
FORMER KINGSNORTH POWER STATION
"MEDWAYONE"
PLANNING STATEMENT

Submitted on behalf of
Uniper Ltd

March 2021

FORMER KINGSNORTH POWER STATION
"MEDWAYONE"

PLANNING STATEMENT

ON BEHALF OF
UNIPER LTD

MARCH 2021

Project Ref:	29497
Status:	Final
Issue/Rev:	01
Date:	31 March 2021
Prepared By:	LW
Checked By:	HE
Authorised by:	HE

Barton Willmore LLP
Kings Hill Avenue
Kings Hill
West Malling
Kent
ME19 4AE

Tel: (01322) 374660
E-mail: lucy.wilford@bartonwillmore.co.uk

Ref: 29497/A5/HE/LW/mg
Date: 31 March 2021

COPYRIGHT

The contents of this document must not be copied or reproduced in whole or in part without the written consent of Barton Willmore LLP.

All Barton Willmore stationery is produced using recycled or FSC paper and vegetable oil based inks.

CONTENTS

	PAGE NO.
1.0 INTRODUCTION	01
i) Planning Application Documents	02
2.0 THE SITE	04
i) Background	04
ii) Site Context	04
iii) The Site	04
iv) Environmental Context	06
3.0 RELEVANT PLANNING HISTORY	07
4.0 THE DEVELOPMENT PROPOSALS	09
i) The Vision & Proposals	09
ii) The Masterplan	10
iii) The Parameter Table	13
iv) Illustrative Layout Plan	14
v) Consultation	14
5.0 PLANNING POLICY CONTEXT	16
i) National Planning Policy Framework (February 2019)	16
ii) National Planning Framework – Consultation 2021	20
iii) Planning Practice Guidance	20
iv) The Development Plan	22
v) Other Material Considerations	28
6.0 PLANNING ANALYSIS PRINCIPLE OF DEVELOPMENT	30
i) Principle of Development	30
ii) Economic Benefits	35
iii) Safeguarding of the Jetty	36
7.0 PLANNING ANALYSIS TECHNICAL ASSESSMENTS	38
i) Design	38
ii) Transport & Highways	39
iii) Flood Risk & Drainage	42
iv) Biodiversity	44
v) Landscape & Visual	51
vi) Heritage	52
vii) Air Quality	54
viii) Noise	55
ix) Ground Conditions	57
x) Climate Change & Energy Strategy	57
xi) Planning Obligations	59
8.0 CONCLUSIONS	61

APPENDICES:

Appendix 1 Site Location Plan

Appendix 2 – Parcel Plan

Appendix 3 –Parameter Plan

Appendix 4 – Illustrative Layout Plan

Appendix 5 – Medway Council 2003 Adopted Local Plan Policies Summary

Appendix 6 – Medway Council Regulation 18 Local Plan Policies Summary

1.0 INTRODUCTION

1.1 This report has been prepared by Barton Willmore on behalf of Uniper Energy Limited ("the Applicant") in connection with the proposed redevelopment of the Former Kingsnorth Power Station, which has been rebranded "MedwayOne" (the Site) as shown on the Site Location Plan (Appendix 1). The Site lies within the administrative area of Medway Council (MC).

1.2 Uniper is an International energy company which owns the Site and other energy assets at Grain. Following the decommissioning of the former coal fired Power Station which commenced in 2013 and ended in 2018, Uniper has looked to prepare proposals for the comprehensive redevelopment of this allocated and uniquely positioned strategic brownfield site to realise its potential to support economic growth in Medway.

1.3 The proposed development comprises an Outline planning application, (with all matters reserved except access) seeking a flexible permission for the following uses:

- Light Industrial Uses (Use Class E(g)iii);
- General Industrial Uses (B2 Use Class);
- Storage & Distribution – including Data centres and Parcel Distribution (B8 Use Class);
- Energy Uses (Sui generis);
- Lorry Park/Layover (Sui generis); and
- Associated access, infrastructure, demolition, earthworks and landscaping.

1.4 Total floorspace proposed will not exceed 315,000 sqm (GIA)/324,450sqm (GEA) and the mix of uses shall not exceed 615 trips for the AM and 598 trips for the PM. The measures are put in place to keep the proposals within assessed environmental limits and these are the maxima level of development being assessed, which are defined by the submitted Parameters Plan.

1.5 This Planning Statement is intended to inform the determination of the planning application and considers the proposals in the context of the Development Plan, the National Planning Policy Framework ("NPPF") and other material considerations. It includes:

- A description of the Site, its location and its surroundings;
- A description of the planning history of the Site;
- A description of the Proposed Development and consultation process;
- Identification of the relevant Development Plan policies and material considerations;

- Assessment of the proposals against the Development Plan and other material considerations;
 - Overall conclusions.
- 1.6 The development proposals have been informed by feedback received from pre-application discussions with MC Officers, alongside consultation with key stakeholders and the general public.
- 1.7 It is the conclusion of this Statement that the proposals would be sustainable development that would accord with the Development Plan as well as the NPPF and NPPG. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications should be in accordance with the Development Plan unless material consideration indicate otherwise. The development proposals accord with the Development Plan and in accordance with Paragraph 11 of the NPPF, this planning application should therefore be approved without delay.
- i) Planning Application Documents
- 1.8 A specialist project team appointed by the Applicant has prepared the planning application documents that explain and assess the development proposals. The planning submission comprises a suite of documents which together provide a comprehensive and holistic application which assesses all relevant elements of the scheme.
- 1.9 The proposal constitutes Environmental Impact Assessment ('EIA') development under the Town and Country Planning (EIA) Regulations 2017 (as amended) and is accompanied by an Environmental Statement (ES). The ES has been prepared by Barton Willmore, with inputs from the team of specialist consultants.
- 1.10 An EIA Scoping Opinion (ref. MC/20/1807) was provided by MC on 18 September 2020, which confirmed what technical matters should be included within the ES. These are as set out in the below summary of the planning application.
- 1.11 The planning application comprises the following:
- i) Application Documents
Planning Application Form & Certificate B Notice;
Site Location Plan
Masterplan/Parameter Plan
Masterplan/Parameter Plan Table

Highways and Access Plans

- ii) Supporting Reports
 - Design and Access Statement
 - Planning Statement
 - Statement of Community Involvement
 - Noise Assessment
 - Remediation Strategies
 - Archaeological Desk Based Assessment
 - Environment Statement (ES) covering:
 - Socio Economics
 - Landscape & Views
 - Biodiversity
 - Water Resources & Flood Risk
 - Transport & Access
 - Air Quality
 - Climate Change

Appended to the ES the following is also provided:

- Heritage Impact Assessment
- Habitats Regulation Assessment
- Invertebrate Survey
- Preliminary Ecology Appraisal
- Ecology Survey
- Overshadowing Modelling
- Landscape & Biodiversity Management Plan
- Tree Survey
- Arboricultural Assessment
- Flood Risk Assessment
- Transport Assessment
- Sustainable Distribution Plan
- Travel Plan
- Energy Strategy

2.0 THE SITE

i) Background

2.1 The Site was the former premises for the Kingsnorth Coal Fired Power Station built in 1967 by the Central Electricity Generating Board (CEGB), providing 2,000MW electricity. It ceased generation in 2012 and since 2013 the Site has been going through a process of decommissioning and demolition, which was completed in December 2018.

2.2 Uniper's total land holding at the Site extends to circa 233ha. However, the Site subject to this Outline Application only covers circa 111ha.

ii) Site Context

2.3 The Site is located on the Hoo Peninsula, approximately 4.2km east of the settlement Hoo St Werburgh, 15km north-east of Chatham and 13km from the M2 motorway. The Site is accessed off Eshcol Road, which connects to a recently modernised road system, delivered to serve "London Medway Commercial Park" and provides access to Peninsula Way, the main road serving the wider Peninsula.

2.4 The Site sits within an "industrialised environment", with Kingsnorth Industrial Estate located immediately to the east and north of the Site, comprising a collection of industrial businesses of varying scale and variety.

2.5 "Damhead Creek Gas Fired Power Station" is immediately to the north. To its east is an extant DCO for a Combined Cycle Gas Turbine (CCGT) electricity generating station with up to 1800MW capacity. Further to the north-west London Medway Commercial Park comprises manufacturing, storage and distribution uses. A most recent occupier being "Amazon".

2.6 Other industrial/commercial activities are also visible from the Site further to the east at Grain associated with the aggregate industries there and the deep seaport. To the west of the Site is also Kingsnorth Sand and Gravel Quarry.

iii) The Site

2.7 The Site is irregular in shape. For ease of reference the Site is broken down into 4No Parcels to aid description and assessment of the proposals. A Parcel Plan is provided at Appendix 2. The Site is described below in line with the Parcel Plan.

Parcel 1: Circa 13.83ha

- 2.8 Provides the access into the Site from Eschol Road, which divides the area to the east and west. The land sits immediately adjacent to Kingsnorth Industrial Estate, located to the east. To the west are agricultural fields, Burnt House Farm Kennels, Cattery & Grooming and Tarmac Kingsnorth Sand and Gravel Quarry.
- 2.9 This parcel comprises land formally occupied by structures and associated parking. The buildings have since been demolished but areas of hardstanding remain. Overhead powerlines cross the land to the west.

Parcel 2: Circa 13.86ha

- 2.10 Immediately to the west of the demolished power station is a very large electric substation and associated building off its north-western corner. It is a fully enclosed building and is a low intensity use with only a dozen or so people working there. It is accessed via the main Site entrance running through Parcel 1. These comprise National Grid infrastructure and will remain on site. As such these are excluded from the red line boundary. Associated with these buildings are electrical connections and associated pylons that cross the parcel.
- 2.11 Large areas of hardstanding remain following the demolition of buildings and are connected by a series of roads. The eastern boundary of the Site is also defined by flood defences, which comprise an earth bund. To the east of the parcel is farmland and marsh. To the south is the River Medway and its associated flood defences.

Parcel 3: Circa 61.85ha

- 2.12 This was once occupied by the Coal Fired Power Station. Following its demolition, there are extensive areas of hard standing principally in the location of the power station itself and its immediate environment. The southern boundary of the Site is defined by the walled flood defences to the River Medway.
- 2.13 This Parcel includes the entrance to Long Reach Jetty, the associated conveyer belt and tower. The jetty was purpose built and used to receive coal deliveries via the River Medway. The jetty lies outside the application area.
- 2.14 To the north-east of the jetty is the coal stock yard. This is an area of made ground that sits in a basin and once stored coal. When full, the stockpile of coal would have extended many metres above the ground.

- 2.15 In the eastern portion of the parcel was the "Tank Farm", the circular substructures are clearly visible, but the area has since been left as bare ground.
- 2.16 There is a road system connecting and encircling the developed areas. On the north-eastern boundary is also Damhead Creek. There is a section of bunding here that is manmade and was constructed as part of the works to establish the Coal Fired Power Station in the 1960's.

Parcel 4: Circa 23.55ha

- 2.17 Is largely undeveloped and is mainly grassed with trees/denser vegetation on the Parcel's boundaries. There is an area of hard standing on the south-eastern boundary of the Site. The eastern corner is subject to a Natural England License as a Newt translocation area, associated with previous permitted works at the Power Station.

iv) Environmental Context

- 2.18 Siting on the River Medway, the southern boundary of the Site sits adjacent to the "Medway Estuary and Marshes", which is designated as a SSSI, Special Protection Area and RAMSAR. The area was designated in 1991, when the Coal Fired Power Station would have been fully operational.
- 2.19 The Site is located within Flood Zone 3 but is defended to a 1:1,000 yr event.
- 2.20 The Site is not subject to any National or Local landscape designations. These alongside other planning policy designations are considered further in Section 7 of this Statement.

3.0 RELEVANT PLANNING HISTORY

3.1 Summarised below is the Site's recent planning history, or relevant parcels within the Site.

- MC/21/0028: Application for a Lawful Development Certificate (proposed) for the Installation of an Underground 400KV cable system between GridLink Interconnected Ltd converter station site and the existing National Grid ESO Kingsnorth 400KV sub-station located at the Kingsnorth Power Station. Application permitted 03 March 2021.
- MC/20/2738: The construction, operation and maintenance of a converter station, balance of plant and equipment, buildings related to materials storage and maintenance activities, internal roads and car parking, landscaping, access road and underground HVDC cable system from the converter station to the Mean High Water Springs. The application was permitted on 23 March 2021.
- MC/20/1807: Town & Country Planning Act (Environmental Impact Assessment) (England & Wales) Regulations 2017 (as amended) – request for a Scoping Opinion with respect to the proposed development of industrial, storage distribution and energy and waste uses, on land at the former Kingsnorth Power Station. Determined EIA is required.
- MC/20/0031: Town & Country Planning Act (Environmental Impact Assessment) (England & Wales) Regulations 2017 (as amended) – request for a Screening Opinion for the construction of a converter station and associated underground electricity cables. Determined EIA not required.
- MC/13/2796: Prior Notification of proposed demolition and removal of the main Power Station buildings including the chimney, four boiler houses and four turbine halls, demolition and removal of the tank farm structures removal of the structures from Long Reach and Oakham Ness jetties, removal of the plant in the cooling water intake area and demolition and removal of other small ancillary buildings and structures within the Site.

3.2 Of note, Application MC/20/2738 has been made by Grid Link. The proposal overlaps with this current application and is in the location of the previous "tank farm", positioned at the eastern end of Parcel 3 – and both Gridlink and Uniper have been working closely in the preparation of these applications – and therefore neither application prejudices the other.

- 3.3 Uniper's present Application overlaps the Grid Link proposal in order to provide for a comprehensive development/permission, in the unlikely event that the Gridlink proposal does not come forward – but yet to still secure comprehensive redevelopment of the Site. To that end, this Outline application masterplan has been developed in the context of the Gridlink application and therefore wholly compliments one and other – as opposed to potentially prejudicing the other.

4.0 THE DEVELOPMENT PROPOSALS

4.1 The development proposals are explained more fully in the supporting Design & Access Statement (DAS), which should be read alongside this statement. The following therefore describes the essential elements of the proposals, with reference to the Masterplan/Parameter Plan at Appendix 3 and the Illustrative Layout at Appendix 4.

i) The Vision & Proposals

4.2 As set out in the DAS, the Site (MedwayOne) is a strategic brownfield site uniquely positioned within an already long-established industrialised landscape, with good access to the local and strategic highway network. It provides the unique opportunity to deliver diverse new employment opportunities through opportunities for commercial and energy generating uses, supporting sustainable growth in Medway.

4.3 This Outline application therefore seeks a flexible permission across a range of uses classes, which reflects both planning policy and market interest in the Site, as listed below. Maximum floorspace across the Site shall not exceed 315,000 sqm (GIA) / 324,450sqm (GEA) and the overall mix of uses to be implemented shall not exceed 615 trips for the AM and 598 trips for the PM. This is to ensure the proposals remain within assessed environmental limits.

4.4 Outline planning permission is sought for the following uses:

- Light Industrial Uses (Use Class E(g)iii);
- General Industrial Uses (B2 Use Class);
- Storage & Distribution – including Data Centres and Parcel Distribution (B8 Use Class);
- Energy Uses (Sui generis);
- Lorry Park/Layover (Sui generis); and
- Associated access, infrastructure, earthworks and landscaping.

