

<b>REFERENCE NO - 21/506790/OUT</b>			
<b>APPLICATION PROPOSAL</b>			
Section 73 - Application for variation of condition 9 (office or research and development use floorspace) to require at least 7,500m <sup>2</sup> of floorspace pursuant to 20/505195/OUT (Outline application for a mixed commercial development comprising B1(a), B1(b), B1(c) and B8 units, with a maximum floor space of 45,295 square metres).			
<b>ADDRESS</b> Land at Woodcut Farm, Ashford Road, Hollingbourne			
<b>RECOMMENDATION – APPROVE WITH CONDITIONS</b>			
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b>			
<ul style="list-style-type: none"> <li>The proposed reduction in office floorspace is contrary to policy EMP1(4) of the Local Plan. However, if separate application 21/506792/HYBRID is approved, the proposals are acceptable because the office floorspace would be replaced under that application.</li> </ul>			
<b>REASON FOR REFERRAL TO COMMITTEE</b>			
<ul style="list-style-type: none"> <li>The recommendation for approval is contrary to policy EMP1(4) of the Local Plan but the proposals are connected to application 21/506792/HYBRID, which is on the same agenda.</li> </ul>			
<b>WARD</b> North Downs	<b>PARISH COUNCIL</b> Hollingbourne	<b>APPLICANT</b> Maidstone Investment Holding Ltd <b>AGENT</b> Savills	
<b>CASE OFFICER:</b> Richard Timms	<b>VALIDATION DATE:</b> 05/01/22	<b>DECISION DUE DATE:</b> 10/06/22	
<b>ADVERTISED AS A DEPARTURE: NO</b>			
<b>RELEVANT PLANNING HISTORY</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
21/506792	Hybrid Planning Application for demolition of existing building (Use Class C3) and redevelopment for a mixed commercial scheme. Full planning application comprising of erection of 2 no. units (Unit E2 - light industry/B8 and Unit D1 - offices/coffee shop), HGV fast charge facility, bus stop, hard and soft landscaping, and associated infrastructure. Outline planning application comprising of erection of 1 no. unit (Unit E1 - offices) with appearance matter reserved.	PENDING	
21/506791	Approval of Reserved Matters for Phase 2 (Appearance, Landscaping, Layout and Scale being sought) to create 7,916 sqm of flexible Use Class E(g)(iii)/B8 employment floorspace, comprising of 4 units (A1, A2, A3 and A13) on Plot A, pursuant of 20/505195.	PENDING	

21/502637	Approval of Reserved Matters Phase 1 (Layout, Scale, Appearance and Landscaping) to create the development platforms across the entire site, and 23,270 sqm of flexible Use Class B1(c)/B8 employment floorspace, comprised of 7no. units on Plot A totalling 5,450 sqm (Units A3-A9) and 4no. units on Plot B totalling 17,820 sqm (Units B1-B4) pursuant of 20/505195	APPROVED	06/08/21
20/505195	Section 73 - Application for Variation of Condition 3 to allow buildings on the eastern part of the site to have a footprint up to 10,000sqm, and variation of Condition 4 to allow buildings on the western part of the site to have a footprint up to 4,800sqm, a ridge height up to 10.5m, and to remove the requirement for buildings to be orientated end-on to the M20 motorway pursuant to application 17/502331	APPROVED	11/03/21
20/505182	Approval of Reserved Matters (Appearance, Landscaping, Layout and Scale being sought) for Phase 1 being landscaping, infrastructure work required to create development platforms across the site, and 22,884sqm of flexible Use Class B1(c)/B8 employment floorspace comprising of 7no. units on Plot A totalling 5,444sqm (Units A3- A9) and 4no. units on Plot B totalling 17,440sqm (Units B1-B4) pursuant to 17/502331	APPROVED	26/02/21
17/502331	Outline application for a mixed commercial development comprising B1(a), B1(b), B1(c) and B8 units, with a maximum floor space of 45,295 square metres (Access being sought)	APPROVED	20/07/18

## **1.0 DESCRIPTION OF SITE**

1.01 The application relates to the approved Woodcut Farm development and employment allocation in the Local Plan on the north side of the A20 near Junction 8 of the M20. The allocation benefits from outline planning permission for office, research and development, light industry, and warehouse uses up to 45,295m<sup>2</sup>. Reserved matters have been approved for around half the permitted floorspace along part of the west boundary and the northern part of the site.

