 123 5000.

## APPENDIX 1: INTERPRETATIONS AND DEFINITIONS

*The LDO's appendices should be read in full to determine the precise details and requirements of the classes of permitted development.*

**Ancillary Uses** include

*A secondary use of land which has a clear and commonly found functional relationship with the primary use. The ancillary use should be closely linked and subservient to the primary use.*

**Ancillary Retail** uses include

*Maximum of 360 sqm (floor space) (GEA) (Use Class E(a)) (Sale of cold food and drink only) and E(b) (Sale of food and drink for consumption (mostly) on the premises)*

**Archaeological & Heritage Impact Assessment** is referred to as the 'AHIA' prepared by Headland Archaeology, dated August 2018

*Provides an assessment of the historic or archaeological significance of a building or landscape within the wider setting of the Development*

**Associated Site Infrastructure and Facilities** are defined as:

- *The provision of a junction access onto the highway*
- *The provision of main access and utility services throughout IPM including electricity substations and associated electric lines, broadband connection, electric vehicle recharging points, gas and water*
- *The provision of hard standing areas required for disabled parking bays, designated loading and services bays, vehicle turning and circulation area*
- *The provision of multi-storey car parking facilities, surface car parking and temporary car parking (in accordance with the detail as set out in the Design Code)*
- *The erection of a gate, fence, wall or other means of enclosure;*
- *Street furniture as set out in the Design Code*
- *Soft landscaping as set out in the Design Code including Sustainable Drainage System (SuDS)*
- *Trees, hedges, vegetation and other areas of soft landscaping / public realm (in accordance with the detail as set out in the Design Code)*

**Authority Monitoring Report** is referred to as the 'AMR' and confirms:

*Whether targets set in the Local Development Framework / the Local Plan have been achieved and confirms whether objectives behind policies / policy documents are still relevant.*

**Construction Environmental Management Plan** is referred to as the 'CEMP'

*A CEMP outlines how a construction project will avoid, minimise or mitigate effects on the environment and surrounding area*

**Consultation Statement** is referred to as the ‘Statement’

*This Statement sets out why and how both Councils have engaged with the local community and key stakeholders. It explores how feedback from the consultation influenced the Masterplan*

**Design Statement** means the Statement submitted in support of the Development and in accordance with the Self-Certification Form

**Development** has the same meaning as defined in Section 55 of the Town and Country Planning Act 1990 (as amended)

**Ecological Management and Enhancement Plan** is referred to as the ‘EMEP’ prepared by BSG Ecology, dated October 2020

**Environmental Statement** is referred to as the ‘ES’ prepared by CampbellReith, dated June 2019 and includes the following technical appendices:

- Request for an EIA Screening and Scoping Opinion prepared by CampbellReith, May 2019
- Aviation Risk Assessment prepared by Geoff Connolly, December 2018
- Transport Assessment prepared by CampbellReith, January 2019
- Fore Consulting Modelling Report prepared by Fore Consulting, December 2018
- Air Quality Assessment prepared by ACCON, January 2019
- Land Quality Statement prepared by CampbellReith, May 2019
- AONB Assessment prepared by LDA Design, January 2019

*The ES tests the Development against the likely environmental effects*

**ES Addendum** dated October 2020

**Examination in Public** is referred to as ‘EiP’

**Environment Impact Assessment** is referred to as EIA

**Funding** means:

*A total of £8.1m has been awarded from central government’s Local Growth Fund through the South East Local Enterprise Partnership (SELEP) to help bring this site forward for development, creating a hub for knowledge-based employment and innovation. Further funding has been awarded through the Growing Places Fund and Sector Support Fund to support the development of the Innovation Park Medway masterplan, Local Development Order and development proposals.*

**General Permitted Development Order** is referred to as ‘GPDO 2015’ (or any order amending, revoking and re-enacting that Order)

**Gross External Area** is referred to as ‘GEA’

*GEA is defined as the total covered floor area inside a building envelope, including the external walls of a building as measured in accordance with the Royal Institution of Chartered Surveyors' Code of Measuring Practice, Sixth Edition published in May 2015;*

**Gross Value Added** is referred to as 'GVA' and means

*The measure of the value of goods and services produced in area, industry or sector of an economy.*

**Highways England** are referred to as 'HE'

**Innovation Park Medway** – is referred to as 'IPM'

**IPM Design Code** is referred to as the 'Design Code' prepared by LDA Design, January 2019, updated September 2020

*Provides a manual for the design of the development within IPM and comprise both written and diagrammatic guidance. The Design Code will be used as a development facilitation tool and serve as a reference point for ongoing design processes. This document will focus on the characteristics desired for each area of the regeneration site and stipulate design guidance for all features considered critical to achieving them.*

**Landscape and Visual Impact Assessment** is referred to as 'LVIA' prepared by LDA Design, January 2019, Addendum December 2019

*Is the assessment of evaluating the effect of IPM upon the surrounding landscape*

**Kent County Council** is referred to as 'KCC'

**Local Development Order** – is referred to as the 'LDO'

**LDO Compliance Assessment Period** means:

*Upon submission of the Self-Certification Form and accompanying documentation, the Council will confirm validation within 7 days of receipt of the application.*

Once the Council has confirmed that the application is validated, the 28 days for determination begins.