4.5 The Masterplan/Parameter Table described below have been shaped by the technical assessments carried out in support of the application, reflecting environmental constraints, and where necessary incorporate mitigation measures as well as opportunities for enhancement. The Masterplan/Parameter Plan forms part of the Outline Application for determination purposes. (Appendix 3)

- 4.6 The range of uses proposed are intended to be mutually supportive of each other, capitalising on the Site's unique access to water and power via the existing National Grid Infrastructure on site. The Development's energy uses could include uses such as energy from waste, gasification or hydrogen production – and it is important to note that the eventual end use for each land parcel will be subject to their own Reserved Matters Application(s).
- 4.7 These site attributes mean it is well positioned to attract other energy uses, creating the potential for an "energy hub" which could also provide energy to other uses on the Site, as well as the opportunity in the future for district heating linkages for nearby residential development. The delivery of an "energy hub" could also act as a catalyst, attracting other businesses to the Site, through the availability of a local energy supply, such as data centres. With the potential availability of energy sources on the Site, it is hoped to also attract other innovative and sustainable technology industries.
- 4.8 The proposals include for light and general industrial manufacturing industries as well as storage and distribution uses. The adjacent developments at Kingsnorth Industrial Estate and London Medway Commercial Park, confirm the Site is well located to support such uses capitalising on the Site's connections to the strategic highway network.
- 4.9 The potential for the lorry park/layover, responds to comments received from local Members and Parish Councils, which voiced concerns regarding the present parking of HGVs on the local roads. Whilst it is anticipated that the future individual occupiers of the Site should provide sufficient HGV parking to meet their needs, the provision of a lorry park provides a potential additional resource – both for existing and future HGV drivers.
- 4.10 The lorry park is not intended to "attract" additional movements to the Site, but to cater for lorries already destined for the Peninsula. In addition to allowing for the parking HGV's it will provide personal washing and toilet facilities and the potential for a canteen/café.

ii) The Masterplan/Parameter Plan

- 4.11 The Masterplan/Parameter Plan is submitted for approval and has formed the basis of the series of technical assessments.

Development Areas & Building Heights

- 4.12 As previously set out, the Application is made in Outline, with all matters reserved except access, which will be achieved via Eshcol Road and accessible via Parcel 1. The submitted masterplan at Appendix 2, establishes the principal framework for future development,

including developed and non-developed areas, primary road network and maximum height parameters. It also provides for areas of mitigation, such as "Green Infrastructure" areas that provide space for landscape and ecological enhancements alongside SuDs and a new flood defence in Parcels 1 and 2, incorporating acoustic mitigation.

4.13 A range of building heights are proposed across the Site, which respond to environmental considerations and mix of uses proposed. It also provides the opportunity for greater variation in form, with the potential for taller buildings to be concentrated towards the centre of the Site, responding to pre-application advice from the Council's Landscape Officer.

4.14 There are three height zones across the development area:

- 15m in height above FFL, with a maximum height of 20m above AOD;
- 25m in height above FFL, with a maximum height of 29m above AOD; and
- 45m in height above FFL, with a maximum height of 50m above AOD. It is also suitable for a mx 100m stack height above FFL.

4.15 With the exception of the proposed lorry park (in Parcel 2), the masterplan does not dictate where different uses will be located, although the height parameters set will be more suited to some uses than others. For example, light industrial uses will be more suited to the areas with the lower building height limits i.e. 15m above FFL, whereas the storage and distribution uses more suited to the taller areas (45m FFL). Similarly, some energy uses (not all) will be best suited to this area, where the Parameter Plan also allows for a chimney stack.

4.16 Only the lorry park use has a specific zone specified and is purposefully positioned in Parcel 2. Parcel 2 is one of the smaller parcels with easy access onto the Primary Road serving the Site. The Parcel is more constrained than others, by existing retained structures (lie outside the red line) and with utility connections crossing it. However, the lorry park can be easily accommodated in this area, which is also "tucked away".

4.17 The Masterplan provides a flexible framework to maximise market interest in the Site to facilitate its redevelopment, whilst providing a framework for future development parcels to ensure that it is comprehensively redeveloped. The final distribution of different uses, appearance, design and layout etc, will be determined at the Reserved Matters stage. However, proposals will have to accord with the masterplan and floor area parameters described below.

Access

- 4.18 Access to the Site will be via the existing entrance off Eshcol Road. Access through the Site will be achieved via a Primary Road utilising existing roads within the Site as far as possible. Connecting to this, a new section of Primary Road will be created, where existing roads cannot be used. A "Primary Road Zone" is identified on the masterplan to allow for the precise location of the new road to be fixed when future development parcels come forward. The location of the new Primary Road has been kept away from the main river edge to the south, to allow for buildings to capitalise on views across the Medway. It also reduces the intensity of movement along this edge.
- 4.19 The Primary Road acts as a "Spine" running through the development from which individual parcels will be accessed. As set out in the DAS, the total width of the Primary Road could be up to 21.3m wide. This allows for the carriageway (7.3m), soft verge to allow for landscaping and services either side (4m each) and shared pedestrian/cycleways (3m each side).

Green Infrastructure

- 4.20 As shown on the masterplan, alongside the proposed development areas there are considerable parts of the Site not proposed for development, falling within substantial areas of "Green Infrastructure". This makes up circa 37% of the Site - see Table 1 below.

Table 1: Development Area	
Land Type	Area (HA)
Development Area	69.7
Green Infrastructure	41.3
Total Site Area	111

- 4.21 The "Green Infrastructure" areas provide space for landscape and ecological enhancement/mitigation and incorporation of SuDs/drainage features. It also provides for informal recreational opportunities, providing the potential for walking routes for employees, supporting a healthy working environment. In doing so it takes the opportunity to sit the development within a more verdant landscape, supporting the creation of a high-quality environment. The landscape strategy in the accompanying DAS sets out how the proposal could deliver a varied landscaped environment that supports ecology and landscape requirements and good placemaking.

Long Reach Jetty

- 4.22 Long Reach Jetty lies outside the application area. Without a known user, it is impossible to include the jetty within the application. The jetty was purpose built to take delivery of and convey coal onto the Site. The equipment on the jetty is therefore suitable for this use only and has not been operated for the last 8yrs. Substantial works would be required to the jetty to adapt it to convey alternative material/goods and bring it back into good working order. Without an identified end user, it is impossible to determine what works are required and assess any environmental impacts, which will be sensitive with it extending into the Medway Estuary SSSI, SPA and RAMSAR.
- 4.23 Notwithstanding, the masterplan ensures the potential reuse of the jetty is not prejudiced, with an access zone identified facilitating a connection to the jetty, which can serve it. Should a commercially viable use for the jetty come forward, then the works required to the jetty could be subject to a future planning application.

iii) The Parameter Table

- 4.24 Allied to the Masterplan, there is a Parameter Table, defining the maximum floorspace areas for each Use Class. These parameters respond to the constraints of the masterplan (the developable area) as well as other environmental considerations. Both the Masterplan and Parameter Table are submitted for approval. The Parameter Table is reproduced below:

Table 2: Development Parameters Table		
Use Class	Max Use Class Floorspace (GIA) *	Max Use Class Floorspace (GEA) *
B1c (now in Use Class 'E' in updated Use Classes Order)	33,000 sqm	33,990 sqm
B2	157,500 sqm	162,225 sqm
B8 (non-data centre)	315,000 sqm	324,450 sqm
B8 (data centre)	87,379 sqm	90,000 sqm
B8 (parcel distribution only)	60,000 sqm	61,800 sqm
Sui generis (energy uses not exceeding 49.9MW)	60,000 sqm	61,800 sqm
	No. of Spaces	
Sui generis (lorry park/layover)	40 – 50 spaces together with associated facilities (site area up to 1ha)	

- Includes floorspace for energy uses up to a maximum power output of 49.9MW that may fall within Sui Generis Use Class
- Maximum Built Floorspace Parameter: The total amount of built floorspace for the proposed development shall not exceed 315,000 sqm (GIA) / 324,450sqm (GEA), excluding the lorry park.
- Maximum AM & PM Peak Trip Rate Parameter: The overall mix of uses to be implemented shall not exceed 615 trips for the AM and 598 trips for the PM.

iv) Illustrative Layout Plan

4.25 The Illustrative Layout (Appendix 4) shows how the Site could be developed based on the Masterplan and Parameter Table, demonstrating how the proposals could deliver a high-quality development. The Illustrative Layout is submitted for information purposes only, ie it is not for formal determination.

v) Consultation

4.26 Prior to the formal submission of the Application, the proposals were subject to pre-application consultation with Officers at Medway Council, which focussed on matters such as the principle of development, type of development proposed and the emerging site masterplan. Overall, Officers have been generally supportive of the emerging proposals to redevelop this allocated strategic brownfield site.

4.27 As detailed in the accompanying technical reports and Environmental Statement (ES), statutory consultees were also consulted on the proposals, including but not limited to, the Environmental Agency, Highways England, Natural England, Kent County Council Ecology Service and MC highway, Drainage and Landscape Officers. The outcome of this consultation has been considered in the technical assessments and proposals.

4.28 A strategy of public engagement was also undertaken. This comprised meeting and presenting to the local and neighbouring Parish Councils and undertaking a 3-week on-line consultation event (owing to Covid-19 restrictions) during which time 3No 1hr "live question and answer sessions" were hosted by the Applicant and the consultant team. The form and format of the consultation events were agreed in advance with MC and reflected its own guidance to developers on community engagement.

- 4.29 Full details of the consultation strategy and the feedback received is set out in the supporting Statement of Community Involvement (SCI). In total 200 responses were received to the online consultation. The SCI summarises these responses and how the proposals may have responded to the feedback. The majority of comments did not raise matters of detail, but environmental considerations, such as traffic impacts, impacts on ecology and matters of flood risk and how these matters were being addressed by the proposals.

5.0 PLANNING POLICY CONTEXT

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the determination of a planning application must be in accordance with the Development Plan unless material considerations indicated otherwise. The Adopted Development Plan currently comprises saved policies from:

1. Adopted Medway Local Plan 2003;
2. Kent Waste Local Plan, March 1998;
3. Chalk and Clay December 1997 Local Plan; and
4. Kent Minerals Local Plan, Construction Aggregated December 1993.

5.2 The Plans listed above at 3 and 4 are not considered relevant. The Plans listed at 1 and 2 are now increasingly, with the Local Plan covering only the period 1996-2006. They are therefore not necessarily in accordance with subsequent National planning guidance. Work is also progressing on a new Local Plan, which will bring forward an up-to-date Plan, supporting significant new growth at Hoo, as a focus for new development in Medway. To date the Council has consulted on several iterations of the Reg 18 Local Plan. The Reg 19 Local Plan is expected to be published later this year for consultation. Adoption of the new Local Plan is expected in 2022 at the earliest.

5.3 The National Planning Policy Framework (February 2019) and National Planning Practice Guidance (various dates) sets out the Government's planning policy and guidance and are important material considerations in the determination of this application.

- i) National Planning Policy Framework (February 2019)

5.4 At the National Level, there is the 'National Planning Policy Framework' (NPPF), February 2019, which sets out planning policies for England and how these should be applied. The NPPF puts at the heart of the presumption in favour of delivering sustainable development, which has three strands:

- *An economic objective* - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

- *A social objective* – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high-quality built environment, with accessible local services that reflect the community's need and support health, social and cultural well-being;
- *An environmental objective* – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resource prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

5.5 The presumption in favour of sustainable development is detailed at para 11. For decision taking this means approving development proposals that accord with an up-to-date Development Plan without delay; or where there are no relevant Development Plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

5.6 The NPPF also incorporates National planning provisions in relation to a number of matters. The most relevant sections to this application are summarised below.

Section 6: Building a strong, competitive economy

5.7 In terms of economic development, the NPPF highlights the importance of building a strong and successful economy. Para 80 states that local planning policies should help create the conditions in which businesses can invest, expand, and adapt. Significant weight should be placed on the need to support economic growth and productivity, considering both local business needs and wider opportunities for development. Para 81 goes on to state that local planning policies should set out a clear economic vision and strategy which positively and proactively encourages sustainable growth. Para 82 confirms that distribution operations are supported at a variety of scales and in suitably accessible locations.

Section 9: Promoting sustainable transport

5.8 The NPPF requires development likely to generate a significant amount of vehicle movements to be supported by a Transport Assessment to show opportunities for sustainable transport modes have been taken up as appropriate to local circumstances; secure safe and suitable

access to the Site for all people; and significant impacts can be cost-effectively mitigated. Development should only be refused on transport grounds where the residual cumulative impacts of development are 'severe'.

- 5.9 In addition to this, Para 103 acknowledges that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health.
- 5.10 Para 107 further recognises the importance of providing adequate overnight lorry parking facilities and ensuring that new or expanded distribution centres make sufficient provision to cater for anticipated use.

Section 11: Making effective use of land

- 5.11 Directs that strategic policies should set out a clear strategy for accommodating development in a way that makes as much use as possible of previously developed land (PDL) (para 117). In particular, substantial weight is to be given to using suitable PDL land and support "appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land" (para 118, c). LPAs are also to be proactive in helping to bring forward land that could be suitable for meeting identified development needs on suitable brownfield sites.

Section 12: Achieving well designed places

- 5.12 Para 124 states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.13 Para 127 requires development to function well and add to the quality of an area; establish a strong sense of place; optimise the potential of a Site; respond to local character and history; create a safe and accessible environment; and be visually attractive and include appropriate landscaping.
- 5.14 Paras 128 and 129 require Councils to approve sustainable and well-designed buildings, expecting developers to work closely with those affected by emerging developments and to evolve designs considering views of the community.

Section 14: Meeting the challenges of climate change and flooding

- 5.15 The NPPF (para 151) seeks to increase the use and supply of renewable and low carbon energy and heat.
- 5.16 The NPPF directs a general presumption away from developing in areas at risk of flooding, ignoring the presence of existing defences. Plans need to apply a "sequential", risk-based approach to the location of development. The "sequential" test steers new development away to areas at the lowest risk of flooding (para 158). If it is not possible for development to be located elsewhere (taking into account wider sustainability objectives) the "exception test" maybe applied (para 159) and the proposed development assessed in accordance with the "Flood Risk Vulnerability Classification". Where planning applications come forward on sites allocated in the Development Plan, the sequential test may need to be applied again (para 163).
- 5.17 Major developments are required to incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate (para 165).

Section 15: Conserving and enhancing the natural environment

- 5.18 The NPPF seeks that policies and decisions should contribute to and enhance the natural and local environment (para 170). It encourages opportunities to incorporate biodiversity improvements in and around development (Para 175).
- 5.19 The NPPF directs LPAs not to permit schemes that have a significant adverse impact on a SSSI, Ancient Woodland, Special Protection Areas, RAMSAR sites and Special Areas of Conservations.
- 5.20 Para 177 sets out that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitat site (either alone or in combination) unless an Appropriate Assessment has concluded the plan or project will not adversely affect the integrity of the habitat sites.
- 5.21 Paras 178-183 address matters of ground condition and pollution. It directs that planning policies and decisions should ensure that new development takes into account ground conditions and any proposals for land remediation, impacts of noise and air quality and where appropriate ensure proposals provide suitable mitigation.

Section 16: Conserving and enhancing the historic environment

- 5.22 The NPPF (Para 192) sets out the considerations when determining applications which may affect a heritage asset.
- 5.23 The NPPF (Para 193) states that great weight should be given to an asset's conservation when considering the impact of a development on its significance. Where there is harm, the NPPF (Para 194) requires there to be clear and convincing justification.
- 5.24 Where less than substantial harm is identified then the NPPF (Para 196) advises that this should be weighed against the public benefits of the proposal.
- 5.25 With regards to non-designated heritage assets, the NPPF (Para 197) sets out that the effect of a development on its significance should be taken into account and a balanced judgement will be required to the scale of any harm or loss and the significance of the heritage asset.
- ii) National Planning Framework – Consultation 2021
- 5.26 Central Government is currently consulting on proposed changes to the NPPF which puts increased emphasis to create well-designed places in response to the Building Better Building Beautiful Commission, "Living with Beauty" Report. Consultation closes on 27 March 2021.
- iii) Planning Practice Guidance
- 5.27 The Planning Practice Guidance (PPG) builds on the principles within the NPPF and provides further detailed technical guidance to complement the NPPF. Relevant sections of the Guidance which relate to the planning application are listed below.
- 5.28 Air Quality – Provides guidance on air quality considerations, what issues may be considered and how air quality impacts might be mitigated.
- 5.29 Appropriate Assessment – The PPG provides guidance on when an Appropriate Assessment (AA) is required, what it must contain and key principles for consideration.
- 5.30 Climate Change – It advises on why it is important to consider climate change and provides guidance on appropriate measures to help address climate change.