## **2.0 PROPOSAL**

2.01 This is a section 73 application which seeks to reduce the requirement for 10,000m<sup>2</sup> of office floorspace required under condition 9 of permission 20/505195/OUT to 7,500m<sup>2</sup>. The original permission/legal agreement secures three areas where office floorspace must be provided as shown in the areas labelled A1/A2, C1/C2 and D1/D2 below. The application is essentially proposing to remove the A1/A2 area in the southwest corner and reduce D1/D2 as shown below.



2.02 However, the applicant is not seeking to reduce the overall amount of office floorspace but instead is proposing around 1,000m<sup>2</sup> in the 'D1' location, and relocation of around 2,600m<sup>2</sup> within the proposed expansion into the 'Chestnuts' site, which is subject to application 21/506792/HYBRID, that is on this same agenda. This application is therefore dependent upon a positive decision on application 21/506792/HYBRID.

2.03 The result would be to enable the provision of additional light industrial or warehousing floorspace within southwest part of the allocated site in area A1/A2, and the separately proposed HGV welfare/EV charging facility and café in D1/D2.

### **3.0 POLICY AND OTHER CONSIDERATIONS**

- Maidstone Borough Local Plan (2011-2031): SS1, SP17, SP18, SP21, SP23, EMP1, EMP1(4), ID1, DM1, DM2, DM3, DM4, DM6, DM8, DM16, DM21, DM23, DM30, DM37
- Kent Waste and Minerals Plan (amended 2020)
- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- MBC Air Quality Guidance
- Kent Downs AONB Management Plan (2021-2026)
- Maidstone Local Plan Review (Regulation 19)

### **4.0 LOCAL REPRESENTATIONS**

4.01 **Local Residents:** One representation received raising the following (summarised) points:

- Question whether the developers know what they want from the site.
- Original objection to this greenfield site still stands.
- Blot on the landscape.
- The most environmentally friendly conditions possible should be imposed such as solar power.

**4.02 Hollingbourne Parish Council: Do not wish to comment/object.**

**4.03 (Neighbouring) Bearsted Parish Council: Recommend approval.**

### **CONSULTATIONS**

*(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)*

**4.03 Natural England: No specific comments.**

**4.04 National Highways: No objections.**

**4.06 KCC Highways: No objections.**

**4.15 Southern Water: No objections.**

### **6.0 APPRAISAL**

6.01 The proposed reduction of the amount of office floorspace from 10,000m<sup>2</sup> to 7,500m<sup>2</sup> within the allocated site is contrary to policy EMP1(4) of the Local Plan, which requires at least 10,000m<sup>2</sup>. However, if application 21/506792/HYBRID is approved this would be acceptable as it provides for the replacement of 2,600m<sup>2</sup> of office floorspace.

6.02 If application 21/506792/HYBRID is approved, this proposal is acceptable and a modification to the legal agreement accompanying 20/505195/OUT would be required to firstly, tie it to this new s73 permission; secondly, to reduce the office floorspace to 7,500m<sup>2</sup> and amend its locations; and thirdly, to tie this new s73 permission together with 21/506792/HYBRID (as this would provide the displaced floorspace).

6.03 The result of these changes would be to require more office floorspace within the eastern part of the wider allocation in area C1/C2 (6,357m<sup>2</sup> as opposed to 5,000m<sup>2</sup>) but there is still considered to be sufficient space to provide this. The applicant is also proposing that all office floorspace is 'serviced' before any other units are occupied, rather than 5,000m<sup>2</sup> as original secured.

6.04 If application 21/506792/HYBRID is refused, then the proposals are not acceptable because they would not provide the necessary office floorspace required under policy EMP1(4) within the Local Plan, and officers will advise on the appropriate course of action at the committee meeting, which will be to refuse this application.