The development must not begin before the occurrence of one of the following:

- receipt of written notice from the Council of their determination that such prior approval is not required;*
- where the Council give the applicant notice within 28 days following the date of validating the application of their determination that such prior approval is required, the giving of such approval; or*
- the expiry of 28 days following the date on which the application was validated without the Council making any determination as to whether such approval is required or notifying the applicant of their determination.*

*For the purposes of calculating the 28-day LDO Compliance Assessment Period, any Bank Holiday and any day between and inclusive of Christmas Eve and New Year's Day each year shall not be taken into account.*

**Masterplan Proposals** are referred to as the 'Masterplan' prepared by LDA design, dated January 2019

**Medway Council** is referred to as 'Medway'

**Tonbridge & Malling Borough Council** is referred to as 'the Council'

**The Town and Country Planning Act 1990** is referred to as the '1990 Act'

**The Planning and Compulsory Purchase Act 2004** is referred to as the '2004 Act'

**The Town and Country Planning Act 2008** is referred to as the '2008 Act'

**The Growth and Infrastructure Act 2013** is referred to as the '2013 Act'

**The Town and Country Planning (Development Management Procedure) (England) Order 2015** is referred to as the 'DMPO 2015'

**The Town and Country Planning (Environmental Impact Assessment) Regulations 2017** is referred to as 'EIA Regs 2017'

**The "IPM LDO area"** is defined as the area comprised within the red line boundary (Northern and Southern sites)

The time when development has '**begun**' has the same meaning as defined in Section 56 of the 1990 Act (as amended)

**North Kent Enterprise Zone** is referred to as 'NKEZ'

*North Kent Enterprise Zone offers tax breaks and government support, making them ideal places for new and expanding organisations to do business.*

**National Planning Policy Framework** is referred to as the 'NPPF'

*The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied*

**Ownership means** *Parcels 1, 2 and 3 are owned by Medway Council. Currently, Parcel 1 is leased to Rochester Airport Ltd. Parcel 2 is leased by BAE Systems, with a small area of this parcel within the ownership of BAE Systems. Although owned by Medway Council, part of Parcel 1 lies within the neighbouring Borough of Tonbridge & Malling. Parcel 4 is privately owned. (See Figure 1).*

**Planning Practice Guidance** is referred to as 'PPG'

*The PPG replaces and consolidates 7,000 pages of planning guidance on topics including transport and design and it should be read in conjunction with the NPPF*

**Pre-application** is referred to as 'pre-app'

*This is the process of the submission of the necessary information to the Council ahead of a meeting taking place to discuss the proposal. This process is outlined at Section 3 (Prior notification Procedure)*

**Proposed Land Uses include**

Use Class E(g)(i) – Business (office);  
Use Class E(g)(ii) – Research and development of products and processes  
Use Class E(g)(iii) – Industrial processes; and  
Use Class B2 (General Industrial).

\*Together with the ancillary uses set out above.

### **Proposal means**

*Innovation Park Medway: is a high-tech cluster of companies sharing similar skills, infrastructure, ambition and drive. IPM comprises predominantly Use Class E(g) and Use Class B2 uses focused on high value technology industries, engineering, manufacturing and knowledge intensive industries. All businesses are committed to delivering high GVA and exploring opportunities and synergies for collaboration, innovation and skills retention and with links to universities*

**South East Local Enterprise Partnership** is referred to as the 'SELEP' *The SELEP is one of 38 LEPs which are established to provide clear vision and strategic leadership to drive sustainable private sector-led growth and job creation*

**Site Location** means the area defined by the red line on plan (Parameter Plan – Site Boundary) and described as:

*IPM is located on two areas of Rochester Airport which is a general aviation aerodrome on the southern edge of Rochester. It lies approximately 3.5 kilometres (km) to the south of Chatham and Rochester town centres and 57 km east of Central London. It is located approximately 1.4 km north of Junction 3 of the M2 motorway and 5.7 km north of Junction 6 of the M20 motorway, linking the site with London, the M25 motorway and Continental Europe thereby making the site an attractive location for business. Javelin Trains using of HS1 mean Rochester is just 37 minutes from Central London, whilst Eurostar services to Europe can be accessed from Ebbsfleet International Station.*

*IPM will be split into two separate areas each of which will comprise two distinct parcels with the overall area extending to 18.54ha. The Northern Area consists of a main parcel (Parcel 1) which currently forms part of Runway 16/34 and is made up of laid to well-maintained grass and a second parcel (Parcel 2) currently laid to concrete slabs with a secured palisade fence since it is used by BAE Systems as a car park area. The Southern Area consists of an eastern parcel (Parcel 3) which comprises the remnants of previously demolished structures, a small utilities structure and associated compound and an overflow car park for the adjacent Innovation Centre Medway. The western parcel (Parcel 4) comprises an operational caravan park, Woolmans Wood Caravan Park, which has capacity for approximately 100-125 caravans.*

*Parcels 1, 2 and 3 are owned by Medway Council. Currently, Parcel 1 is leased to Rochester Airport Ltd and Parcel 2 is to be leased by BAE Systems. Although owned by Medway Council part of Parcel 1 lies within the neighbouring Borough of Tonbridge & Malling. Parcel 4 is privately owned (See Figure 1).*

*The LDO is intended to be in place for a period of 10 years and has been made to drive economic development through the delivery of IPM which will act as a new and vibrant employment hub for high-value technology, advanced manufacturing, engineering and knowledge-intensive businesses all as part of 21<sup>st</sup> century sustainable development.*