- 5.31 Design – The PPG sets out the importance of good design. It advocates the need for quality design and confirms that this is an integral part of achieving the fundamental objective of sustainable development. It affirms how good design should follow the 10 characteristics set out in the National Design Guide.
- 5.32 The PPG states how Design and Access Statements (DAS) should set out the narrative for the design approach and rationale for the scheme and as such, this application submission is supported by a comprehensive DAS.
- 5.33 Effective Use of Land – Provides guidance in making the effective use of land. In the case of allocated sites, where alternative proposals come forward it sets out that it is relevant to consider the extent to which evidence suggests the alternative would address an unmet need.
- 5.34 Environmental Impact Assessment – Explains the requirements of the Town & Country Planning (Environmental Impact Assessment) Regulation 2017.
- 5.35 Historic Environment – Provides advice on enhancing and conserving the historic environment, including designated and non-designated heritage assets.
- 5.36 Land Affected by Contamination – Provides guiding principles on how planning can deal with land affected by contamination.
- 5.37 Noise – Advises on how planning can manage potential noise impacts in new development.
- 5.38 Travel Plans, Transport Assessments and Statements – In relation to decision-taking, the PPG sets out how the above can be used to promote the most sustainable forms of transport. It states that Travel Plans, Transport Assessments and Statements can positively contribute to:
- Encouraging sustainable travel;
 - Lessening traffic generation and its detrimental impacts;
 - Reducing carbon emissions and climate impacts;
 - Creating accessible, connected, inclusive communities;
 - Improving health outcomes and quality of life;
 - Improving road safety; and
 - Reducing the need for new development to increase existing road capacity or provide new roads.

5.39 Natural Environment – The PPG establishes the need to contribute to and enhance the natural local environment, in particular, by:

- Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils;
- Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services; and
- Minimising impacts on and providing net gains for biodiversity.

5.40 Flood Risk and Coastal Change – The PPG provides technical guidance on the requirements of flood risk assessments, requiring developers and applicants to consider flood risk to and from a development site. The broad approach of assessing, avoiding, managing and mitigating flood risk should be followed and the PPG requires the use of sustainable drainage systems.

iv) The Development Plan

a) *Kent Waste Local Plan, March 1998*

5.41 Since Medway has become a Unitary Authority, it does not form part of the Kent Minerals and Waste Plan and continues to rely on saved policies in the Kent Waste Plan which at the time covered the Authorities that now make up Medway.

5.42 The map that accompanies the Plan is not available, but the saved policies (W7, W9 and W11) continue to support the following at Kingsnorth:

- Prepare Cat A waste for re-use (demolition & spoil material);
- Waste separation & transfer; and
- Waste energy plant.

b) *Adopted Medway Local Plan 2003*

5.43 The following policies of the Adopted Medway Local Plan (2003) are relevant to the planning application. A full summary of the policies can be found at Appendix 5.

- Policy S1: Development Strategy
- Policy S2: Strategic Principles
- Policy S3: River Medway
- Policy S4: Landscape and Urban Design Guidance

- Policy S6: Planning Obligations
- Policy S12: Kingsnorth
- Policy BNE1: General Principles for Built Development
- Policy BNE2: Amenity Protection
- Policy BNE3: Noise Standards
- Policy BNE4: Energy Efficiency
- Policy BNE5: Lighting
- Policy BNE6: Landscape Design
- Policy BNE7: Access for All
- Policy BNE8: Security and Personal Safety
- Policy BNE18: Setting of Listed Buildings
- Policy BNE20: Scheduled Ancient Monuments
- Policy BNE21: Archaeological Sites
- Policy BNE22: Environment Enhancement
- Policy BNE23: Contaminated Land
- Policy BNE24: Air Quality
- Policy BNE33: Special Landscape Areas
- Policy BNE34: Areas of Local Landscape Importance
- Policy BNE35: International and National Nature Conservation Sites
- Policy BNE36: Strategic and Local Nature Conservation Sites
- Policy BNE37: Wildlife Habitats
- Policy BNE38: Wildlife Corridors and Stepping Stones
- Policy BNE39: Protected Species
- Policy BNE45: Undeveloped Coast
- Policy BNE46: Developed Coast
- Policy ED1: Existing Employment Sites
- Policy ED5: Proposed Employment Areas
- Policy ED7: Special Industrial Uses
- Policy ED8: Industrial Uses not in a Use Class
- Policy L5: Open Space in Employment Areas
- Policy T1: Impact of Development
- Policy T2: Access to the Highway
- Policy T3: Provision for Pedestrians
- Policy T4: Cycle Facilities
- Policy T6: Provision for Public Transport
- Policy T10: Wharves
- Policy T12: Traffic Management
- Policy T13: Vehicle Parking Standards

- Policy T14: Travel Plans
- Policy CF13: Tidal Flood Areas

c) *Medway Council's Emerging Local Plan – Regulation 18 Local Plan (March 2018)*

- 5.44 MC is currently progressing with the preparation a new Local Plan which will replace the current 2003 Medway Local Plan and cover the period from 2019 to 2037. The Local Plan will allocate sites for development and provide a policy framework against which future planning applications will be assessed. The last consultation on the emerging Local Plan (Reg 18 stage) concluded on 11 May 2018. The emerging Local Plan is far reaching and does not at this stage include all detailed planning policies. Publication of the draft Local Plan is expected in Spring/Summer 2021. Subject to the outcomes of an independent examination by a planning inspector, Medway's Local Plan will be adopted in 2022 (at the earliest). The following section therefore focusses on key elements of the Plan, specifically strategies for development.
- 5.45 It is an essential element of the Council's overarching strategy that it makes the most efficient use of brownfield sites.
- 5.46 The Reg 18 Local Plan identified that Medway has a shortage of quality employment land and in flexible formats. Clusters of creative, digital, and advanced manufacturing businesses in particular are identified as key components of the future economy. Based on the findings of the "Medway Commissioned Employment Needs Assessment" growth of circa 17,000 jobs is needed over the Plan period.
- 5.47 Kingsnorth is identified as an area better focused for more land intensive light and heavy industrial activities and distribution alongside Medway Estate. The Plan supports the expansion and/or intensification of existing employment areas at Kingsnorth alongside London Medway Commercial Park.
- 5.48 More generally the Plan supports energy developments and will explore opportunities for CHP systems connected to district heating network (Policy MWE11). Linked to Policy MWE11, para 12.34 advises that, the proximity of power stations to the proposed expansion of Hoo suggests there is potential for large scale district heating, utilising waste heat from power plants and advises that previous initial feasibility studies in relation to Kingsnorth indicated a scale of opportunity unique in the UK.

5.49 The following policies in the Reg 18 Local Plan are relevant to the planning application. A full summary of the policies can be found at Appendix 6.

- Policy DS1: Sustainable Development
- Policy DS2: Spatial Development Strategy
- Policy E1: Economic Development
- Policy NE1: Sites of International Importance for nature conservation
- Policy NE2: Conservation and Enhancement of the Natural Environment
- Policy NE4: Landscape
- Policy NE5: Securing strong Green Infrastructure
- Policy NE7: Flood and Water Management
- Policy NE8: Air Quality
- Policy BE1: Promoting High Quality Design
- Policy BE2: Sustainable Design
- Policy BE5: Historic Environment
- Policy BE6: Managing Development in the Historic Environment
- Policy I1: Infrastructure Planning and Delivery
- Policy I2: Developer Contributions
- Policy I4: Communications Technology
- Policy I5: Utilities
- Policy T1: Promoting Sustainable Transport
- Policy T2: Integrating Land Use and Transport Planning
- Policy T3: Hoo Peninsula rail connections
- Policy T5: Riverside Infrastructure
- Policy T6: Medway Riverside Path
- Policy T8: Urban Logistics
- Policy T9: Connectivity and Permeability
- Policy T10: Vehicle Parking
- Policy T11: Cycle Parking and Storage
- Policy T12: Managing the transport impact of development
- Policy MWE1: Minerals Supply
- Policy MWE6: Waste Management
- Policy MWE12: Low Carbon Development

5.50 Whilst the above policies have been taken into account in the planning assessment sections of this Statement, the weight to be given to these policies is limited given only the early stage the Local Plan has reached.

d) ***Medway Council's Emerging Local Plan – Regulation 19***

5.51 The preparation of MC's Reg 19 Local Plan has been delayed pending the outcome of the Council's Housing and Infrastructure Funding (HIF) bid to Central Government for £170m. In November 2019, the Council was informed that its bid was successful, and work is underway to deliver the programme of investments. The outcome of the HIF bid was later than anticipated and this has had implications for the Local Plan programme. A key strand of the Local Plan evidence base is the Strategic Transport Assessment that identifies the impacts of potential development on the transport networks. The publication of the Plan will therefore follow the completion of the Strategic Transport Assessment, which, it is important to note, has included the provisions of this present Application proposal.

e) *Other Material Planning Considerations*

Medway Council - Supplementary Planning Documents

5.52 The Council has a number of Supplementary Planning Documents (SPDs), which provide further guidance on the implementation of specific aspects of the Adopted Local Plan. In the main these are not relevant to the Site or not relevant at this stage because they relate to matters of detailed design and are therefore not listed. However, there are two directly relevant documents.

Medway Guide to Developer Contributions & Obligations 2018 (Updated April 2019)

5.53 The guide provides comprehensive advice on how to determine what contributions might be sought to mitigate the impact of new development on local services and facilities. This mainly concentrates on residential development, securing contributions to such infrastructure as schools and health care – and therefore not directly related to this development.

Air Quality Planning Guidance (Medway Council, 2016)

5.54 Provides guidance on when an Air Quality Assessment would be required and what information it should contain. This has been taken into account in the Air Quality ES chapter.

Building Height Policy for Medway SPD (2006)

- 5.55 Medway Council's Building Height SPD contains general guidance on the design and location of tall buildings within Medway. This has been taken into account in the Landscape and Visual Impacts chapter of the ES.

f) *Local Plan – Supporting Technical Reports*

Strategic Land Availability Assessments (SLAA) 2019

- 5.56 The SLAA does not allocate sites nor predetermine the Council's assessment of sites but identifies those sites that could form part of its supply in meeting its Local Plan requirements for both housing and employment. It therefore provides a good indication if a site's development or redevelopment is likely to be supported by the Council and where there are technical matters that might need to be addressed.
- 5.57 The SLAA 2019 identifies Kingsnorth Power Station (site ref 647) as a site that is "suitable", "available" and "achievable" and is identified for inclusion in the Local Plan. The Site is identified for employment uses covering B1c (now use class E(g)iii), B2 and B8 with capacity for circa 33,000sqm B1c, 33,000sqm B2 and 264,000sqm B8. The mix and amount of floorspace responded to previous representations made on behalf of Uniper, promoting the site for this use.

Employment Land Needs Assessment (ELNA), December 2015 & Integrated Growth Needs Assessment (IGNA), November 2015

- 5.58 To support the preparation of the Local Plan, the Council commissioned the preparation of an ELNA by GVA, which provides a technical assessment of the future demand for and supply of employment within the Medway Council area.
- 5.59 The study notes that there is a diverse portfolio of land in Medway that can host a range of business operations and presents a significant opportunity. The report considers that there are some five-land supply sub-areas within Medway, one sub area is "Hoo Peninsula", including sites at Kingsnorth and Isle of Grain; river facing sites considered to have significant potential for intensification and expansion.

5.60 Overall, in terms of future opportunities, the report considers Hoo Peninsula Cluster (this includes Kingsnorth) as presenting the best and largest sites for development and enhancement in Medway. As such the ELNA recommends that these sites continue to be protected through planning policy and promoted for development.

v) Other Material Considerations

National Industrial Strategy

5.61 The Industrial Strategy "Building a Britain fit for the future" was published in November 2017 and places a strong emphasis on improving national productivity. Higher productivity is said to be founded upon creating "better" jobs that add greater value to the economy as a whole and which are by their nature higher skilled, better paid and more resilient.

5.62 The benefit to society is improved living standards. Rather than an employment generating strategy, the Industrial strategy is one that acknowledges and celebrates the current national context of historically high employment but recognises the problem of the parallel story of low wage growth and low household incomes.

5.63 The Strategy rests upon five foundations of productivity:

1. Ideas: to be the world's most innovative economy.
2. People: to generate good jobs and greater earning power for all.
3. Infrastructure: a major upgrade to the UK's infrastructure, to support long term productivity.
4. Business Environment: to be the best place to start and grow a business.
5. Places: to have prosperous communities across the UK.

Smarter, Faster, Together – Towards a Local Industrial Strategy – 2018

5.64 Produced by the South East Local Enterprise Partnership (LEP), this document sets out the prospectus for a more productive and more prosperous economy and will feed into the local Industrial Strategy. It includes priorities across five key area; creating ideas and enterprise; developing tomorrow's workforce; accelerating infrastructure; creating places and working together. Key priorities of the prospectus include supporting continued economic growth and diversification and ensuring that significant planned housing growth is supported by employment opportunities.

Kent Property Market Report – 2020

- 5.65 The latest Kent Property Market Report (the annual guide to investment and development in Kent produced by Kent County Council's Economic Development Division, Caxtons and Locate in Kent) was published in 2019. The Kingsnorth site is identified as a strategic development site.

The Kent and Medway Economic Renewal and Resilience Plan (August 2020)

- 5.66 Outlines the priorities to support economic renewal and development of a resilient and sustainable economy during the Covid-19 crisis. The Plan seeks to deliver against three key principles focused on Greener Futures (building a more sustainable, lower carbon economy); Open and Productive (supporting long term productivity growth in an economy that welcomes investment and trade); and Better Opportunities, Fairer Chances (ensuring that people are supported through recession and stand to gain from a more resilient economy in the return to growth).

6.0 PLANNING ANALYSIS – PRINCIPLE OF DEVELOPMENT

i) Principle of Development

6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires LPAs to determine planning applications in accordance with the Development Plan unless material considerations indicate otherwise.

6.2 The Development Plan (for the purposes of this Application) comprises the following:

- Medway Local Plan (May 2003);
- Kent Minerals Local Plan (December 1997);
- Kent Waste Local Plan (March 1998).

6.3 For reasons set out below it is considered that the Development Plan, when taken as a whole, is increasingly out-of-date.

6.4 The NPPF (para 11) sets out the Government's presumption in favour of sustainable development. For decision taking, Part c) confirms that proposals that accord with an up-to-date Development Plan should be approved without delay, but in the cases where the Development Plan is out-of-date, Part d) confirms:

...where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

6.5 It is therefore considered that considerable due regard should be had to the (more recent) NPPF/PPG, alongside that of the (increasingly out-of-date) Adopted Medway Local Plan – and that any formal analysis of the prevailing planning policy framework in the determination of this Application will inevitably be a confluence of the two.

a) *Medway Local Plan (2003) & Kent Waste Local Plan (1998)*

- 6.6 The majority of the Site is allocated (2003 Local Plan) for the (majority) of the proposed uses that are the subject of this Application – namely a mix of Business Uses (Class B1c, B2 and B8) – specifically LP Policies S12, ED1, ED5, ED7 and ED8. The general principle of development in this location is therefore already well established.
- 6.7 Policy S12: Kingsnorth and the supporting text (pages 37-39) is the most relevant starting point insofar as it provides the policy basis for the development and redevelopment of a much wider area (219ha in total) for economic/employment purposes. The present Application Site forms only part of this area, but Policy S12 states:

At Kingsnorth, as defined on the proposals map, Class B2 General Industrial Development and Class B8 Storage and Distribution Uses will be permitted. Class B1 uses will be permitted but will be restricted to Class B1 (c) except where the development makes provision for increased accessibility by means other than the private car. Provision will be made within the site for the relocation of businesses from urban regeneration sites, including special industrial uses and others not in a use class, subject to access and environmental considerations. Medway Council will prepare a development brief in association with the landowners. All development will be subject to the protection of nature conservation interests.