## 7.0 CONCLUSION

7.01 For the above reasons the variation to condition 9 is acceptable but this is subject to the approval of application of 21/506792/HYBRID.

7.02 As this will create a new planning permission all previous relevant conditions will be re-attached.

## 8.0 RECOMMENDATION

### Subject to:

The conditions set out below, and the prior completion of a legal agreement to secure the heads of terms set out below:

**the Head of Planning and Development BE DELEGATED POWERS TO GRANT PLANNING PERMISSION** (and to be able to settle or amend any necessary Heads of Terms and planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee).

### Heads of Terms:

1. Modification to the original s106 agreements relating to 20/505195/OUT to tie their requirements to the new s73 permission.
2. Modification to the original s106 agreement relating to 20/505195/OUT to reduce the amount of office floorspace to 7,500m<sup>2</sup> and amend its locations.
3. To tie the new s73 permission to permission 21/506792/HYBRID (if approved) such that the office floorspace within 21/506792/HYBRID has been at least provided with necessary services including drainage and electrical power supply ('serviced') prior to the occupation of any non-office buildings within the allocated site.
4. To secure that all office floorspace is 'serviced' before any other units are occupied.

### Conditions:

1. Any phase of the development (as approved under the phasing plan submitted and approved under condition 13 below) shall not commence until approval of the following reserved matters have been obtained in writing from the Local Planning Authority for that phase:-

a. Layout b. Scale c. Appearance d. Landscaping

Application for approval of the reserved matters shall be made to the Local Planning Authority before 20th July 2023. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved;

Reason: No such details have been submitted and in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990.

2. The details of layout submitted pursuant to condition 1 shall show no more than 40% of the site being covered by buildings.

Reason: To ensure a satisfactory appearance to the development.

3. On the eastern part of the site (east of the existing stream), there shall be no units with a footprint of over 10,000m<sup>2</sup>, no buildings shall exceed a ridge height of 12 metres, and buildings shall be orientated end-on to the M20 motorway.

Reason: To ensure a satisfactory appearance to the development.

4. On the western part of the site (west of the existing stream), there shall be no units with a footprint of over 4,800m<sup>2</sup>, and no buildings shall exceed a ridge height of 10.5 metres.

Reason: To ensure a satisfactory appearance to the development.

5. On the highest part of the site at and above the 55m contour line, as shown on the Local Plan policies map, there shall be no buildings with a footprint of over 500m<sup>2</sup>.

Reason: To ensure a satisfactory appearance to the development.

6. The details of appearance submitted pursuant to condition 1 shall include:

Curved roof forms.

Green roofs and walls on smaller footprint buildings (500m<sup>2</sup> and below).

Non-reflective materials and sensitive colouring.

Glazed frontages to buildings and active frontages addressing both the A20 and M20.

The use of vernacular materials including ragstone on buildings and in boundary treatments.

High quality surfacing materials.

Sensitive lighting.

The use of photovoltaic cells incorporated into the design of the roofs.

Reason: To ensure a satisfactory appearance to the development.

7. The details submitted pursuant to condition 1 shall provide for vehicle and cycle parking spaces in line with the Council's adopted standards.

Reason: In the interests of highway safety and to promote sustainability.

8. The details of landscaping submitted pursuant to condition 1 shall be designed in accordance with the principles of the Council's landscape character guidance. The scheme shall show all existing trees, hedges and blocks of landscaping on, and immediately adjacent to, the site and indicate whether

they are to be retained or removed. It shall detail measures for protection of species to be retained and include a planting specification, a programme of implementation and maintenance and a 10 year management plan. The programme of implementation shall include site boundary planting and the 9ha of woodland/wooded pasture being established under the first phase of any development. The landscape scheme shall specifically address the need to provide:

- a) Substantial tracts of planting extending into the body of the development to achieve clear visual separation between development areas.
- b) Dense woodland planting along the A20 frontage at the south western edge of the site in excess of 25m width including a planted bund.
- c) A 30m native woodland belt with understorey shrubs and grasses along the western edge of the site to help secure the setting of Woodcut Farmhouse.
- d) Planted landscape buffer zones to the west north and east of Chestnuts and White Heath adjacent to the site to help protect the amenity of these properties.
- e) Retention of the protected trees along Musket Lane, augmented with hedgerows and a new native woodland shaw at least 15m in depth to Musket Lane.
- f) Creation of a circa 38m-70m landscape buffer between any development and the M20 which includes the gas pipe easement.
- g) A woodland shaw along the northern boundary and the M20 of at least between 10-24m width.
- h) The gas pipe easement corridor managed as long grass with indigenous wild flora.
- i) Tracts of structural landscaping extending into development areas of at least 15m in width.
- j) An avenue of tree planting along the access road.
- k) An area of heavily treed native woodland planting in the north west corner of the site of approximately 2.5ha and an area of wooded pasture within the land outlined in blue to the northwest of the application site of approximately 6.6ha (total of at least 9ha).
- l) Tree planting within the area the land outlined in blue to the west of the application site (approximately 2.4ha).
- m) An area of tree planting within the land outlined in blue to the west of the application site.
- n) Swales and balancing ponds including the provision of shallow areas, and deeper, cooler areas, as well as the planting regimes.
- o) The planting of native evergreen trees to help screen/soften views of the development from neighbouring residential properties.

Reason: To ensure a satisfactory appearance and landscape setting to the development and satisfactory implementation, maintenance and management of the landscaped areas.

9. The details submitted pursuant to condition 1 shall include at least 7,500m<sup>2</sup> of Use Class E(g)(i) (offices) or (ii) (research and development) floorspace or a combination of the two.

Reason: To comply with the site allocation policy together with permission 21/506792/HYBRID.

10. The details submitted pursuant to condition 1 shall not exceed the following floorspaces (unless made subject to further assessment):

Use Class E(g)(i)(ii) uses - 10,000m<sup>2</sup>

Use Class E(g)(iii) uses - 12,840m<sup>2</sup>

B8 uses - 22,455m<sup>2</sup>

Reason: To comply with the floorspace amounts assessed under the Environmental Statement.

11. The details submitted pursuant to condition 1 shall be designed so that any impact with regards to noise is reduced to a minimum in accordance with national policy and the design of the development shall aim to meet the levels defined by the Noise Rating Curve 35 at the existing noise sensitive properties. The final design and noise mitigation applied shall take into account the prevailing noise environment, the nature and extent of any residual impact as well as its economic cost and benefit.

Reason: In the interests of residential amenity.

12. The details submitted pursuant to condition 1 shall incorporate measures to minimise the risk of crime according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED).

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

13. The development shall be carried out in accordance with the phasing plan for the site approved under application 20/505160/SUB unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a suitable development of the site.

14. No occupation of the development shall take place until the off-site footway/cycleway enhancements approved under application 21/502690/SUB have been carried out in full.

Reason: In the interests of highway safety and to promote sustainability.

15. The development shall be carried out in accordance with the Construction Management Plan and Code of Construction Practice approved under application 21/504132/SUB.

Reason: In view of the scale of the development and in the interests of highway safety and local amenity.

16. The development shall be carried out in accordance with the Great Crested Newt mitigation strategy approved under application 20/505159/SUB and thereafter maintained unless otherwise agreed in writing by the local planning authority.



Reason: In the interests of biodiversity.

17. The development shall be carried out in accordance with the Landscape and Ecological Management Plan (LEMP) approved under application 20/505159/SUB unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of biodiversity.

18. The development shall be carried out in accordance with the ecological design strategy (EDS) approved under application 20/505159/SUB and all features shall be retained in that manner thereafter unless otherwise agreed in writing by the local planning authority.

Reason: To protect and enhance biodiversity.

19. The development shall be carried out in accordance with the method statement for ecological mitigation approved under application 20/505159/SUB and shall be retained in that manner thereafter unless otherwise agreed in writing by the local planning authority.

Reason: To protect habitats and species identified in the ecological surveys from adverse impacts during construction.