**Science Park trip rates** (the justification for the use of)

*The trip rates for Science Park uses are less than those from typical business developments. This is due to the specialist nature of the end use found on Science Parks. The TRICS trip database confirms this in a survey at Cambridge Science Park. Technical Note T1 presents a review of the trip rates and associated trip generation.*

**Secretary of State** is referred to as 'SoS'

**Self-Certification Form** is referred to as 'the Form'

*Request to for confirmation that a development is compliant with the LDO*

**Standard Industrial Classification** is referred to as the 'SIC'

*The Standard Industrial Classification is a system for classifying industries by a four-digit code used by government agencies to classify industry areas*

**Statement of Community Involvement** is referred to as the 'SCI'

**Statement of Reasons** is referred to as the 'SoR'

**Transport Assessment** is referred to as the 'TA' prepared by CampbellReith, January 2019

*The TA assesses the transport issues relating to the Development following discussions and agreement with Kent County Council and Highways England. The TA identifies the measures that will be incorporated to mitigate the impacts of the Development.*

**Travel Plan Framework** is referred to as the 'TP' prepared by CampbellReith, January 2019

*Identifies the package of actions / works designed to encourage safe, healthy and sustainable travel options to IPM*

*The Masterplan forms part of the evidence base to the LDO*

## APPENDIX 2: SELF CERTIFICATION FORM

### SELF CERTIFICATION FORM FOR INNOVATION PARK MEDWAY LOCAL DEVELOPMENT ORDER

(Request for confirmation that a development is compliant with the Local Development Order)

This document should be read in conjunction with the Innovation Park Medway Local Development Order (IPM LDO). For interpretations and definitions, please see **Appendix 1** of the LDO.

1. When to Use this Form			
<p>This form enables you to apply for Prior Approval confirmation that your scheme complies with the IPM LDO. If your application satisfies the Council's standards, this will be confirmed by the issuing of a "Lawful Development Certificate" by the Council.</p> <p>As set out in more detail within <b>Appendix 1</b> of this form, the following steps <b>must</b> be undertaken prior to completing this form:</p> <p><b>Step 1:</b> Arrange a meeting with Medway Council's regeneration team to discuss and agree a suitable plot. Please visit <a href="http://www.medway.gov.uk/ipm">www.medway.gov.uk/ipm</a> for contact details.</p> <p><b>Step 2:</b> Consult with key stakeholders following the advice received at the meeting with Medway Council's regeneration team.</p> <p><b>Step 3:</b> Arrange a pre-application meeting with Tonbridge &amp; Malling Borough Council's planning team to discuss the proposal and ensure validation.</p> <p>For pre-application meeting costs and further information, please contact us on 01732 844522 or email us at <a href="mailto:planning.applications@tmbc.gov.uk">planning.applications@tmbc.gov.uk</a> to arrange the pre-application meeting. The first pre-application meeting is mandatory and would be charged at a cost of a standard pre-application meeting. Any follow up advice (where required) will be charged at the officer's hourly rate.</p> <p><b>These are mandatory procedures which are required prior to submitting this form in order to ensure validation.</b></p> <p>All Self-Certification forms should be submitted via email to <a href="mailto:planning.applications@tmbc.gov.uk">planning.applications@tmbc.gov.uk</a> with the subject title '<b>LDO Application</b>' to enable the application to be processed in a timely manner.</p>			
2. Pre-application reference number and date of meeting			
3. Applicant's Details (and Agent's details if applicable)			
Applicant's Name and Address Company name		Agent's Name and Address	
Applicant's Telephone Number		Agent's Telephone Number	

Applicant's Email		Agent's Email	
Parcel Plot / Zone See Figure 5.1 of Design Code (p.90)			
Site Area			
<b>4. Details of Proposed Development</b>			
<p>Please indicate which of the following Schedules the development falls under and provide a description of the proposed development below:</p> <p><i>Schedule A – Building Development including the provision of Infrastructure, Facilities and Public Realm (p.31 of LDO)</i></p> <p><i>Schedule B – Extensions or Alterations (p.33 of LDO)</i></p> <p><i>Schedule C – Change of Use (p.34 of LDO)</i></p> <p><i>Schedule D – Other Operations (p.35 of LDO)</i></p>			
<b>*Existing Floor space schedule (if applicable)</b>	<b>Amount (GEA sqm)</b>	<b>Please state the hours of operation</b>	
Class E(g)(i) – Business (Office)			
Class E(g)(ii) – Research and Development of products and processes			
Class E(g)(iii) – Industrial processes			
B2 - General Industrial			
<b>Total (GEA sqm)</b>			

<b>*Proposed Floor space schedule</b>	<b>Amount (GEA sqm)</b>	<b>Please state the hours of operation</b>
Class E(g)(i) – Business (Office)		
Class E(g)(ii) – Research and Development of products and processes		
Class E(g)(iii) – Industrial processes		
B2 - General Industrial		
<b>Total (GEA sqm)</b>		
<p>*Please note that the Use Classes referred to above take into account the amendments to the Use Class Order 1987 set out in The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 which take effect from 1<sup>st</sup> September 2020. For the purpose of the former Use Class Order the following Use Classes would apply; B1a Business (Office), B1b Business (Research and Development, studios, laboratories, high-technology industries, and B1c (Light Industrial).</p>		

**5. Encouraging the Principles of Sustainable Travel**

Please state how the development accords with the measures set out in the Framework Travel Plan and explain how any air quality mitigation measures will be secured?