Development which does not require access to the railway or to the river, but which would prejudice use of, or access to, the wharves or the rail sidings will not be permitted.

Contributions will be sought to the improvement of off-site highways or the rail link to Kingsnorth where such improvements are needed from a practical point of view to enable the development to go ahead or are necessary from a planning point of view and are so directly related to the proposed development and to the use of land after its completion, that the development ought not to be permitted without it.

- 6.8 It is evident that the present development proposals accord fully with the principles of the above Policy.
- 6.9 In addition to the aforementioned Use Class B1(c), B2 and B8 uses, the present Application also includes provision for an "energy hub" which sits outside any defined Use Class and instead falls to be classified as "Sui Generis". By its very nature, an "energy hub" is an industrial process and employment generator, which therefore closely accords with and reflects the spirit of the more general "B-Class Uses" prescribed in Policy S12.

6.10 Moreover, and still having regard to the presently proposed "energy hub" element of the wider comprehensive scheme, the supporting text to Policy S12 also makes it clear that the allocation provides for:

.....a large area for general industrial development purposes and, more particularly, for a variety of industrial uses which cannot easily be accommodated within the urban area [Para 2.5.50 in part]

.....The area has also been identified in the Kent Waste Local Plan 1998 as a suitable site for a waste to energy plant adjacent to the existing power station. It is the council's intention to review the inherited waste local plan policy framework at an early date.
[Para 2.5.51 in part]

6.11 It is therefore considered that the presently Energy Hub is also in accordance with the intended spirit and purpose of Policy S12 at the time.

6.12 It is also worth noting that the present development proposals do not include a specific end use/user that is dependent upon access to the river or its associated wharves – and hence the existing jetties sit outside the present Application boundary. Policy S12 (above) provides for such a scenario insofar as any development proposals should not prejudice their [the jetties] potential future re-use. The present Application accords with this fully, and the present/future use of the jetties is considered more fully in the next sub-section of our "planning analysis".

6.13 The other remaining policies of direct relevance to the present Application are:

Policy ED1: Priority to Existing Employment Areas

*(B) Business (B1), general industry (B2) and storage and distribution (B8) at :
ix) Kingsnorth*

Policy ED5: Proposed Employment Areas

*(B) Business (B1), general industry (B2) and storage and distribution (B8)
development at :
(i) Kingsnorth, subject to policy S12.*

Policy ED7: Special Industrial Uses

*Consideration of Special Industrial Uses (B3-B7) subject to other environmental
criteria (i.e. Noise, Air Quality) only at Kingsnorth and Grain.*

Policy ED8: Industrial Uses not in a Use Class

These uses are also sometimes described as being non-conforming uses, i.e. Sui-Generis. This policy specifically identifies Kingsnorth as being only one of two potential areas for such uses.

- 6.14 The saved policies from the Kent Waste Local Plan (1998) also support the provision of a "waste energy plant" (a potential option for the energy use) to be located at Kingsnorth – namely Policies W7, W8 and W9.
- 6.15 Therefore, and in having regard to both the extant Waste Local Plan (1988) and the (2003) Local Plan, the Application is therefore fully aligned with the presently adopted planning policy provisions for the Site, which support in principle the redevelopment of this allocated employment Site for Class B1c/B2/B8 (and Sui Generis) development.
- 6.16 However, in the light of the aged nature of the Local Plan, and indeed the other increasingly out-of-date elements of the Development Plan, it will also be necessary to have regard to relevant "other material considerations", most notably the emerging new Local Plan, the NPPF and PPG.

b) Emerging Medway Local Plan (2019 to 2037)

- 6.17 The emerging Medway Local Plan is only at an early stage (Reg 18, June 2018) and can therefore only be afforded limited weight. However, it nevertheless provides for a more updated "direction of travel" in comparison to the extant Local Plans rehearsed above.
- 6.18 In this regard, it is important to note that in the Council's own evidence base to the emerging Local Plan:
- Kingsnorth (and London Medway Commercial Park) is proposed for expansion and intensification of employment uses;
 - It is specifically identified to compliment the significant housing options being explored on the Hoo Peninsular;
 - Kingsnorth is also identified (Policy MWE7) as a potential location for new waste management facilities; and
 - Medway Council will also support new energy developments and explore opportunities for CHP systems and district heating networks (Policy MWE11).

6.19 It is understood that the next stage¹ of the Local Plan is due to be published later this year², and Kingsnorth continues to play a major role in the delivery of new employment opportunities alongside the significant residential proposals and corresponding HIF infrastructure improvements.

6.20 The present Application also therefore reflects the aims and objectives of the emerging Local Plan.

c) Hoo Development Framework

6.21 Medway Council was successful in securing £170M of funding via the Government's Housing Infrastructure Fund (HIF), which will improve road, rail and environmental infrastructure in and around Hoo.

6.22 Whilst the over-arching planning document for this will be the emerging Local Plan, the Council is in the process of preparing the "Hoo Development Framework" (HDF) to sit alongside the emerging Local Plan. Medway Council published an initial draft HDF (Feb 2020) and identified the Kingsnorth Employment Area as a proposed "thriving employment hub" as part of its emerging vision for the wider Hoo area.

6.23 The Applicant has been engaged fully in the emerging Local Plan and Hoo Development Framework and supports the policy objectives and development principles contained therein. The proposal being brought forward, also offers the opportunity to provide a local energy supply/district heating to support the planned sustainable expansion of Hoo.

d) NPPF/PPG

6.24 The preceding section of this Planning Statement sets out the most relevant elements of the NPPF and PPG, including the "achieving sustainable development" [NPPF, para 8] – the first objective of which is "an economic objective".

6.25 In the context of economic growth and new employment development, it should be noted that the NPPF confirms that planning decisions should help to create the conditions in which businesses can invest, expand and adapt [Para 80]. The approach taken should allow each area to build on its strengths and address the challenges of the future.

¹ Reg 19 version

² Summer/Autumn 2021

- 6.26 Planning policies at every level encourage the redevelopment of brownfield sites (or previously land) and this Application provides for the comprehensive redevelopment of this brownfield/previous employment generating operation. The NPPF [para 80] also cites the Government's Industrial Strategy³ in the global importance of encouraging schemes that drive innovation, and this Application provides an exciting "next step" in this Site's evolution – from a former coal-powered electricity station to a comprehensive proposal inc a 21st Century "energy hub".
- 6.27 The NPPF goes on to recommend that local planning policies should identify strategic sites for inward investment, economic development and regeneration – something that has been a clear objective of both the former/extant 2003 Local and the presently emerging Local Plan. This Application unambiguously delivers on these local (and National) objectives, and also addresses the specific locational requirements of certain sectors including data-driven networks, storage and distribution operations at a variety of scales [Paras 81-82].
- 6.28 Further national guidance regarding planning matters is contained in the National Planning Practice Guidance (a web-based resource originally published in 2014 and subsequently updated). The NPPF and National Planning Practice Guidance are both material considerations in planning decisions.
- ii) Economic Benefits
- 6.29 The Socio-Economic chapter of the ES assesses the likely significant effects of the development on the environment in respect of issues relating to population, particularly the impacts on employment, economic output and local expenditure.
- 6.30 The chapter identifies the following likely significant effects during the construction and operation phases of the development:

³ HM Government (2017) Industrial Strategy: Building a Britain fit for the future.

Table 3: Summary of Economic Benefits

Employment	Economic Output	Expenditure
Construction Phase		
Average employment of 725 full time equivalent (FTE) jobs per month over a 109 month construction period	Generates GVA of approx. £35.2M per annum	Increase convenience good expenditure of approx. £157,325
Further 702 indirect jobs created (result of spin off and multiplier effect)	Generates GVA of approx. £36.9M per annum	
Operational Phase		
Generate at least 1,952 full time equivalent jobs	Generates GVA of approx. £41.6M per annum	Increase of convenience expenditure of £192,913 per annum.

6.31 The development proposals do not result in adverse significant effects, will all effects being assessed as "minor" to "moderate beneficial" and "major beneficial" in combination with other committed projects identified. These economic benefits are significant and should also weigh heavily in favour of the application.

iii) Safeguarding of the Jetty

6.32 As highlighted above, both the extant 2003 Local Plan and the presently emerging Local Plan both seek to encourage the positive re-use of riverside wharves and jetties, but failing that, to ensure that their future use is not prejudiced.

6.33 The 2003 Local Plan allocates the entire site as part of a wider Employment Area (both existing and proposed) and identifies that the surrounding coastal area is a designated Site of Special Scientific Interest (SSSI) and Special Protection Area/RAMSAR. It also contains a policy (Policy T10: Wharves) that seeks to ensure the existing wharf, and access to it, is not prejudiced by any adjoining (re)development.

6.34 The ecological designations surrounding the Site also wholly apply to the land/riverbed of the jetty itself. These designations were not in place at the time the jetty was constructed in the mid-1960's, and have become of increasing importance since that time and presently. Indeed, this was highlighted in the related pre-application and EIA Scoping responses by Natural England and Kent County Council's Ecological Advice Service (KCC EAS). It is clear that these

existing ecological designations would severely restrict and inhibit the re-use of the existing jetty in its existing form, i.e. due to noise and lighting considerations, let alone any major re-purposing of the existing structure that would be necessary for any future 21st Century purpose.

- 6.35 The emerging Local Plan will cover the period 2019 to 2037 and will replace the extant 2003 Local Plan. This presently contains draft policies in relation to biodiversity that are considerably more stringent than the earlier Local Plan. Any alterations or re-purposing of the jetty would also now need to address the Habitat Regulations Assessment (HRA) requirements, the Medway Estuary Marine Conservation Zone and the Kent Biodiversity Strategy – in addition to the SPA/RAMSAR/SSSI considerations too. These sites require the highest level of protection from development that could damage the features of the designated areas. No development will be permitted which may have an adverse effect on the integrity of an SAC, SPA or Ramsar site, alone or in combination with other plans or projects, as it would not be in accordance with the Habitat Regulations 2010 (as amended) and the aims and objectives of this emerging Local Plan.
- 6.36 Notwithstanding the (potentially over-arching) biodiversity considerations, the development proposals at MedwayOne have been carefully designed in order not to prejudice the potential future re-use of the jetty – either as part of the present development proposal or in the longer term – if a commercially viable operation came forward in the future. Vehicular access to and the operational area around the existing wharf head have deliberately not been prejudiced by the present Outline comprehensive development proposals.

7.0 PLANNING ANALYSIS - TECHNICAL ASSESSMENTS

7.1 The following section considers the findings of the technical reports and assessments which underpin the Outline application and their overall compliance with planning policy.

7.2 Due to the flexible nature of the planning permission sought, each technical discipline has identified and assessed the "worst case scenario" for that discipline – and reflected within the maxima provisions of the Parameters Plan. This is to ensure that there has been a robust assessment of the development's potential impacts, the development works within identified environmental limits and that appropriate mitigation is secured for whichever development scenario comes forward.

i) Design

7.3 The application is supported by a Design & Access Statement (DAS) which describes the design process and technical considerations that informed the evolution of the proposals and the submitted Masterplan (Appendix 3). The Masterplan also comprises the "Parameter Plan" that forms the basis of the technical assessments – and is a formal Plan for determination as part of this Outline Application.

7.4 Building on the masterplan, the DAS demonstrates how the design principles it sets out can deliver a high-quality development, as illustrated by a supporting "Illustrative Layout" (Appendix 4). The Illustrative Layout demonstrates just one possible development scenario – and is submitted for information purposes only (ie not for determination). The DAS also provides the basis to guide future Reserved Matter applications.

7.5 Overall the DAS demonstrates how the submitted masterplan will deliver a high-quality development, which responds to environmental factors. Particularly taking into account ecological and landscape considerations that have informed the development of a green framework within which this development will sit.

7.6 The development proposals are therefore in accordance with the principles in the PPG and NPPF that advocate good design as a fundamental objective of sustainable development. The proposals further accord with Adopted Local Plan (LP) Policies S2, S3, S4, BNE1, BNE2, BNE6, BNE8, BNE22, and L5 and Reg 18 LP Policies NE4, NE5 and BE1.

ii) Transport & Highways

7.7 Contained in the ES is a Transport and Access Chapter, informed by an accompanying Transport Assessment.

Accessibility & Access

7.8 There are existing footways from Eshcol Road connecting to Stoke Road and into Hoo St Werburgh (Hoo). The distance is approximately 3km. In addition, there are a number of Public Rights of Way within the immediate vicinity of the Site and on its western boundary which also connect to Hoo.

7.9 The National Cycle Network Route (NCNR) 179 is accessed within a 5-minute cycle ride of Site, providing connections to Rochester, High Halstow, Cliffe, Cliffe Woods, Higham, Hoo St Werburgh and Strood via Chattenden. The NCNR can be accessed from the Site via the shared footway/cycle links which connects Kingsnorth with Hoo.

7.10 The nearest bus stop is located at Hoo, circa 3km to the east of the Site. The nearest Rail Station is circa 7km to the west at Strood and provides connections to London, Luton, Rainham and Faversham. However, as part of the works funded by HIF there is also the potential for a new Rail Station at Sharnal Street, a short distance from the Site.

7.11 Access to the Site is via the existing access off Eshcol Road, which already provides a suitable sized junction into the Site. On the eastern side of the access and running along the Site frontage will be a new footpath/cycle way that will cross Eshcol Road and connect into the wider existing shared footpath/cycle network serving the Kingsnorth area and providing connections to Hoo.

7.12 The principal access route through the Site (the Spine Road) will provide a vehicle access with a segregated footway and cycleway, from which individual development parcels will be accessed. Beyond the Spine Road the arrangements for cycle/pedestrian routes will be addressed as plots come forward for development.

7.13 To allow for the safe and efficient movement of vehicles and as indicated on the Illustrative Layout, roundabouts are likely to be required on the main Spine Road and can be delivered within the development area. As set in the DAS, the Spine Road will be suitably sized for HGV's and as such will also be able to accommodate buses. HGV and car access into each of the respective plots will be via separate new access roads taken from the Spine Road and will be determined at the Reserved Matter stage(s).

- 7.14 A Sustainable Distribution Plan accompanies the application, which seeks to manage HGV traffic and ensure that drivers are aware that they should not route through Hoo.
- 7.15 Overall, the proposed development provides safe access to the Site for road users, cyclists and pedestrians and provides connections to wider existing provision to enhance the accessibility of the Site.

Parking

- 7.16 Given this is an Outline application exact resultant parking numbers are currently unknown. However, future Reserved Matter applications will comply with adopted parking standards (or any other standards agreed at that time), including cycle parking standards, and will be provided to accommodate growth in cycling. Of the car parking spaces provided 10% will be provided with electric charging points.
- 7.17 In response to local concerns, the proposals also include a potential lorry park and layover facility. This is designed to be complimentary to the overall employment uses. Individual occupiers are however expected to provide sufficient HGV parking to meet their own requirements on each plot.
- 7.17 Car parking for disabled staff and visitors will be provided and located close to building entrances, as will dedicated Car Club and Car Share spaces, as appropriate. Details will be developed as part of a Car Park Management Plan to accompany future Reserved Matter applications. Provision for powered two wheelers will also be made.
- 7.18 The development will therefore provide appropriate parking on Site.

Highways

- 7.19 A traffic impact assessment prepared has used the Council's Aimsun Model. The use of the model is considered suitable because it is currently being used to assess the Council's own emerging new Local Plan. The development scenarios considered identify that there may be an increase in delay at the Four Elms Roundabout and Main Road Hoo Roundabout. These roundabouts are due to be improved through the HIF funded schemes well before the development is complete.
- 7.20 In the unlikely event that the HIF scheme is not forthcoming, then an alternative scheme has been identified to mitigate the impacts of the development at Hoo Roundabout and Four Elms. The schemes may form the basis of an off-site contribution. Further details are contained in

the TA appended to the ES. Notwithstanding, the TA sets out that some development can still come forward, before off site-highway works are required to be delivered.