20. The construction of the development shall be carried out in accordance with the construction environmental management plan (CEMP: Biodiversity) approved under application 20/505159/SUB unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of biodiversity.

21. The development shall be carried out in accordance with the precautionary reptile mitigation strategy approved under application 20/505159/SUB unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of biodiversity.

22. The development shall be carried out in accordance with the air quality offsetting measures approved under application 20/505160/SUB.

Reason: In the interests of pollution reduction.

23. The development shall be carried out in accordance with the sustainable surface water drainage scheme, including its implementation, maintenance and management approved under application 20/505160/SUB.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions.

24. The development shall be carried out in accordance with the contaminated land details approved under applications 20/505160/SUB and 21/502843/SUB.

Reason: For the protection of Controlled Waters and in the interests of pollution prevention.

25. The development shall be carried out in accordance with the archaeological field evaluation works and specification, and investigation and recording details approved under application 20/504216/SUB and 21/502989/SUB.

Reason: To ensure that features of archaeological interest are properly examined and recorded and that due regard is had to the preservation in situ of important archaeological remains.

26. The development shall be carried out in accordance with the land and slab levels approved under applications 20/505182/REM and 20/505160/SUB.

Reason: In order to secure a satisfactory form of development.

27. The development shall be carried out in accordance with the Arboricultural Impact Assessment (AIA) approved under application 20/505159/SUB.

Reason: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development.

28. No phase of the development above damp proof course level beyond approved reserved matters application 21/502637/REM shall take place until written details and samples of the materials to be used in the construction of the external surfaces of any buildings and hard surfaces relating to that phase have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials. The materials shall follow the principles of the original Design & Access Statement.

Reason: To ensure a satisfactory appearance to the development.

29. No phase of the development above damp proof course level shall take place beyond approved reserved matters application 21/502637/REM until details of all fencing, walling and other boundary treatments relating to that phase have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details before the first occupation of the building(s) or land and maintained thereafter. The boundary treatments shall follow the principles within the original Design & Access Statement and include the use of ragstone walling.

Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing occupiers.

30. No phase of the development above damp proof course level shall take place until details of any lighting for the site relating to that phase has been submitted to and approved in writing by the local planning authority. The

submitted details shall include, inter-alia, details of measures to shield and direct light from the light sources so as to prevent light pollution and in the interests of biodiversity. The development shall thereafter be carried out in accordance with the subsequently approved details. All external lighting shall be installed in accordance with the specifications and locations set out in the details, and these shall be maintained thereafter.

Reason: To prevent light pollution in the interests of the character and amenity of the area and biodiversity.

31. No phase of the development shall take place above damp proof course level beyond approved reserved matters application 21/502637/REM until details of facilities for the charging of electric vehicles within that phase have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be provided before the first use of the building(s) or land, should conform to the latest standards and conform to best practice, and be thereafter retained.

Reason: In the interests of sustainable transport use, pollution reduction and local amenity.

32. The approved details of the access to the site as shown on drawing no. PL\_4.3 RevB shall be completed prior to the occupation of the site and thereafter maintained to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety.

33. Prior to first use of any premises, in respect of noise, details of the anticipated operation of the various units shall be submitted to and approved in writing by the Local Planning Authority. In particular, the details shall compare the anticipated operation with that assumed in the Environmental Statement (ES) to show that the level of noise impact and effect would continue to comply with national policy. The development shall be carried out in accordance with the approved details.

Reason: In the interests of residential amenity.

34. Notwithstanding the implementation of wider site boundary planting being established under the first phase of any development under condition 8, all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season (October to February) with seeding or turfing in the first seeding and turfing season (March to September) following the occupation of the phase that the landscaping scheme relates to. Any seeding or turfing which fails to establish or any trees or plants which, within ten years from the first occupation of that phase or from planting of the wider site boundary planting, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the local planning authority gives written consent to any variation.

Reason: To ensure a satisfactory setting and external appearance to the development.