What incentives do you propose to encourage sustainable modes of travel? For instance, bike to work schemes, car sharing programmes and/or financial incentives through the provision of season passes to use local train / buses. Please also include details of the showers / washroom facilities, cycle parking etc. that will be provided as part of the development.

Please explain how your strategy of sustainable travel is/will be monitored and reviewed to comply with the IPM and national policy changes? (\*Please note the Council may require details of the monitoring to be submitted to ensure accordance with the Travel Plan).

<b>6. Vehicle Parking</b>				
Please provide the proposed number of parking spaces				
<b>Type of Vehicle</b>	<b>Total Spaces required / number of deliveries</b>	<b>On-plot</b>	<b>Off-plot parking*</b>	<b>Street parking</b>
Car				
Disabled car parking spaces				
Vans / light good vehicles				
Heavy Good Vehicles				
Cycle				
Motorcycles				

\*Off-plot parking includes temporary/deck parking. Please note that provision of off-plot parking will be subject to capacity. This will not be provided until a threshold is met to justify demand.

<b>7. Traffic Generation</b>		
What times do you anticipate the most traffic movements to occur in relation to your business?	<b>AM peak movements:</b> <b>PM peak movements:</b>	
For these peak times, please indicate the likely numbers of different types of traffic	<b>AM (enter time):</b>	<b>PM (enter time):</b>
Cars		
Vans / light good vehicles		
Heavy Good Vehicles		
Cycle		
Motorcycles		
How have you arrived at these numbers (e.g. formal transport assessment, estimates based upon current business, knowledge of similar businesses)?		

<b>8. Relevant Supporting Information and Plans – Checklist</b>		
<i>All of the following supporting information and plans must be submitted with this application form at the required scale and must include a scale bar</i>	<b>Included</b>	<b>Document Reference</b>
Completed LDO Self Certification Form		
Submission of BREEAM Pre-Assessment Form		
A location plan (1:1250 or 1:2500 scale) showing direction of north, based upon an up-to-date map which identifies the site / plot edged red		
Site Plan (1:500 or 1:200 scale)		
Block plan of the site / plot (1:100 or 1:200 scale)		
Proposed elevations (1:50 or 1:100 scale) and details of materiality		
Proposed floor plans (1:50 or 1:100 scale)		
Proposed sections and finished floor and site levels (1:50 or 1:100 scale), eaves and ridge heights		
Design Statement (see Appendix 1 for guidance)		
Details / Confirmation of level of mitigation in accordance with the Unilateral Undertaking provided in the Informatives		
Pre-application reference number/receipt		
Document(s) to discharge conditions		

<b>9. Monitoring Data</b>	
<b>Existing (if applicable)</b>	
How many jobs – both full time equivalent (FTE) and part-time	FTE: Part-time:
What type of jobs <b>Please state number / type (Administrative / Professional etc.)</b>	
Internal floor space (in sqm)	

<p>Do you have established links with Educational Institutions (universities, colleges, schools or other), Medical Institutions, specialised businesses and/or any other organisations?</p> <p><b>If yes, please state which and explain how links are forged / created, i.e., do you offer work experience routes / paid internships / do you seek graduates directly from the Universities</b></p>	
<p>Level of Gross Value Added (GVA)</p> <p>*For consistency across all prior approval applications please use the method below to calculate the GVA.</p>	£
<b>Proposed</b>	
<p>How many jobs will be created – both full time equivalent (FTE) and part-time</p>	<p>FTE:</p> <p>Part-time:</p>
<p>What type of jobs will be created?</p> <p><b>Please state number / type</b></p> <p><b>(Administrative / Professional etc.)</b></p>	
<p>Amount of internal floor space (in sqm)</p>	
<p>Do you propose to enhance / create links with Educational Institutions (universities, colleges, schools or other), Medical Institutions, specialised businesses and/or any other organisations?</p> <p><b>If Yes, which?</b></p> <p><b>If NO, why?</b></p>	
<p>Anticipated level of Gross Value Added (GVA)</p> <p>*For consistency across all prior approval applications please use the method below to calculate the GVA.</p>	£
<p>Please tick to confirm the following monitoring data will be provided annually:</p> <ul style="list-style-type: none"> <li>- Floorspace delivery</li> <li>- Job creation</li> <li>- Trip generation (including staff mode of travel/traffic counts)</li> <li>- GVA</li> </ul>	

**\*GVA calculation method:** GVA is calculated from the companies last set of accounts by adding salary & wage costs, pre-tax profit and depreciation. This is then divided by the number of FT employees to give GVA per employee.

10. Notice to Landowner (owner) / Leaseholder		
Notice must be served on the Landowner prior to the submission of this form. Please provide the necessary details as shown at Appendix 3		
Name of Owner	Address	Date notice served
Signed (Applicant / Agent)	Date	

*\* An 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than 7 years. In the case of development consisting of the winning or working of minerals, a person entitled to an interest in a mineral in the land is also an owner.*

11. Declaration	
I/we hereby apply for confirmation of compliance with the IPM LDO as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them. I/we confirm that a copy of this application form and accompanying plans/drawings and additional information has been submitted to the Council.	
Signed	xxx
Date	(xx/xx/xxxx)

**Please return to either:**

[planning.applications@tmbc.gov.uk](mailto:planning.applications@tmbc.gov.uk)

or

Tonbridge & Malling Borough Council  
 Kings Hill (Head Office)  
 Gibson Building  
 Gibson Drive  
 Kings Hill  
 West Malling  
 Kent  
 ME18 4LZ

**Please clearly mark all correspondence "IPM LDO Application".**

**Appendix 1**  
**Guidance notes for IPM LDO**  
**Self-Certification Form**

## **Seeking Prior Approval:**

### **Step 1:**

Arrange a meeting with Medway Council's regeneration/marketing team prior to any pre-application discussions whereby a suitable plot will be discussed and agreed. During these discussions, the Applicant will be made aware of the different statutory consultees/key stakeholders that would need to be consulted and any issues dealt with prior to a pre-application meeting being arranged.