- 7.21 Some additional delays will also be experienced at key junctions which may be mitigated through the balancing of signal timings and through the rebalancing of homes with jobs.
- 7.22 The TA demonstrates that the impact of the proposed development on the highway network is acceptable and is not "severe". The accompanying ES chapter further assesses the impact of the development as ranging between "negligible" and "minor adverse". As such there is no reason from a planning perspective as to why planning permission should be withheld on highway grounds.
- 7.23 The assessment undertaken makes no allowance for the proposed mobility measures proposed in the accompanying Framework Travel Plan (FTP) which suggests the following sustainable travel initiatives:
- On site provision of a bike sharing scheme;
 - Potential bus extension/diversion or individual occupiers providing their own shuttle service. This could link up with the new proposed Train Station at Sharnal Street;
 - Car club, with the provision of 1 car initially;
 - Support car pooling through the employment of an operator to deliver effective car pooling;
 - Appointment of a Travel Plan coordinator;
 - Provision of cycle parking and provision washing/changing facilities as appropriate;
 - Provision of electric charging points (10%); and
 - Preparation of a Car Park Management Plan.
- 7.24 The FTP would assist in further reducing traffic impacts. The FTP is put forward for agreement in principle as part of the application with a detailed Site-wide Travel Plan or individual Travel Plans to be submitted for approval by future operators. The proposals therefore encourage travel to the Site by sustainable modes.
- 7.25 The proposals are therefore found to accord with the NPPF, Adopted LP Policies T1 to T4, T6, T12, T13, and T14 and Reg 18 LP Policies T1, T2, T9, T10, T11 and T12.

iii) Flood Risk & Drainage

- 7.26 The ES includes a chapter on "Water Resources and Flood Risk" and is accompanied by a supporting Flood Risk Assessment (FRA). As already identified, the Site sits adjacent to the River Medway and the majority of the Site is located within Flood Zone 3⁴, which is at a high risk of flooding. There are however defences present along the bank of the river comprising a mixture of earth, seawall, rock revetment and sheet piling, providing flood protection for events up to 1 in 1,000yrs probability.
- 7.27 In addition, there are secondary concrete and sheet piled flood defences present along Damhead Creek to the east and around the perimeter of the former Kingsnorth Power Station (Parcels 2, 3 and 4). The defences are present to defend key infrastructure in the vicinity, including the existing National Grid infrastructure on site. It is the EA's policy for these defences to be maintained to their current standard of protection (at 1,000yrs) so not to increase the risk of flooding to key infrastructure, under its "hold the line" policy. The majority of the Site is therefore at a low risk of flooding.
- 7.28 Parcel 1 sits outside the secondary defences and the defences around Parcels 2-4 would provide limited protection and is therefore at a higher risk of flooding.
- 7.29 The FRA also concludes the following:
- The majority of the Site is at low to very low risk of flooding from surface water sources, with a "low – medium" risk within Parcel 1;
 - The EA long term flood risk map indicates the entire Site is not within the maximum extent of flooding from reservoir failure and as such the risk of flooding from canals and other artificial structures is considered "low";
 - Risk of ground water flooding on the Site is considered to be "low";
 - The Site is at "low" risk from flooding from sewers; and
 - The Site is located in a Flood Warning Area characterised as "064FWT1Medway - Tidal River Medway and Medway Estuary".
- 7.30 With reference to the above, the key sources of flooding which are assessed as potentially impacting the Site are, tidal flooding and surface water flooding. The mitigation measures outlined are as follows:

⁴ There are localised areas in Parcel 3 which have been assessed as Flood Zone 2, although this is potentially because of the former coal stockpile on the Site.

Tidal Flooding Mitigation

- Site operator/s register with the EA flood warning system and implements on site management strategies to ensure they can communicate flood warnings effectively;
- Maintenance of the existing flood defence levels to maintain 1:1,000yr flood protection; and
- New flood defence constructed on the eastern boundary of Parcel 1, which will give it 1:1,000yr protection and is already included for within the submitted Masterplan/Parameter Plan.

Surface Water Flooding Mitigation

- Surface water drainage conceptual strategy has been prepared, which demonstrates that surfaced water can be attenuated in a series of pond and swale features, designed to 1:100yrs event plus 40% climate change. It has been established that the gravity drain system is subject to frequent 'locking' therefore a pump dominated system has been proposed based on an existing pump system on Site and regulations rates of 1,500 l/s;
- The incorporation of ecological enhancement features, settlement ponds and managed outflows, will provide an overall betterment to the current surface water management regime. The provision of these have been allowed for within the Masterplan/Parameter Plan within the Green Infrastructure network proposed.

7.31 In respect of any residual risk of flooding from a tidal breach of the local flood defences that encapsulate Parcels 2, 3 and 4, The probability of a breach of the secondary defences is considered unlikely and with regular inspection this risk is assessed as remaining "low".

Sequential Test

7.32 Whilst the Site is located in Flood Zone 3, the proposed development is for mixed commercial use and therefore is not for development in a higher risk class. Given the standard of protection afforded by the tidal defences, the standard of protection and the condition of the defences is currently considered "good". The EA has confirmed that the standard of protection will be maintained. No other significant risks have been identified in relation to other sources of flooding. The proposed development uses are therefore considered to meet the requirements of the Sequential Test. This is notwithstanding that majority of the Site is allocated for commercial/industrial uses that have previously been assessed by the Council to be appropriate on this site.

The Exception Test

- 7.33 The development proposals fall within the "less vulnerable" category of development and are considered appropriate to Flood Zone 3. The Exception Test is therefore not required.
- 7.34 Overall it is demonstrated that the Site is at low risk of surface water flooding, a suitable surface water drainage strategy has been developed and will attenuate any increase in runoff and the presence of mitigation measures will not increase flood risk elsewhere.
- 7.35 The development proposals comply with the NPPF in both satisfying the "sequential" and "exception" tests and demonstrate a suitable site drainage strategy can be secured, whilst taking to account climate change and not increasing the risk of flooding elsewhere on the Site . The proposals also comply with Adopted LP Policy CF13 and Reg18 LP Policy NE7.

iv) Biodiversity

- 7.36 The Biodiversity chapter of the ES assesses the likely significant effects of the development on the environment in respect of biodiversity and ecology. The assessment is informed by comprehensive ecological surveys conducted in 2019 and 2020, which identified designations, habitats and fauna present on the Site that could be affected by the development. The surveys are summarised below.

Table 4: Summary of Ecological Surveys

Survey Type	Summary of Findings
Habitat	<p>Two areas of Priority Habitat – Open Mosaic: Are present in the Site, located in the south-east corner of Parcel 1 (1.65ha) and the north eastern corner of Parcel 3 on the north side of Damhead Creek (0.72ha)</p> <p>Priority Habitats Woodland & Other Trees: An area of unmanaged secondary semi-natural broadleaved woodland occurs within the western side of Parcel 1, outside the proposed development area. Scattered trees occur within the other parcels on the Site, including within areas of ornamental planting in Parcel 3 and alongside the flood defences in Parcel 2.</p>

Survey Type	Summary of Findings
	<p>Semi Improved Natural Grassland: There are several areas of semi-improved neutral grassland on Site, with the largest extents associated with the eastern end of Parcel 4 and around the edges of Parcel 3, which also largely lie outside the proposed development area.</p> <p>Water Bodies & Ditches: A total of ten vegetated ditches are present within the Site associated with the flood defences and existing drainage infrastructure.</p>
Badger	One main sett recorded on the western edge of Parcel 4 and signs of badger activity more widely dispersed in Parcels 3 and 4. The badger sett is retained as part of the Green Infrastructure corridor shown on the Parameter Plan/Masterplan which is at least 30m wide.
Water Vole	The majority of the habitats within the Site are generally unsuitable for Water Vole. The ditches and ponds on Site offer suitable opportunities for this species and water voles were recorded in ditches on the edges of the Site.
Otter	No evidence of Otter was recorded in the ponds or watercourses within or adjacent to the Site during the survey work undertaken.
Breeding Birds	Large areas of Parcel 2 and 3 are unsuitable for breeding for most bird species. In 2019 surveys recorded a total of 87 species of which 55 confirmed as breeding. In 2020 surveys recorded a total of 70 species of which 41 were breeding/probably breeding.
Bats	<p>High roosting potential identified in 8 trees, moderate potential in 2 trees and low roosting potential in 6. Majority of trees are within the Site boundaries outside development areas.</p> <p>A large proportion of the Site is sub-optimal for commuting and foraging bats because of the dominance of bare ground and hardstanding and along the river wall the Site is open to the weather. Commuting and foraging activity was therefore found focused around</p>

Survey Type	Summary of Findings
	the southern end of Parcel 1, northern portion of adjoining Parcel 2 and on the edges of Parcel 4.
Wintering Birds	<p>The Site itself is not considered to be of particular value for wintering birds due to the habitats present and as such, survey efforts were focussed on the estuary habitats adjacent to the Site.</p> <p>The 2018/2019 surveys identified six key high tide roosts off-site in the estuary. A total of 43 species were recorded in these off-site estuary habitats. No species were recorded in internationally important numbers.</p> <p>The 2019/2020 surveys identified the same key roosting sites and a total of 69 species. No species were recorded at internationally or nationally important numbers.</p> <p>The 2020/2021 surveys identified the same key roosting sites and a total of 48 species. Again, no species were recorded at internationally important numbers.</p>
Migrant Birds	<p>The Site itself is not considered to be of particular value for passage birds due to the habitats present and as such survey efforts were focussed on the estuary habitats adjacent to the Site. The 2019 surveys identified the six key off-site roosting areas were used by passage birds as mentioned above. The surveys recorded 53 species in the off-site habitats. No species were recorded in internationally or nationally important numbers.</p> <p>The 2020 surveys identified the six key roosting areas mentioned above and a total of 60 species. Again, none were recorded in internationally important numbers.</p>
Reptiles	<p>Surveys recorded "low" population of grass snake, "good" populations of slow worm and common lizard. The majority were recorded in Parcels 1, 2 and 4, with few reptiles recorded in Parcel 3. There were also records from members of the public and subsequent</p>

Survey Type	Summary of Findings
	verification by Kent Reptile and Amphibian Group Krag) of a population of the non-native Wall Lizard (present to the south-west of the Site and along the southern Site boundary and likely to be associated with the river wall).
Great Crested Newts (GCN)	GCN were recorded to be present in ponds and a ditch in Parcel 4 and a pond in Parcel 1. These lie outside the identified development areas. The estimated population size is "low".

7.37 Designations that were also identified as important ecological features and considered in the assessment included:

Table 5: Designations Forming Important Ecological Features

Name	Status	Approx. Distance and Direction from the Site	Level of Value
Medway Estuary and Marshes	SPA	Lies adjacent to the southern Site boundary and portions of the western and eastern Site boundaries	International
	Ramsar		International
	SSSI		National
Medway Estuary	MCZ	Lies adjacent to the southern and eastern Site boundaries	National
Chattenden Woods and Lodge Hill	SSSI	2.9km north-west	National
Tower Hill to Cockham Wood	SSSI	3km west	National

7.38 Having regard to the Site surveys and identified designations, for the construction and operational phases of the development the following mitigation and compensation measures are proposed:

Construction Phase

- Production of a Construction Environmental Management Plan;
- Production of a Dust Management Plan;
- Production of a construction Method Statement for Parcel 3;
- Soft felling of trees with low bat roost potential;
- Physical protection of buildings and trees with bat roosting potential;
- Implementing measures for protecting and relocating species where appropriate and periodically updating surveys;

- Protection of Great Crested Newts in Terrestrial Habitat;
- Construction of safeguards to protect retained habitats;

Operational Phase

- Development of a sensitive lighting design strategy;
- Implementation of drainage strategy, wastewater treatment and operational procedures in relation to drainage and water quality;
- Preparation of an Ecological Design Strategy (for areas shown as Green Infrastructure and specific plots as necessary);
- Preparation of a Long Term Habitat Management Regime (LEMP);
- Preparation of an Ecological Mitigation and Enhancement Plan to include:
 - Net increase in open mosaic habitat on the eastern portion of the Site on Parcel 3, by expanding the smaller retained area to at least 2.28ha;
 - Creation of new semi-improve grassland areas, with key areas focused within green infrastructure corridors and along the north-south 20m wide green corridor shown on the masterplan/parameter plan;
 - Increase in tree cover;
 - Increase in quality of grassland and provided additional 0.4ha semi-improved grassland;
 - Further habitat creation for Great Crested Newts and Reptiles to compensate for habitat loss;
 - Increase in net area of waterbodies, creating a new and larger pond to compensate for the loss of the water body at the eastern end of Parcel 4;
 - Creation/enhancement of reptile and terrestrial habitat to compensate for loss.

7.39 The above can be secured through Planning Conditions as appropriate.

7.40 In addition, enhancement measures are proposed to be secured and can form part of the Ecological Mitigation and Enhancements Plan also to be conditioned. Measures the plan can include are:

- Existing water bodies enhanced;
- Provision of bat boxes;
- Targeted enhancements for amphibians e.g. hibernacula;
- Targeted enhancements for reptiles e.g. hibernacula;
- Enhancements targeted to invertebrates e.g. log piles;

- Habitat creation/enhancement over and above what is required for compensation, provision of more diverse habitat types and improving linkages of suitable habitat around the Site;
- Enhancements targeted for bird, e.g. provision of bird boxes; and
- Potential for green roofs on ancillary buildings and use of green walls.

7.41 A number of mitigation measures are also incorporated into the Masterplan/Parameter Plan through the establishment of GI corridors around and across the Site which provide commuting and foraging routes, main buffers as well as mitigation and enhancement opportunities. Modelling accompanying the ES chapter further demonstrates that buildings will not overshadow retained habitats, which has resulted in a 40m building stand-off being incorporated into the parameters for Parcel 4.

7.42 When taking into account mitigation/compensation and enhancement measures, the effects of the development range from "slight negative" to "moderate positive". However, the majority of the effects are assessed as "negligible".

7.43 In accordance with the NPPF, the development proposals include opportunities to incorporate and improve biodiversity on the Site and where appropriate suitable mitigation measures can be secured. The development proposals therefore minimise impacts on and provide opportunities for ecological net gains. The proposals further accord with Adopted LP Policies BNE37, BNE38, BNE39 and Reg 18 LP Policy NE2.

Habitats Regulation Assessment

7.44 Where the Site is in proximity to a number of European Designations (see Table 5) a report is appended to the ES to inform a Habitats Regulation Assessment.

7.45 The Conservation of Habitats and Species Regulations 2017 (as amended) (the "Regulations"), and the Regulations transposed into UK legislation the "Habitats Directive" 1992 (92/43/EEC) and the "Birds Directive" 2009 (2009/147/EC) in part a duty on LPAs to carefully consider if a proposal is likely to have significant effects on European designations either alone or in combination with other projects. The NPPF sets out that RAMSAR sites should be considered in the same way [para 176]. The report has been prepared to assist the Council in that assessment.

7.46 The assessment sets out that a Stage 2 HRA Screening exercise was carried out in order to identify likely significant effects. Likely significant effects were predicated in relation to disturbance of birds from visual and lighting in Parcel 3 and changes in water quality site wide, in the absence of mitigation. A Stage 3 "Appropriate Assessment" was therefore carried out.

7.47 When including for mitigation measures to be implemented during the construction, design and operational phases of the development, the Appropriate Assessment finds the development will have "no adverse" effects on the integrity of the designations, either alone or in combination with other projects.

7.48 Mitigation measures included:

Construction (Phase 3 Only)

- Incorporating measures to reduce noise and visual disturbance such as noise monitoring and keeping noise disturbance to less than 70dB in the SPA; erection of temporary acoustic barriers; use of visual screens; protection of green infrastructure corridors; sensitive construction methodologies and layout; and
- Preparation of a construction lighting strategy.

Construction (Site Wide)

- Water Quality Management Measures to be secured through the CEMP and in line with the measures set out in the Water Resources Chapter of the ES; and
- Dust Management Plan.