35. Any existing trees or hedges approved to be retained on site which, within a period of ten years from the first occupation of a property, commencement of use or adoption of land, die or become, in the opinion of the local planning authority, so seriously damaged or diseased that their long term amenity value has been adversely affected, shall be replaced in the same location during the next planting season (October to February), with plants of an appropriate species and size to mitigate the impact of the loss as agreed in writing by the local planning authority.

Reason: To safeguard existing landscaping and to ensure a satisfactory setting and external appearance to the development.

36. All trees to be retained must be protected by barriers and/or ground protection in accordance with BS 5837 (2012) 'Trees in Relation to Construction-Recommendations'. No equipment, machinery or materials shall be brought onto the site prior to the erection of approved barriers and/or ground protection except to carry out pre commencement operations approved in writing by the local planning authority. These measures shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the protected areas. No alterations shall be made to the siting of barriers and/or ground protection, nor ground levels changed, nor excavations made within these areas without the written consent of the local planning authority;

Reason: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development.

37. All buildings shall achieve a Very Good BREEAM UK New Construction 2014 rating. A final certificate shall be issued to the Local Planning Authority for written approval to certify that at a Very Good BREEAM UK New Construction 2014 rating has been achieved within 6 months of the first occupation of each building.

Reason: To ensure a sustainable and energy efficient form of development.

38. The precautionary bat mitigation as detailed within the Bat Report dated 28 October 2020 prepared by Lloyd Bore shall be strictly adhered to unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of biodiversity.

39. The development shall be carried out in accordance with the details of electricity substation(s) approved under application 20/505160/SUB. Details of the proposed location and design of any further electricity substation(s) shall be submitted to and approved in writing by the Local Planning Authority. The design should aim to maximise the distance between the sub-station and existing noise sensitive properties and shall aim to meet the levels defined by the Noise Rating Curve 35 at the existing noise sensitive properties. The final design and noise mitigation applied shall take into account the prevailing noise

environment, the nature and extent of any residual impact as well as its economic cost and benefit. The development shall be carried out in accordance with the approved details.

Reason: In the interests of residential amenity.

40. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason: For the protection of Controlled Waters and in the interests of pollution prevention.

41. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

Reason: For the protection of Controlled Waters and in the interests of pollution prevention.

42. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: For the protection of Controlled Waters and in the interests of pollution prevention.

43. No open storage of plant, materials, products, good for sale or hire or waste shall take place on the site.

Reason: To safeguard the character and appearance of the surrounding area.

44. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no extensions to any buildings shall be carried out without the permission of the Local Planning Authority;

Reason: To safeguard the character, appearance and functioning of the surrounding area.

45. Any buildings and associated land shall be used only for Use Class E(g)(i)(ii)(iii) or Use Class B8 and for no other purpose (including any other

purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or permitted under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any statutory instrument revoking and re-enacting those Orders with or without modification).

Reason: To comply with the site allocation policy and in order to deliver the specific types of employment the site was allocated for.

46. In respect of the approved access from the A20 to a position 40 metres into the site only, the development hereby permitted shall be carried out in accordance with drawing no. 13-0596.110 (Site Access Visibility Splays), and Illustrative Site Layout Plan 11257/FE\_125 (Rev A).

Reason: For the purposes of clarity.

47. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) or any statutory instrument revoking and re-enacting the Order, the Use Class B8 premises hereby approved on Plot B as defined on the Illustrative Site Layout Plan 11257/FE\_125 (Rev A) shall exclude occupation by any use for 'High Intensity Parcel Delivery Service' for any unit of 5,000sqm or more. 'High Intensity Parcel Delivery Service' means that the primary activity of the business is the storage, packaging and delivery of parcels to residential and business users for and on behalf of multiple independent sellers as distinct from a retail warehouse and distribution centre where the packaging and distribution is consequential to the retail sale of their own goods or goods for which they have a franchise.

Reason: To ensure, taking account of the material difference in traffic generation and impacts of high intensity parcel delivery compared to more traditional B8 uses, the traffic impact of which has not been assessed on the surrounding road network, that the M20 continues to be an effective part of the national system of routes for through traffic and to satisfy the reasonable requirements of road safety.