Please visit [www.medway.gov.uk/ipm](http://www.medway.gov.uk/ipm) for contact details.

### **Step 2:**

Consult with key stakeholders following the advice received at the meeting with Medway Council's regeneration team.

### **Step 3:**

Arrange a pre-application meeting with officers at Tonbridge & Malling Borough Council to discuss proposal and to ensure validation.

For pre-application meeting costs and further information, please contact us on 01732 844522 or email us at [planning.applications@tmhc.gov.uk](mailto:planning.applications@tmhc.gov.uk) to arrange the pre-application meeting.

The first pre-application meeting is mandatory and would be charged at a cost of a standard pre-application meeting. Any follow up advice (where required) will be charged at the officer's hourly rate.

### **Step 4:**

Complete Self-Certification Form following discussions with Council.

### **Step 5:**

Consult the Design Code and Masterplan for more detailed guidance.

### **Step 6:**

Submit Self-Certification Form with all necessary supporting evidence including evidence of the pre-application discussion (date and note of advice given by officers from Council) and confirmation of compliance with the Design Code.

This should include details to discharge conditions.

All Self-Certification applications, should be submitted via email to [planning.applications@tmhc.gov.uk](mailto:planning.applications@tmhc.gov.uk) with the subject title '**LDO Application**' to enable the application to be processed in a timely manner.

### **Step 7:**

Upon submission of the Self-Certification Form and accompanying documentation to the Council, officers will require 7 days to validate all of the information and for the case officer to confirm the content of the documentation is as agreed during the pre-application meeting. Upon completion of the 7 days, the case officer will either send a request for further information or provide confirmation of the application being validated.

### **Step 8:**

Once the Council has confirmed that the application is validated, the 28 days for determination begins.

The development must not begin before the occurrence of one of the following:

- receipt of written notice from the Council of their determination that such prior approval is not required;

- where the Council give the applicant notice within 28 days following the date of validating the application of their determination that such prior approval is required, the giving of such approval; or
- the expiry of 28 days following the date on which the application was validated without the Council making any determination as to whether such approval is required or notifying the applicant of their determination.

Document	Additional Notes
A completed LDO Self Certification Form (This form)	This ensures all relevant and necessary questions are answered, appropriate information is provided and declarations are signed
A location plan (1:1250 or 1:2500) showing direction of north, based upon an up-to-date map which identifies the site / plot edged red - (all plans must include a scale bar)	Plans should show at least two named roads and surrounding buildings / plots named or numbered. The red line should include all land necessary to carry out the development subject of this application. This includes any land required for access to the site from a public highway, visibility splays and landscaping
Site Plan or Block Plan drawn at a scale of 1:500 or 1:200 - (all plans must include a scale bar)	This should accurately show: a) the direction of north; b) the proposed development of the plot in relation to the plot boundaries and the wider development of Innovation Park Medway c) all buildings, roads and footpaths adjoining the plot including access arrangements to the plot
Other plans and drawings or information necessary to describe the subject of this application - (all plans must include a scale bar)	Site survey plan (at the same scale as site or block plan) should show: plot boundaries; the type and height of boundary treatment; the position of any building(s) or structure(s) surrounding the plot
Proposed Elevations (1:50 or 1:100 scale) including a scale bar - (all plans must include a scale bar)	All elevations must be shown with written dimensions of height, width and depth and these should also indicate where possible the proposed building materials in accordance with the submitted design code.  Where a proposed elevation adjoins another building or is in close proximity, the drawing should clearly show the relationship between them and detail the positions of openings on each property
Proposed floor plans (1:50 or 1:100 scale) including a scale bar - (all plans must include a scale bar)	These should explain the proposal in detail
Proposed sections and finished floor and site levels (1:50 or 1:100 scale) - (all plans must include a scale bar)	Cross sections through the building should be shown. Full information should be submitted to demonstrate how the new building(s) relate to neighbouring development including floor levels, eaves and ridge heights.
Design Statement	Details the approach, justification, detail of the design of the plot, public realm or infrastructure, and describes the standards of accessibility that would be designed into the development (where necessary) together with outlining how the proposed development accords with the overarching aims and ambitions of IPM as outlined below:  <b>Business Innovation:</b> How do you consider your business to be innovative?  <b>Growth / Jobs:</b> What are your future growth plans including workforce and skills requirements?