Operation (Parcel 3)

- Reduce visual disturbance i.e., through screening vehicle movements and breaking up human form, consideration of positioning of footpaths and maintenance tracks as far away from the river wall as possible and use of landscaping to discourage people from approaching the river wall; and
- Development of a sensitive lighting strategy.

Operation (Site Wide)

- Mitigation in relation to water quality, such as the Outline Drainage Strategy accompanying the ES; implementation of operational wastewater treatment and operational procedures in the event of a spill.

7.49 The measures substantially overlap with those already outlined in the ES and can be secured by Planning Condition.

7.50 The assessment has been carried out in accordance with guidance in the NPPF and PPG and demonstrates the proposals will not have an adverse impact to European Designated sites. The presumption of favour of sustainable development therefore continues to apply (NPPF, para 177) and the proposals satisfy Adopted LP Policies BNE35 and BNE36 and Reg LP Policy NE1.

v) Landscape & Visual

7.51 This chapter of the ES assesses likely significant effects of the Development on the environment in respect of landscape and visual effects.

7.52 During the construction phase of the development, "moderate adverse" impacts are identified, although these impacts will only be temporary. Mitigation/enhancement measures for this phase include the provision of advanced planting and the positioning of stockpiles and site compounds away from the southern boundary to screen ground level activity.

7.53 When the development is completed, residual effects range from "negligible adverse" to "minor adverse". As part of this assessment a range of mitigation measures are proposed which respond to different receptors. Measures include:

- Single building not occupying the whole development zone, up to the maximum height throughout i.e. allowing for buildings with gaps in between;
- Innovative façade detailing;
- Use of consistent design principles creating a strong identity and high-quality point of arrival; and
- Creating an active river frontage.

7.54 Mitigation is also already built into the development through the green framework built into the masterplan/parameter plan, which provides for setbacks and areas clear of development.

- 7.55 Alongside the potential to provide landscape mitigation/enhancement, the Landscape Strategy in the DAS demonstrates how the proposals can deliver a varied and interesting landscaped environment, that offers opportunities for recreation, supporting the health of employees at the Site. It also provides for increased opportunities to access and appreciate ecology, particularly along the river whilst balancing this with requirements to minimise disturbance to the SPA/SSSI/RAMSAR.
- 7.56 Appended to the ES is also a "Landscape and Biodiversity Management Strategy" (LBMS). The LBMS has been prepared to satisfy the intent of Reg 27 of the Conservation (Natural Habitats & Conservation) Regulations 1994, which seeks the implementation of planning policies that encourage landscape management. It also brings together the protection and enhancement requirements as set out in the Biodiversity Chapter. It demonstrates that in combination with the landscape strategy (set out in the accompanying DAS), how the proposals offer the opportunity to enhance and create a variety of landscape features in association with the proposed development.
- 7.57 The Site does not sit within a "valued landscape". It sits adjacent to the North Kent Marshes Special Landscape Area to the east. The southern boundary of the Site (adjacent to the River) is an area of Designated Developed Coastline. The Site is also 1.8km to the east of Cockham Farm Ridge Area of Local Landscape Importance (ALLI), to the south-east of Chattenden Ridge ALLI, and 2.84km to the north of the Gillingham Riverside ALLI.
- 7.58 Other than "minor adverse impacts" arising during the construction phase in respect of Cockham Farm Ridge ALLI, no other adverse impacts are identified on the other designations. The proposals therefore satisfy the requirements of Adopted LP Policies BNE33 and BNE3 and Reg18 LP Policy NE4.
- 7.59 Through the proposed Landscape Strategy the proposals also satisfy the requirements of Adopted LP Policies, S2, S4, BNE46 and L5.

vi) Heritage

Archaeology

- 7.60 A separate desk-based Archaeological, and Geoarchaeological Assessments accompany the planning application and are addressed separately.
- 7.61 Due to the historical uses on the Site, which has caused significant disturbance, there is no potential for archaeological remains across most of the Site, except Parcel 4. The archaeological potential of the Site is considered "moderate" for Bronze Age, Iron Age and

Roman periods and "low" for the Early Prehistoric, Medieval and Most Medieval periods. Any archaeological remains that might be present would most likely be only of local significance and not therefore a constraint to development. If necessary archaeological investigations on the least disturbed areas of the Site could be secured by Planning Condition.

7.62 The appended Geoarchaeological Assessment concludes that the Site is an area of local and regional significance geoarchaeological, paleoenvironmental and archaeological significance due to previous Pleistocene and Holocene deposits recorded in the area. Further investigations are therefore required but can be secured by Planning Condition.

7.63 Overall the assessments demonstrate that the development will not be harmful to potential below ground heritage assets, subject to securing appropriate Planning Conditions. The proposals therefore accord with the NPPF, Adopted LP Policy BNE21 and Reg18 LP Policy BE6.

Built Heritage

7.64 Appended to the ES is a Heritage Impact Assessment (HIA). In accordance with the NPPF [Para 189], the report has been prepared to assess the significance of identified heritage assets and the Development's potential effect on them.

7.65 Within 2km of the Site, the HIA identifies the following heritage assets as having the potential to be impacted by the proposed development:

- Hoo Fort – Scheduled Monument;
- Fort Darnet – Scheduled Monument; and
- Church of St Werburgh – Grade I Listed.

7.66 Hoo Fort and Fort Darnet are located in the River Medway. They were constructed in the late 19th Century by the Royal Commission to provide an inner line of defence from invasion from France and to protect the navel dockyards at Chatham. The significance of the monuments is primarily derived from their historic and group value as part of the 19th Century defences within the River Medway. Their setting is similarly derived from their group value and associative relationship with other military installations in the area. However, it is their relationship with the Medway Estuary which is identified as the fundamental component.

7.67 The landscape which forms the wider setting to the assets is noted to be defined by military and industrial development. The Site is not considered to have any functional or associative

relationship with either of the forts, other than forming part of the wider landscape setting within the peninsula.

- 7.68 With proposed development set back from the river edge, appropriate detailed response relating to form, massing and architectural treatment at the Reserved Matter stage and taking into account the character of the surrounding area (also already industrialised), the proposals are considered to have a "negligible" impact which would be of "minor adverse" significance taking into account the high significance of the assets.
- 7.69 The Church of St Werburgh is of ragstone construction. Its heritage interest is considered to primarily derive from its architectural, and historic interest, dating from 12th Century. The setting of the Church is defined by the surrounding residential development which screens the church in short views from within the surrounding streets. Its western tower is visible within medium/long distance views.
- 7.70 The Church is located approx. 2.25km west of the Site at its closest point and it not discernible in long distance views and has no functional relationship with the Site. Given the degree of separation, combined with existing built form and enclosed setting of the Church, the development is assessed to have a "negligible" effect.
- 7.71 The assessment submitted is proportionate to the importance of the heritage assets identified and the potential impact of the development on their significance [NPPF, para 189]. The development would result in "less than substantial harm" to the heritage assets and therefore para 196 of the NPPF is engaged. In this instance, the substantial economic benefits of the development on this allocated site, allied to the redevelopment of a strategic brownfield site which supports sustainable development in Medway and at Hoo are considered to substantially outweigh any potential harm.
- 7.72 Extant Policies BNE19 and BNE20 do not fully accord with the more up-to-date NPPF insofar as they do not allow for the presently required "balancing exercise". The assessment of the proposals against the NPPF therefore remains the correct exercise to be undertaken.

vii) Air Quality

- 7.73 An Air Quality Assessment contained in the ES assesses both construction and operational effects associated with the development on both human and ecological receptors.

- 7.74 During the construction phase of the development it is assessed that dust and particulate matter likely to occur during construction activities, can be mitigated through good site practice to be secured through a Development Management Plan (DMP) which can be secured by Planning Condition.
- 7.75 For the operational phase of the development, pollutant concentrations are predicted to be below the relevant limits at the sensitive human receptors. In accordance with National guidance the impact is classed as "negligible" but assessed as "medium" in accordance with Medway Council's Air Quality Guidance.
- 7.76 With regards to impacts on sensitive ecological habitats the impacts were determined as "insignificant".
- 7.77 To mitigate impacts on Local Air Quality arising from road traffic generated by the operational phase of the development, 10% of car parking spaces will be supplied with electric vehicle charging points, car sharing scheme will be promoted, provision of a car club, potential bus service together with cycle parking and cycle routes. The mitigation measures overlap with those to be secured as part of the Travel Plan that could be "Conditioned".
- 7.78 In accordance with the Council's Air Quality Planning Guidance, where "medium" impacts are identified, suitable mitigation measures are proposed and can be secured by Planning Condition. Although it is notable that the impacts at the National level are assessed as "negligible".
- 7.79 In accordance with the Air Quality Planning Guidance, a Defra Air Quality Appraisal Damage calculation has been undertaken and gives a total damage cost of £354,309. This will be spent on-site through the implementation of the mitigation measures outline above, which are also likely to exceed this cost.
- 7.80 Having regard to the NPPF [para 181] the proposals identify opportunities to mitigate air quality impacts and as such do not result in unacceptable effects. The proposals therefore comply with National guidance, Adopted LP Policy BNE24 and Reg18 LP Policy NE8.

viii) Noise

- 7.81 The application is accompanied by a Noise Assessment. The Assessment assesses impacts at a number of identified noise sensitive receptors and assesses effects for "Site and construction noise" and "off-site traffic noise". The receptors assessed are as follows:

Site Operations and Construction Noise

- Burnt House Farm;
- Residents on Jacobs Lane including Lances Farmhouse, and Eshcol Farm Cottages; and
- The SSSI at the south of the Site.

Traffic Noise

- Properties set back from the main Stoke Road;
- Properties on Stoke Road that back onto Ropers Lane;
- Properties on Ratcliffe Highway;
- New build properties on Ratcliffe Highway near to Bell's Lane (near to the A228 - Peninsula Way); and
- Properties fronting Peninsula Way and Four Elms Hill.

7.82 The conclusions of the assessment find that noise arising from on-site construction activity would have "moderate" effects at the nearest properties to the Site during the early years of construction. The effects would however reduce as activities move east. Construction activity would also be temporary. The Assessment takes into account that construction activities would be restricted to the daytime and limited at weekends. It is expected that construction hours will be controlled by Planning Condition via a Construction and Environmental Management Plan (CEMP).

7.83 Taking into account the context of the Site and its previous use as a Power Station, it means that the background sound levels are now artificially low. Noise arising from on-site operations is therefore assessed as having "moderate" effects at night-time and "minor" effects during the day, on Burnt House, the closest property to the Site. This takes into account the proposed 3m acoustic fencing that runs along part of the boundaries of Parcels 1 and 2, sitting on top of the existing and proposed flood defence (see masterplan/parameter plan – Appendix 3).

7.84 When considering the effects from off-site road traffic, it is found that noise effects at night would be much higher than during the day, resulting in "moderate impacts" alongside the road links between the Site and along Stoke Road and Ropers Lane, and with "minor effects" during the day on the road links between the Site and Chattenden.

7.85 It is the conclusion of the report that the development would not result in "significant" adverse noise effects and lesser effects between "low adverse" and "significant adverse" will be mitigated and minimised.

7.86 As required by the NPPF (para 180) the proposals mitigate and reduce potential adverse effects resulting from noise and avoid "significant adverse" impacts. It is considered that any required mitigation measures could be secured via Planning Conditions. The proposals therefore comply with National planning policy and Adopted LP Policy BNE3.

ix) Ground Conditions

7.87 Owing to the previous uses on the Site, the application is accompanied by two site-wide remediation strategies. The strategies are informed by a number of ground investigations and land contamination risk assessments to determine potential risks to human health and controlled waters. The strategies therefore identify the Site condition and what remediation is required to make it suitable for redevelopment for commercial use.

7.88 The strategy identifies general requirements and remedial criteria for remediation for both permit surrender (associated with the historical use) and remediation required to facilitate commercial use. However, it identifies that each land parcel will require the preparation of a Remediation Plan to facilitate site redevelopment and ensure the works are undertaken are sufficient. A Remediation Verification Report therefore needs to be produced for each land parcel as it comes forward for development. An appraisal for potential risks to controlled waters will also be required to support associated Applications for specific land parcels. Each of these could be secured for the subsequent Reserved Matter Applications via a suitably worded Condition.

7.89 The presence of contamination is not a constraint to development and appropriate Conditions can secure the implementation of remediation strategies. The proposals thus comply with Adopted LP Policy BNE22 and National guidance.

x) Climate Change & Energy Strategy

7.90 The ES includes a Climate Change chapter and assesses the likely significant effects of the development on the environment in respect of climate change. In doing so the chapter considers impacts on air quality (including vehicle emissions and operational energy uses), ecology, water environment, noise and future climate conditions.

7.91 In combination with mitigation measures the vulnerability and residual effects of the development on climate change is assessed as having "negligible" effects, with "minor adverse" impacts only at the local level in respect of vehicular emissions, but "negligible" at the National level.

7.92 The mitigation measures identified include securing:

- Construction Environmental Management Plan (CEMP);
- Construction Waste Management Plan;
- Travel Plan (draft appended to the ES as already identified); and
- Maintenance of flood defences (already embedded into the flood risk strategy).

7.93 The assessment also draws on the Energy Strategy appended to the ES which considers a number of low carbon and renewable technologies which could be incorporated into the future design of development parcels. Potential low carbon / renewable technologies include:

- Air Source Heat Pumps;
- Ground Source Heat Pumps;
- Solar Photovoltaic;
- Solar Thermal;
- Combined Heat & Power CHP (including Fuel Cell CHP); and
- District Heating

7.94 Owing to the scale of the Development, there is potential to implement energy and emission reductions technologies and strategies which could not be effectively delivered at a smaller scale. It is envisaged that the Development will aspire to achieve close to "Net Zero Carbon" status by 2050 in line with National policy.

7.95 This will be achieved through applying the following carbon hierarchy:

- Avoid;
- Reduce;
- Replace;
- Offset.

- 7.96 The preferred option at this stage is for the Development, where possible, to be solely powered by electricity with no connection to the National gas grid. This is preferred as grid electricity is less carbon intensive than natural gas, particularly as the electricity grid continues to decarbonise.
- 7.97 The Strategy also states the ambition for site-wide Electric Vehicle (EV) charging networks, at a minimum of one charging point per every ten parking spaces provided. This aligns with the recommendations in the Transport and Air Quality Chapters.
- 7.98 The implementation of the options above, where appropriate, will reduce the overall carbon footprint of the Development and lead to a potential reduction in GHG emissions associated with the Development over its lifetime.
- 7.99 Allied to the above, and as already set out, the development proposals provide the opportunity for an energy use, which could provide further opportunities to support the aims of the energy strategy.
- 7.100 The development proposals therefore align with the NPPF in proactively mitigating and adapting to climate change [para 148] and in doing so could include the provision of renewable and low carbon energy, which is also positively supported by the NPPF [154].
- 7.101 The proposals therefore also accord with Adopted LP Policy BNE4 and Reg18 Policies BE2 and MWE12.

xi) Planning Obligations

- 7.102 Should planning permission be granted for the proposal, it is anticipated that a S106 Agreement would be required alongside any Planning Conditions to secure any necessary planning obligations and contributions. At this stage, it is anticipated that the following mitigation would be secured via S106 or in many instances via Condition(s).
- Programme of archaeological and geoarchaeological work;
 - Travel Plan including a potential contribution to bus service provision;
 - Off-site highway works as an alternative to HIF;
 - Sustainable Distribution Plan;
 - Car Park Management Plan
 - Construction and Environmental Management Plan;
 - Dust Management Plan;
 - Construction Method Statemen for Parcel 3;

- Landscape & Biodiversity Management Plan;
- Ecological Mitigation and Enhancement Plan;
- Ecological Design Strategy; and
- Long Term Habitat Management Plan.