	<p><b>Quality of Design/Purpose of development:</b> The quality of each plot / provision of infrastructure is a significant factor in supporting firstly the vision and secondly, the types of quality businesses that will locate at IPM. How will your business accord with the vision of IPM set by the Four Big Moves? <i>For more information see Section 2 (p.10) of the Design Code.</i></p> <p><b>Wider Contribution / Social Value:</b> What contribution can the business make? How will your business contribute to the local community and the wider Medway area?</p>
Design Code Compliance Checklist (This Form)	Completion of the relevant IPM design code compliance checklist
BREEAM Pre-Assessment Form	Confirms how the development will achieve its BREEAM rating

## **Appendix 2**

### **Design Code Compliance**

Design Code Compliance						
Code	Applicable Plots	Summary of Objectives	Complied With	Not Complied with	Council to confirm	Document Reference / Comments <i>Provide references to appropriate plans, documents or page numbers to support your response. Please also provide any additional detail explaining why (if applicable) your proposals do not comply and justification.</i>
<b>1. Parameter Plans (See Section 3 of Design Code)</b>						
<b>Landscape</b> (See Figure 3.1, p.14 of Design Code)	All	<ul style="list-style-type: none"> <li>Proposals must work within the development envelope and respect the landscape framework set out in the approved parameter plan for IPM.</li> </ul>				
<b>Access and Movement</b> (see Figure 3.2, p.15)	All	<ul style="list-style-type: none"> <li>Proposals must connect into the proposed access and movement hierarchy as set out in the approved parameter plan for IPM.</li> </ul>				
<b>Building Heights</b> (See Figure 3.3, p.15)	All	<ul style="list-style-type: none"> <li>Proposals must comply with the development envelope and height parameters set out within the approved parameter plan for IPM; and be in accordance with the operational requirements of the airport.</li> </ul>				
<b>2. Site Wide Guidelines (See Section 3 of Design Code)</b>						
<b>CA_01</b> Character area Guidance - Park Edge (See p. 28)	All	<ul style="list-style-type: none"> <li>Part of the character area will be delivered in the initial phase, proposals should set the standard for later phases to tie in to ensure continuity of design and delivery of the wider development area.</li> </ul>				

		<ul style="list-style-type: none"> <li>Proposals should provide high quality employment spaces of exemplary design quality.</li> <li>Proposals should capitalise on proximity to the Runway Park to attract investors with demand for innovative employment spaces.</li> </ul>				
<b>CA_02</b> Character area Guidance - Runway Edge (See p.29)	All	<ul style="list-style-type: none"> <li>Proposals should respect site heritage and the unique landscape backdrop.</li> <li>Proposals are encouraged to provide pavilion typologies to accommodate start up organisations and SMEs, promoting a supportive network of like-minded businesses embracing the ethos of enterprise.</li> </ul>				
<b>CA_03</b> Character area Guidance – Core (See p.30)	All	<ul style="list-style-type: none"> <li>Proposals should capitalise on direct access to the gateway street and the opportunity to create a higher density quarter for larger scale buildings.</li> </ul>				
<b>CA_04</b> Character area Guidance – Woodland (See p.31)	All	<ul style="list-style-type: none"> <li>Proposals should be in keeping with the woodland setting and promote the use of simple and refined palette of materials with a single main material utilised to create simple building forms, providing a strong and clear identity (e.g.: timber cladding).</li> <li>Proposals should encourage high quality design of frontages that will act as the front door to the southern plots and promote an appropriate sense of arrival.</li> </ul>				

3. Public Realm Codes (see Section 4 of Design Code)						
<b>P1_TS</b> Palette – Tree Selection  (See p.52)	All	<ul style="list-style-type: none"> <li>Proposals should select from a palette of different tree categories set out as an index by designers and those involved in the delivery of public realm at IPM to respond to the specific conditions of character areas and the public realm typologies proposed.</li> <li>New landscape character types should enhance the sustainability, amenity and bio-diversity value of the site.</li> </ul>				
<b>P2_SL</b> Palette – Soft Landscape  (See p.53)	All	<ul style="list-style-type: none"> <li>Proposals should select from a palette of different soft landscape categories set out as an index for designers and those involved in the delivery of public realm at IPM, to respond to the specific conditions of character areas and the public realm typologies proposed.</li> <li>Planting of trees and vegetation in the public realm should provide shade, wind shelter and evaporative transpiration.</li> </ul>				
<b>P3_HL</b> Palette – Hard Landscape  (See p.54)	All	<ul style="list-style-type: none"> <li>Proposals should select from a palette of different hard landscape categories set out as an index for designers and those involved in the delivery of public realm at IPM, to respond to the specific conditions of character areas and the public realm typologies proposed.</li> </ul>				
<b>P4_SF</b> Palette – Street Furniture  (See p.55)	All	<ul style="list-style-type: none"> <li>Proposals should select from a palette of different street furniture categories set out as an index for designers and those involved in the delivery of public realm at IPM, to respond to the specific</li> </ul>				

		conditions of character areas and the public realm typologies proposed.				
<b>ST_01</b> Design Code –Gateway Streets  (See pp.34–35 and 58–59)	All	<ul style="list-style-type: none"> <li>Proposals for the Primary Streets should accentuate key arrival points and aid legibility through paving materiality, lighting and way-finding signage.</li> <li>They should be designed to aid movement, but also provide meeting or resting spots.</li> </ul>				
<b>ST_02</b> Design Code – The Boulevard  (See pp.36–37 and 60–61)	All	<ul style="list-style-type: none"> <li>Proposals for The Boulevard should provide a formal avenue of trees that runs along its entire length, articulating a leafy and intimate environment with dappled light that differentiates it from all other types of streets cross the site.</li> <li>Proposals for The Boulevard should provide ‘softer’ boundaries to plots which will start to loosen-up the overall street-scene.</li> </ul>				
<b>ST_03</b> Design Code – Minor Access Streets  (See pp.38–39 and 62–63)	All	<ul style="list-style-type: none"> <li>Proposals for the Minor Access Streets should be defined from their primary and secondary counterparts by reduced road widths, less restrictions on boundary treatments which, together with the woodland setting, will result in a more relaxed and intimate environment. The design of the streets should promote a more people-oriented environment to encourage collaboration and innovation.</li> </ul>				
<b>LA_01</b> Design Code – The Woodland Typology	All	<ul style="list-style-type: none"> <li>Proposals for this typology should incorporate a naturalistic woodland planting character and brings a touch of nature into the scheme. The untouched and naturalistic appearance of the</li> </ul>				

(See pp.40–41 and 64–65)		existing woodlands is to be both protected & enhanced through the adoption of a ‘low intervention’ approach throughout, with reliance upon natural processes.				
<b>LA_02</b> Design Code – The Parkland Typology (See pp.42-43 and 66-69)	All	<ul style="list-style-type: none"> <li>Proposals should create a high-quality green spine as the fundamental landscape structuring element which will create a clear identity and provide the high-quality open space that investors demand from innovative employment sites to attract and retain skilled staff.</li> </ul>				
<b>LA_03</b> Design Code – The Runway Edge Typology (See pp.44-45 and 70-71)	All	<ul style="list-style-type: none"> <li>Proposals should create a landscape buffer between the operational airport and the IPM site, articulating a unique landscape backdrop punctuated by trees of distinction providing a seasonal set piece that puts people in touch with nature.</li> </ul>				
<b>LA_04</b> Design Code – The Plaza Typology (See pp.46-47 and 72-73)	All	<ul style="list-style-type: none"> <li>The Plazas should be designed to serve as an integral piece of public realm where different landscape typologies converge.</li> </ul>				
<b>LA_05</b> Design Code – The Gateway Typology (See pp.48-49 and 74-75)	All	<ul style="list-style-type: none"> <li>Gateways should present a high-quality public realm and sense of enclosure that celebrates a sense of arrival and sets the tone for a place of distinction.</li> </ul>				
<b>4. Plot Passports (See Section 5 of Design Code)</b>						

<p><b>BA_01</b> Building Aesthetics Guidance  (See pp.78-81)</p>	<p>All</p>	<ul style="list-style-type: none"> <li>• Use material complementary to the context and the unified colour palette to achieve visual consistency and brand identity</li> </ul>				
<p><b>SG_01</b> Sustainability Guidance  (See pp.82-83)</p>	<p>All</p>	<ul style="list-style-type: none"> <li>• Embrace the spirit of innovation by meeting, and where possible exceeding, the prevailing sustainability standards of their time.</li> <li>• Energy demand should be minimised through increased building fabric efficiency.</li> </ul>				
<p><b>BT_01</b> Boundary Treatment Guidance  (See pp.84-85)</p>	<p>All</p>	<ul style="list-style-type: none"> <li>• Balance the need for plot tenants to create secure businesses premises with the need to create an attractive and high quality environment for businesses and pedestrians.</li> </ul>				
<p><b>PG_01</b> Parking Guidance  (See pp.86-88)</p>	<p>All</p>	<ul style="list-style-type: none"> <li>• Ensure parking standards (such as parking space dimensions and maximum percentage of on plot parking) are adhered to.</li> <li>• Encourage future proofed parking solutions that could unlock opportunities for intensification, particularly if a modal shift is achieved through successful delivery of more sustainable movement patterns.</li> </ul>				
<p><b>PT_01</b> Plot Type - Gateway Plots  (See pp.94-97)</p>	<p>N1.1/N1.4/N 2.6/N3.7/N4 .1/N5.7</p>	<ul style="list-style-type: none"> <li>• Create a sense of arrival and support site brand and identity through using active building frontages to address views into the site gateways;</li> <li>• Ensure the layout and physically and visual permeability of buildings encourage collaboration to 'spill out' of buildings into shared open spaces;</li> </ul>				

		<ul style="list-style-type: none"> <li>• Enhance wayfinding and the rhythm of the street by positioning entrances along the primary frontage;</li> <li>• Encourage boundary treatment continuity, especially to areas that interact with active development edges (i.e. Laker Road, Maidstone Road and the airfield perimeter).</li> </ul>				
<b>PT_02</b> Plot Type – Park Edge Plots (See pp.98-101)	N2.3/N2.4/N3.2/N3.3/N3.5/N3.6/N4.3/N4.6	<ul style="list-style-type: none"> <li>• Design spill-out areas as multifunctional space fronting the park to accommodate a wide range of uses, events and activities that promote social interaction and collaboration;</li> <li>• Celebrate horticultural seasonality by providing a continuous changing palette of texture and colour;</li> <li>• Encourage ground floor uses that maximise opportunities to spill out into the public realm, the Runway Park should become an extension of the buildings;</li> <li>• Provide “eyes on the street” with active uses/spaces overlooking the Runway Park.</li> </ul>				
<b>PT_03</b> Plot Type - General Plots (See pp.102-105)	N2.7/N4.2/N4.4/N4.7/N5.3/N6.1/N6.2/N7.2/S2.2/S2.3	<ul style="list-style-type: none"> <li>• Achieve continuity of building line for primary frontages whilst retaining a degree of flexibility;</li> <li>• Avoid over development on plot and allow for sufficient spatial separation between buildings;</li> <li>• Establish a consistent level of material quality and detail;</li> <li>• Animate the street frontages on both primary and secondary routes to create lively streets;</li> <li>• Encourage open boundaries to maximise the benefits of natural surveillance and overlooking.</li> </ul>				