7.103 In securing the above, appropriate infrastructure and environmental mitigation measures will be secured.

8.0 CONCLUSIONS

8.1 On behalf of Uniper Energy Limited, an Outline planning application has been submitted, with all matters reserved, except vehicular access, for the redevelopment of a major strategic brownfield site for the following uses:

- Light Industrial Uses (Use Class E(g)iii);
- General Industrial Uses (B2 Use Class);
- Storage & Distribution – including Data Centres and Parcel Distribution (B8 Use Class);
- Energy Uses (Sui generis);
- Lorry Park/Layover (Sui generis); and
- Associated access, infrastructure, earthworks and landscaping.

8.2 The Application has been submitted following pre-consultation with the Officers at Medway Council and other relevant statutory consultees. It has also been informed by consultation with the local community including Parish Councils, which informed and helped shape the proposals.

8.3 This Planning Statement assesses the proposals in the context of the Development Plan and other material considerations. It takes account of National planning policies contained within the NPPF and Medway Council's local planning policies and identifies key considerations material to the determination of the planning application.

8.4 Overall the proposals provide a range of key material planning benefits which include:

- Delivers the comprehensive redevelopment of a strategic allocated brownfield site, which is supported by National and local planning policies;
- As has been set out, the majority of the Site (save for Parcel 1 which forms part of the existing entrance to the Site), is allocated in the 2003 LP for a range of commercial uses, including B1(c) (now E(g)iii), B2 and B8. The development proposals accord with that extant allocation. The proposed "energy use" is also further considered to accord with the allocation and the Kent Waste Local Plan 1998;
- Analysis of the Council's emerging Local Plan further demonstrates the proposals align with emerging policy which sees Kingsnorth as playing a major role in the delivery of new employment opportunities and could support the sustainable expansion of Hoo through local job creation and possible opportunities to provide a local energy supply.

- Delivery of significant economic benefits including employment opportunities during the construction and operational phases of development, with an average of 725 FTE jobs being provided during the construction phase and at least 1,952 FTE during the operational phase. During the operational phase the development proposals have the potential to generate £41.6m per annum.
- Would support significant inward investment through making available new employment floorspace.
- The proposals will not prejudice the re-use of the existing jetty, which the adopted and emerging planning policies both seek to protect.
- Consideration of a raft of accessibility benefits to improve sustainable travel opportunities as set out in the Framework Travel Plan.
- The technical assessments confirm that the proposal could be satisfactorily accommodated on the local transport network when allowing for mitigation. The Environmental Statement (ES) provides an assessment of likely significant environmental effects arising from the development proposals at the construction and operational phases. This demonstrates how mitigation measures have been robustly considered to ensure that the development proposals would not have significant adverse environmental impact.
- The ES and accompanying technical assessments confirm that the development proposals accord with a range of environmental considerations, including planning policies, in respect of air quality, noise, climate change & energy, flood risk, landscape, ecology and ground contamination.
- Delivers significant areas of Green Infrastructure that would improve the environment within the Site as well as deliver ecological gains. Careful consideration has also been given to the Landscape Strategy so that it can provide varied experiences across the Site, delivering opportunities for recreation/enjoyment for those working there, supporting the delivery of a high quality and healthy working environment.
- Will deliver a high-quality development that can incorporate/deliver sustainable energy technologies and can work towards net zero carbon in line with national guidance.

- 8.5 As set out in the Heritage section of this Statement, the development would result in "less than substantial harm" to identified heritage assets and therefore para 196 of the NPPF is engaged. However, the considerable social and economic benefits of the development as listed above are considered to substantially outweigh any harm.
- 8.6 This Planning Statement demonstrates that the development proposals would be sustainable development that would accord with the Development Plan as well as the NPPF and NPPG. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications should be in accordance with the Development Plan unless material considerations indicate otherwise. The development proposals accord with the Development Plan and in accordance with Paragraph 11 of the NPPF, this planning application should therefore be approved without delay.

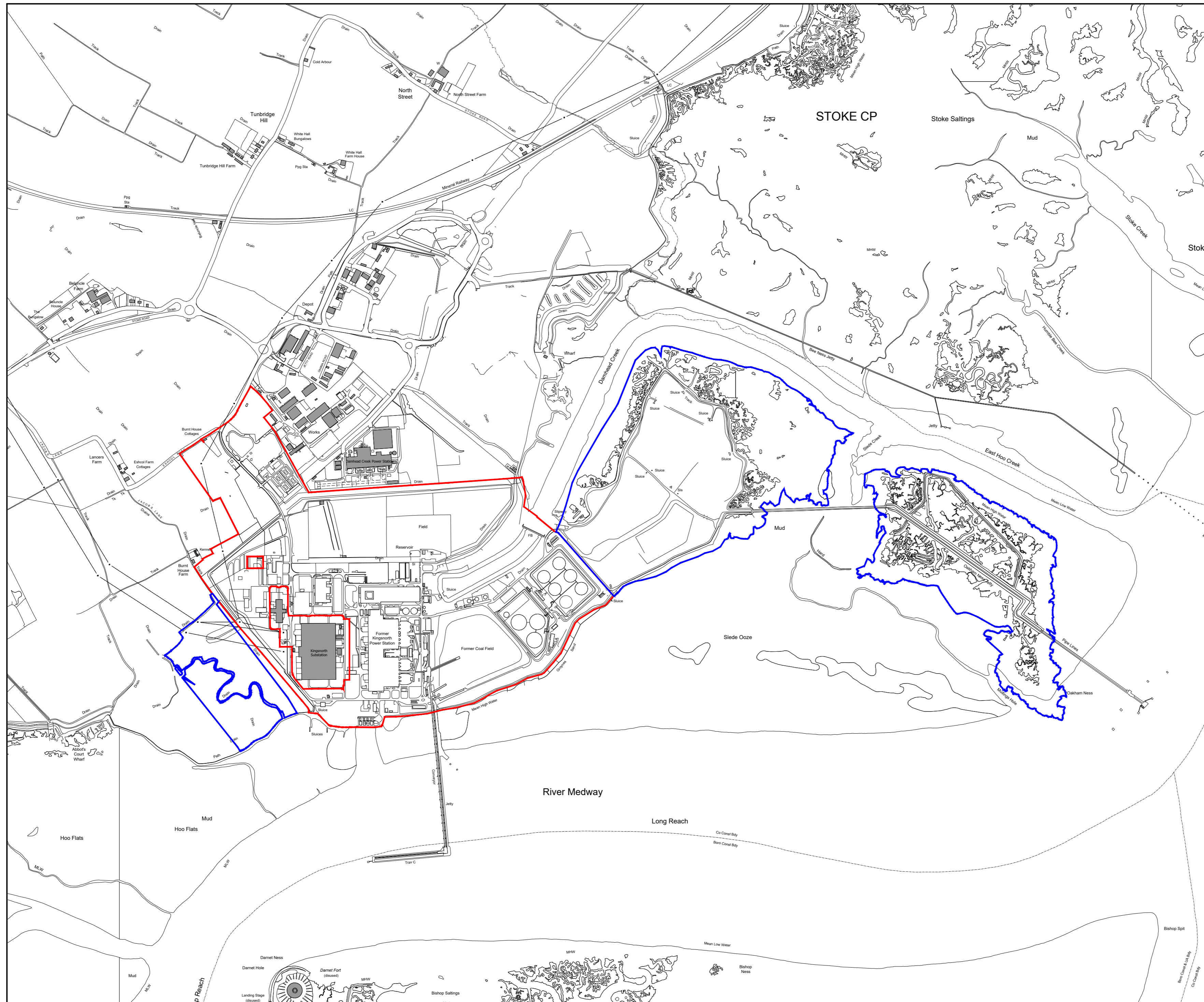
Appendix 1

Site Location Plan

The scaling of this drawing cannot be assured

Revision	Date	Drn	Ckd
C Site Boundary Updated	15.01.21	SM	EH

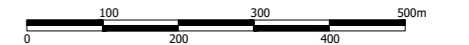
- Site Boundary
111.00Ha / 274.29Ac
- Land Under Ownership
115.89Ha / 286.37Ac



Project
MedwayOne

Drawing Title
SITE BOUNDARY PLAN

Date	Scale	Drawn by	Check by
15.07.20	1:10000@A2	S.M.	E.H
Project No	Drawing No	Revision	
29497	RG-M-20	C	



BARTON WILLMORE

Planning • Master Planning & Urban Design • Architecture •
Landscape Planning & Design • Environmental Planning • Graphic
Communication • Public Engagement • Development Economics

bartonwillmore.co.uk



Offices at Birmingham Bristol Cambridge Cardiff Ebbwfleet Edinburgh
Glasgow Leeds London Manchester Newcastle Reading Southampton

Appendix 2

Parcel Plan



Parcel Number	Ha	Ac
1	13.84	34.21
2	13.36	33.01
3	60.24	148.87
4	23.55	58.20
TOTAL	111.00	274.29

Project
**KINGSNORTH,
 ST WERBURGH**
 Drawing Title
PARCEL PLAN



Date: 19.11.18 Scale: 1:5000 @ A1 Drawn by: ALC Check by: NT
 Project No: 29497 Drawing No: RG-M-03 Revision: D



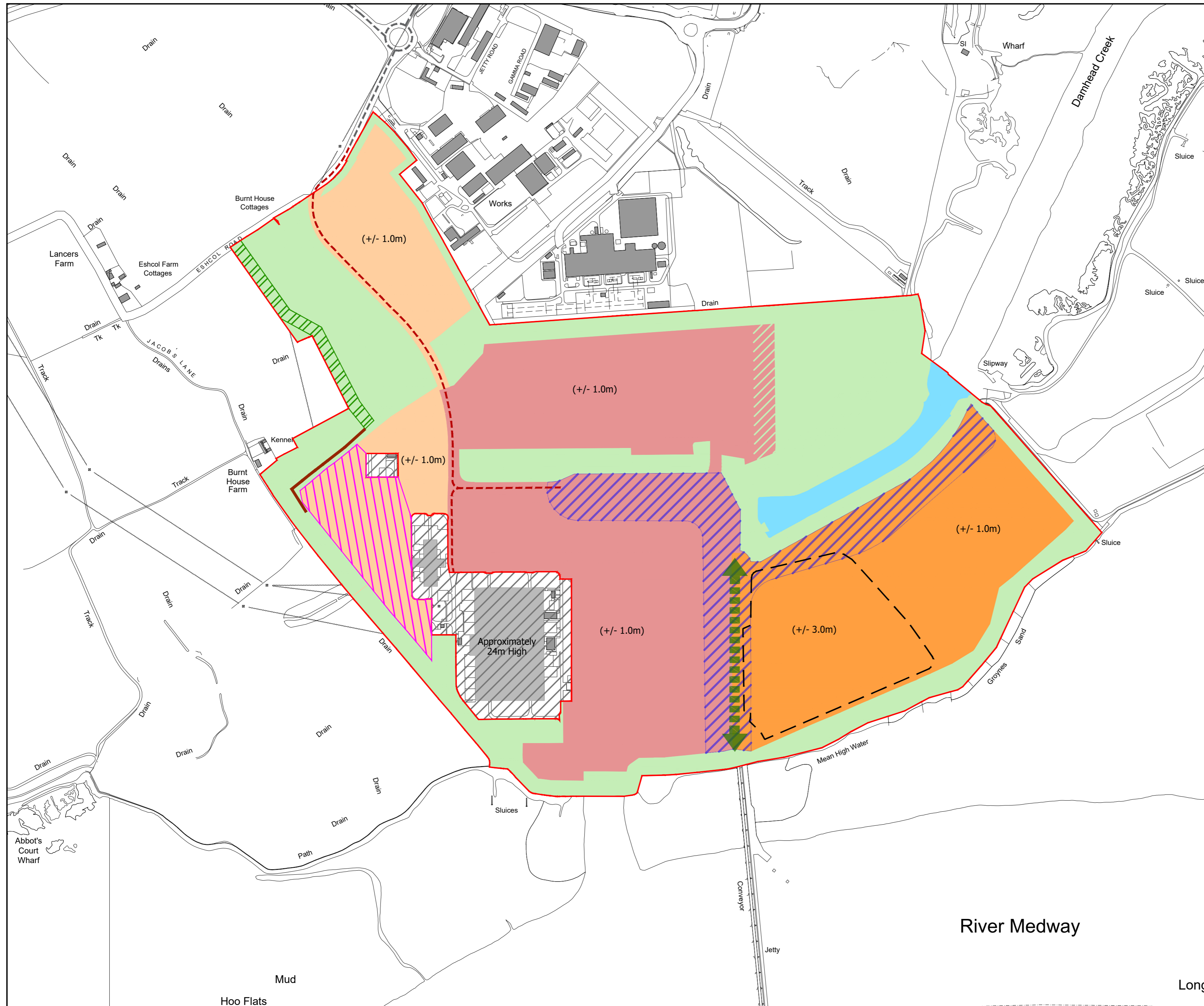
bartonwillmore.co.uk

Appendix 3

Masterplan/Parameter Plan

The scaling of this drawing cannot be assured

Revision	Date	Drn	Ckd
M Acoustic Fence Added	15.03.21	EH	DS



- Site Boundary
 - Area Suitable for Development up to 15m in Height above Finished Floor Level. Maximum Height 20m above AOD.
 - Area Suitable for Development up to 25m in Height above Finished Floor Level. Maximum Height 29m above AOD.
 - Area Suitable for Development up to 45m in Height above Finished Floor Level. Also suitable for maximum 100m stack height above Finished Floor Level. Maximum Height 50m above AOD.
 - Existing Buildings & Curtilage
 - Area within which Primary Road will be provided, with new access points servicing individual parcels
 - Green Infrastructure for SuDS / Landscape / Ecological Enhancement
 - 40m Wide Ecological No Buildings Zone
 - Proposed Flood Defence Zone with Acoustic Fence
 - Zone for Potential Lorry Park
 - 20m Wide Green Corridor
 - Existing Carriageway, Including Upgrades / Widening as Required with new access points servicing individual parcels
 - Extent of existing Coal Stock Yard
 - Zone for Acoustic Fence along Existing Bund
- (+/- -##m) Indicates Ground Level Change

Project
MedwayOne

Drawing Title
PARAMETER PLAN

Date 19.06.20	Scale 1:5000@A2	Drawn by S.M.	Check by E.H
Project No 29497	Drawing No RG-M-16	Revision M	



River Medway

Mud

Hoo Flats

Long

BARTON WILLMORE

Planning • Master Planning & Urban Design • Architecture •
Landscape Planning & Design • Environmental Planning • Graphic
Communication • Public Engagement • Development Economics

bartonwillmore.co.uk



Offices at Birmingham Bristol Cambridge Cardiff Ebbsfleet Edinburgh
Glasgow Leeds London Manchester Newcastle Reading Southampton

Appendix 4

Illustrative Layout



Project
MedwayOne

Drawing Title
ILLUSTRATIVE LAYOUT PLAN

Date	Scale	Drawn by	Check by
31.07.20	1:2500@A1	ALC	NT
Project No	Drawing No	Revision	
29497	RG-M-21-2	H	



BARTON WILLMORE

Planning • Master Planning & Urban Design • Architecture •
Landscape Planning & Design • Environmental Planning • Graphic
Communication • Public Engagement • Development Economics

bartonwillmore.co.uk

Offices at Birmingham Bristol Cambridge Cardiff Ebbw Vale Edinburgh
Glasgow Leeds London Manchester Newcastle Reading Southampton

Appendix 5

Medway Council 2003 Adopted Local Plan Policies Summary

APPENDIX 5: Adopted Medway Local Plan 2003

The following policies of the Adopted Medway Local Plan (2003) are relevant to the planning application.