<p><b>PT_04</b> Plot Type – Parking Deck Plots  (See pp.106-109)</p>	<p>N1.3/N2.5/N3.4/N4.5/N6.3/N7.3</p>	<ul style="list-style-type: none"> <li>• Adopt facade treatments to contribute to the rhythm of the street;</li> <li>• Sensitive design response to massing to ensure it is designed to sit sensitively within clusters of developments and avoid visual impact (particularly in the woodland area);</li> <li>• Create planting and soft landscape buffers at side and rear of parking deck plots that are permeable;</li> <li>• Encourage planted privacy strips along building frontages to maintain security and privacy for the adjacent buildings.</li> </ul>				
<p><b>PT_05</b> Plot Type – Runway Edge Plots  (See pp.110-113)</p>	<p>N5.1/N5.2/N5.4/N5.5/N5.6/N7.2/N7.4/N7.5</p>	<ul style="list-style-type: none"> <li>• Use and maintain trees of character planting at an acceptable height to form a secured boundary to the airfield;</li> <li>• Provide ‘pavilion’ typology buildings that can accommodate both business incubators and start-ups of a range of sizes;</li> <li>• Provide generous public realm and shared spaces to encourage incubator and start-up tenants’ collaboration and new ideas can be freely exchanged.</li> </ul>				
<p><b>PT_06</b> Plot Type - Woodland Plots  (See pp.114-117)</p>	<p>N2.1/N2.2/N6.4/S1.2/S1.3/S2.1</p>	<ul style="list-style-type: none"> <li>• Ensure minimise tree loss through plot access;</li> <li>• Ensure car movements and parking are contained within the designated areas and provide car free cores to encourage collaboration;</li> <li>• Promote the use of simple and refined palette of materials with a single main material utilised to promote simple building form and provide a strong and clear identity.</li> </ul>				

<p><b>PT_07</b> Plot Type – Iconic Building Plots  (See pp.118-121)</p>	<p>N1.2/S1.1</p>	<ul style="list-style-type: none"><li>• Ensure material selection and building articulation on iconic building plots is be subject to the highest level of consideration to respond to the landmark location and importance of these plots.</li><li>• Encourage iconic building frontages to be designed to feature office and/or reception areas overlooking key view corridors.</li><li>• Encourage bold accent colours for iconic buildings along gateway frontages.</li><li>• Encourage continuity and consistent quality that promotes the appropriate sense of arrival for a high-quality employment area.</li></ul>				
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## **Appendix 3**

### **Notice to Landowner / Leaseholder template**

Name  
Street  
Town  
County  
Postcode

(Insert Date xx/xx/xxxx)

Dear Sir / Madam

**NOTICE UNDER ARTICLES 13 AND 36 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015**

**NOTIFICATION OF SUBMISSION OF PRIOR APPROVAL APPLICATION AT IPM**

We give notice that xxx is applying to Tonbridge & Malling Borough Council for:

*(Please set out the description of development as agreed with the Council as part of the pre-application discussions)*

Any owner\* of the land or a tenant\*\* who wishes to make representations should by (i.e. 21 days from the date of this notice) write to:

Tonbridge & Malling Borough Council  
Kings Hill (Head Office)  
Gibson Building  
Gibson Drive  
Kings Hill  
West Malling  
Kent  
ME18 4LZ

If you decide to make representations you should make it clear that you are an owner of the application site or tenant of an agricultural holding on the site and you should give the site address.

\*"owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than seven years, or in the case of development consisting of the winning or working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

\*\*"tenant" means a tenant of an agricultural holding any part of which is comprised in the land.

**Statement of owners' rights**

The grant of planning permission does not affect owners' rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or in a lease.

**Statement of agricultural tenants' rights**

The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.

## APPENDIX 3: INTENTION TO START ON-SITE FORM

### INTENTION TO START ON-SITE FORM

#### NOTICE OF COMMENCEMENT OF DEVELOPMENT WITHIN INNOVATION PARK MEDWAY TO TONBRIDGE & MALLING BOROUGH COUNCIL

This form should be submitted to the Council 28 days prior to commencement of development

<b>ADDRESS OF DEVELOPMENT PLOT / ZONE</b>			
<b>DETAILS OF PROPOSED DEVELOPMENT (including pre-application reference number)</b>			
<b>COMMENCEMENT OF DEVELOPMENT ON: (XX/XX/XX)</b>			
<b>FOR AND ON BEHALF OF (Name and address of business / proposed occupier)</b>			
<b>CONTACT NAME (Of developer)</b>		<b>CONTACT NUMBER (Of developer)</b>	
<b>SIGNED (Of developer)</b>		<b>DATE (XX/XX/XX)</b>	
<b>SIGNED (By business / proposed occupier)</b>		<b>DATE (XX/XX/XX)</b>	

**Please return to either:**

[planning.applications@tmbc.gov.uk](mailto:planning.applications@tmbc.gov.uk)

or

Tonbridge & Malling Borough Council  
Kings Hill (Head Office)  
Gibson Building  
Gibson Drive  
Kings Hill  
West Malling  
Kent  
ME18 4LZ

**Please clearly mark all correspondence as “Notice of Commencement of Development”**