- Policy S1: Development Strategy – The development strategy for the plan area is to prioritise re-investment in the urban fabric including; the redevelopment and recycling of under-used and derelict land within the urban area, with a focus on Medway riverside areas. Land use and transport will be closely integrated, and priority given to a range of new and improved transport facilities for walking, cycling and public transport. Strategic economic development will be made both within the urban area and at Kingsnorth and Grain. Long-term protection will be afforded to; areas of international, national, or other strategic importance for nature conservation and landscape, and the historic built environment, due to their quality and character.
- Policy S2: Strategic Principles – The implementation of Policy S1 will focus on; maintaining and improving environmental quality and design standards, a sustainable approach location and mix of new development and to provide communities with a range of local facilities, and the adoption of a sequential approach to the location of major people and traffic attracting forms of development.
- Policy S3: River Medway - Proposals which are consistent with nature conservation, landscape and hydrological policies and which have no adverse impact upon coastal archaeology will be permitted that develop the River Medway for public access along the riverbank , use as a transportation corridor, appropriate commercial, tourism and leisure. Development along the river's edge should also be of a high quality design.
- Policy S4: Landscape and Urban Design Guidance – The Council seek a high quality of built environment from new development. Development should respond to its context, reflecting a distinct local character.
- Policy S6: Planning Obligations – The Council will set conditions on planning permissions or seek a legal agreement to provide for new physical infrastructure, social, recreational, and community facilities. Environmental mitigation or compensation measures will be sought where the need arises directly from the development. Provision will be sought in proportion to the size and nature of the individual development and will take account of the existing pattern of provision and capacity. Provision will be made on the Site where this can reasonably be achieved, and where this is not possible contributions will be sought.

- Policy S12: Kingsnorth – The Plan identifies Kingsnorth as a 'Strategic Development' with the potential for Class B2 (Industrial Development) and Class B8 (Storage and Distribution) development. Class B1 will be permitted yet restricted to Class B1(c) except where development makes provision for increased accessibility by other means than private car.
 - Provision will be made within the Site for the relocation of businesses from urban regeneration sites, including special industrial uses. All development will be subject to the protection of nature conservation interests. Development which does not require access to the railway or the river but would prejudice use of or access to wharves or rail sidings will not be permitted.
 - Contributions will be sought to the improvement of off-site highways or the rail link to Kingsnorth where such improvements are needed from a practical point of view to enable the development to go ahead.
- Policy BNE1: General Principles for Built Development - The design of development should be appropriate in relation to the character, appearance and functioning of the built and natural environment by; being satisfactory in terms of use, scale, mass, proportion, details, materials, layout and siting, development should respect the scale, appearance and location of buildings, spaces and virtual amenity of the surrounding area, and where appropriate provide well structured, practical and attractive areas of open space.
- Policy BNE2: Amenity Protection – All development should secure the amenities of its future occupants and protect those amenities enjoyed by nearby and adjacent properties. The design of development should have regard to; privacy, daylight, sunlight, noise, vibration, light, heat, smell, airborne emissions, activity levels and traffic generation.
- Policy BNE3: Noise Standards – The Council require noise-generating development to be located and designed so as not to have a significant adverse noise impact on any nearby noise sensitive uses.
- Policy BNE4: Energy Efficiency – The Council seek energy efficiency measures within development proposals, providing there is no detrimental impact on amenity. Proposals should have regard to; siting, form, orientation, and layout of the buildings and size and location of windows to maximise passive solar heating, natural light and natural ventilation, the use and siting of soft landscaping to act as shading or shelterbelts, energy efficient technology, high standards of insulation, and the use of building materials or the lowest possible embodied energy.

- Policy BNE5: Lighting – External lighting schemes should demonstrate that they are the minimum necessary for security, safety or working purposes. Development should seek to minimise the loss of amenity from light glare and spillage, particularly that affecting residential areas, areas of nature conservation interest and the landscape qualities of countryside design.
- Policy BNE6: Landscape Design – The Council require major developments to include a structural landscaping scheme to enhance the character of the locality. Detailed landscaping schemes should be submitted before development commences and should have regard to:
 - Provide a structured, robust, attractive, long term, easily maintainable environment including quality open spaces, vistas, and views;
 - Include planting of a size, scale and form appropriate to the location and landform, taking account of underground and overground services;
 - Include details of the design, materials, and quality detailing of hard works elements;
 - Retain important existing landscape features;
 - Support wildlife by the creation or enhancement of semi-natural habitats and the use of indigenous plant material; and
 - Include an existing site survey, maintenance and management regimes and a timetable for implementation.
- Policy BNE7: Access for All – All development should be designed so that access to buildings and external circulation areas meets the needs of people with disabilities, the elderly and people with young children.
- Policy BNE8: Security and Personal Safety - The design and layout of development should seek to maximise personal safety and the security of property.
- Policy BNE18: Setting of Listed Buildings - Development which would adversely affect the setting of a listed building will not be permitted.
- Policy BNE20: Scheduled Ancient Monuments - Development affecting Scheduled Ancient Monuments or other nationally important sites will not be permitted if it would, damage or destroy such sites or be detrimental to their setting.

- BNE21: Archaeological Sites - Development affecting potentially important archaeological sites will not be permitted, unless an archaeological field evaluation is carried out and it would not lead to the damage or destruction of important archaeological remains.
- Policy BNE22: Environment Enhancement – Development that will lead to the protection and improvement of the appearance and environment of existing and proposed areas of development and areas adjacent to the River Medway will be permitted.
- Policy BNE23: Contaminated Land – The Council require that development on land known or likely to be contaminated must be accompanied by the findings of a detailed site examination to identify contaminants and the risks that these might present to human health and wider environment. Appropriate measures to reduce or eliminate must be agreed. Such measures must be implemented before the development is occupied.
- Policy BNE24: Air Quality – Development likely to result in airborne emissions should provide a full detailed assessment of the likely impacts of these emissions. Development will not be permitted where it is considered that unacceptable effects will be imposed on the health, amenity, or natural environment of the surrounding area.
- Policy BNE33: Special Landscape Areas – All development within the North Downs and North Kent Marshes special landscape areas will only be permitted if; it conserves and enhances the natural beauty of the area’s landscape, or the economic or social benefits are so important that they outweigh the county priority to conserve the natural beauty of the area’s landscape.
- Policy BNE34: Areas of Local Landscape Importance – Development within Areas of Local Landscape Importance will only be permitted if: development does not materially harm the landscape character and function or the area, or the economic and social benefits are so important that they outweigh the local priority to conserve the area’s landscape.
- Policy BNE35: International and National Nature Conservation Sites - International and National Conservation sites will be given long term protection. Development that would materially harm, directly or indirectly will not be permitted unless the development is connected with or necessary to the management of the site’s wildlife interest. Development for which there is an overriding need will exceptionally be permitted if no reasonable alternative site is (or is likely to be) available. The overriding need will be judged against the national and/or international ecological importance of the affected nature conservation designation. When a SPA or SAC is

affected this need must comprise imperative reasons overriding public interest. If the SPA or SAC hosts a priority habitat or species, then the need must relate to human health, public safety or beneficial consequences of primary importance to the environment, or to other reasons of public interest established by the European Commission. In such exceptional circumstances, the detrimental impact upon the scientific or wildlife interest should be minimised and appropriate compensatory measures will be required.

- Policy BNE36: Strategic and Local Nature Conservation Sites - **Strategic and Local Nature Conservation Sites** will be given long term protection. Development that would materially harm, directly or indirectly, the scientific or wildlife interest of these sites will not be permitted unless the development is connected with, or necessary to, the management of the site's wildlife interest. Development for which there is an overriding need will exceptionally be permitted if no reasonable alternative site is (or is likely to be) available. The overriding need will be judged against the strategic local importance of the affected nature conservation designation. In exceptional circumstances, the detrimental impact should be minimised and appropriate compensatory measures will be required.
- Policy BNE37: Wildlife Habitats - Development that would cause a loss, directly or indirectly, of important wildlife habitats or features not protected by policies BNE35 and BNE36 will not be permitted, unless: there is an overriding need for the development, no reasonable alternative site is available, the development is designed to minimise the loss involved, and appropriate compensatory measures are provided.
- Policy BNE38: Wildlife Corridors and Stepping Stones – Development should, wherever practical, make provision for wild life habitats, as part of a network of wildlife corridors or stepping stones.
- Policy BNE39: Protected Species - Development will not be permitted if statutorily protected species and/or their habitat will be harmed. Conditions will be attached, and/or obligations sought, to ensure that protected species and/or their habitats are safeguarded and maintained.
- Policy BNE45: Undeveloped Coast – The Council will permit development in and alongside the undeveloped coast if: a coastal location is essential and no alternative developed coastal site exists, the scenic, heritage or scientific value of the undeveloped coast is maintained and where consistent with this and where practicable, public access to the coast is improved, and the

development is not likely to be a risk from flooding or coastal erosion to the extent that defence works are required.

- Policy BNE46: Developed Coast – The Council will permit development in and alongside the developed coast when: the appearance and environment of the coast is improved, coastal erosion will not threaten any new building proposed, public access to the coast is improved, and the need for the coastal location is justified when the development is outside existing settlement boundaries and Economic Development Areas.
- Policy ED1: Existing Employment Sites – Kingsnorth is identified as an existing employment area. Proposals for development that would result in the loss of existing industrial, business or storage distribution development to other uses will not be permitted.
- Policy ED5: Proposed Employment Areas – Kingsnorth is allocated for development of use classes business (Class B1), general industry (Class B2) and storage and distribution (Class B8), subject to Policy S12.
- Policy ED7: Special Industrial Uses – The development of specialist industrial uses will only be permitted at Kingsnorth and Grain, subject to the provision of Policies BNE2, BNE3, BNE23, and BNE24 and securing the transport improvements specified in Policies S12 and S13.
- Policy ED8: Industrial Uses not in a Use Class – The Council will permit development of industrial uses not in a use class at Kingsnorth subject to the provisions of Policy BNE2 and there being no adverse environmental impact, especially in terms of residential amenity, nature conservation interests or the character of surrounding rural areas.
- Policy L5: Open Space in Employment Areas – Areas of landscaped amenity open space will be sought for major employment developments, either within or adjacent to the development.
- Policy T1: Impact of Development – The Council the impact of development on the highway network to be assessed. Proposals will be permitted provided that; the highway network has adequate capacity, the development will not significantly add to the risk of road traffic accidents, the development will not generate significant H.G.V. movements on residential roads, and the development will not result in traffic movements at unsociable hours in residential roads that would likely cause loss of residential amenity.

- Policy T2: Access to the Highway – All proposals which involve formation of a new access, or intensification in the use of an existing access, will only be permitted where; the access is not detrimental to the safety of vehicle occupants, cyclists, and pedestrians, or alternatively be improved to a standard acceptable to the Council as Highway Authority.
- Policy T3: Provision for Pedestrians – Development proposals shall provide attractive and safe pedestrian access. In all cases, proposals should maintain or improve pedestrian routes related to the site. New pedestrian routes should closely follow pedestrians’ preferred routes, should be designed to provide attractive and safe pedestrian environment, and ensure they are accessible be people with disabilities wherever possible.
- Policy T4: Cycle Facilities – The Council require for all major trip generating development proposals to make provision for cycle facilities related to the Site. This may include, the Strategic Cycle Network, cycle priority measures and new or enhanced cycle routes that relate to cyclists’ preferred routes. Secure cycle parking will be sought in accordance with the Council’s adopted cycle parking standards.
- Policy T6: Provision for Public Transport – The Council expect new development of sufficient scale to make provision for access by public transport. The provision of facilities, such as safe and attractive passenger waiting areas, seating, information systems, signed safe and attractive pedestrian access routes and facilities for people with disabilities, related to the scale of the development will be sought by negotiation.
- Policy T10: Wharves – Development proposals at Kingsnorth which would result in the loss of either the wharves or access to the wharves will not be permitted.
- Policy T12: Traffic Management – The Council will consider the need for traffic management/calming measures where large traffic volumes or perceived dangers significantly interfere with the movement of pedestrians and cyclists. Road layouts with new developments will need to be designed with appropriate traffic management measures to help limit vehicle speeds and improve safety for all road users.
- Policy T13: Vehicle Parking Standards – Development proposals will be expected to make vehicle parking provision in accordance with the adopted standard. Provision for people with disabilities will be required to be made on Site, consistent with provision Policy 22.

- Policy T14: Travel Plans – The Council require Travel Plans for all developments which require a transport assessment which include; all substantial developments comprising employment, retail, leisure, and/or service floorspace, smaller developments listed previously which would generate additional traffic movements in or near air quality management areas, new or expanded educational facilities, or where a local traffic problem would otherwise lead to a refusal of planning permission.
- Policy CF13: Tidal Flood Areas – Development will not be permitted within a tidal flood risk area if: it harms the integrity of the flood defences, it fails to provide for a means of escape for people in the event of a flood, it introduces residential living and sleeping accommodation below the estimated flood level, it introduced mobile homes or caravans, or it introduces new holiday accommodation between October and May.

Appendix 6

Medway Council Regulation 18 Local Plan Policies Summary

APPENDIX 6: Medway Council's Emerging Local Plan – Regulation 18 Local Plan (March 2018)

The following policies of the emerging Local Plan (March 2018) are relevant to the planning application.

- Policy DS1: Sustainable Development – The Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Planning applications that conform with the Medway Local Plan will be approved unless material considerations indicate otherwise.
- Policy DS2: Spatial Development Strategy – The Council aim to meet the development needs for homes, employment and retail land, infrastructure, and services, as determined by the evidence base, whilst also respecting the need to conserve and enhance the natural and built environment. The development strategy prioritises regeneration, making the best use of underused and previously developed land and directing investment to urban waterfront and centre opportunity uses. The Council will encourage sustainable development in appropriate urban regeneration sites.
- Policy E1: Economic Development – The emerging plan seeks to boost Medway's economic performance, securing a range of jobs for its workforce. The Council will make provision in Medway for the scale, range, quality, and locational requirements of employment identified within the Employment Land Needs Assessment. The Plan will seek to increase the productivity of Medway's economy, through the designation of specific employment sites for higher value employment. All applications for employment uses will be assessed for their GVA contributions and whether the proposed use is best aligned to the site characteristics and locational offer.

The Council will support actions to:

- Consolidate economic benefits from the regeneration programme in Medway;
- Raise skill levels and provide apprenticeships and local labour opportunities;
- Realise opportunities for raising higher value employment through support development of the Universities;
- Seek to accrue benefits for Medway's economy from strategic developments of infrastructure;
- Explore the extension of the successful Medway Innovation Centre model;
- Seek the installation and upgrade of high speed broadband services in employment sites;
- Promote diversification of Medway's economic base; and

- Secure sustainable employment use for the strategic sites at Grain and Kingsnorth, achieving value from the specific location offer and the access to water and rail freight movements, and realising opportunities for manufacturing of modern modular construction facilities.
- Policy NE1: Sites of International Importance for nature conservation - The Council will work in collaboration with local planning authorities in north Kent to contribute to the delivery of a strategic access management and monitoring scheme to address potential damage from population increases on the designated SPA and Ramsar habitats of the Thames, Medway and Swale Estuaries and Marshes. Development proposals within 6km of these areas designated as the Special Protection Areas and RAMSAR sites that has potential to generate additional visits to these coastal areas will be required to make a defined tariff contribution to a strategic package of measures agreed by SAMMS. The Council will consider the potential for adverse impacts on the Special Areas of Conservation arising from the development. If the assessment shows potential for adverse impacts, steps will be taken to restrict or mitigate development.
- Policy NE2: Conservation and Enhancement of the Natural Environment – The Council recognises the hierarchy of sites designated for their importance for nature conservation. The Council will promote the conservation and enhancement of biodiversity in Medway, by restricting development that could result in damage to designated wildlife areas and pursuing opportunities to strengthen biodiversity networks.
- Policy NE4: Landscape – The updated Medway Landscape Assessment and Green Infrastructure Framework provides a basis for determining the acceptability of development proposals and areas and features that need to be protected and enhanced. Development proposals will be required to demonstrate that they protect, strengthen, and connect features of local landscapes.
- Policy NE5: Securing strong Green Infrastructure – Development proposals should provide for green infrastructure that supports the successful integration of development into the landscape, and contributes to improved connectivity and public access, biodiversity, landscape conservation, design, management of heritage features, recreation and seeks opportunities to strengthen the resilience of the natural environment. The Council will expect development proposals to demonstrate that they are designed to be resilient to the future impacts of climate change.

- Policy NE7: Flood and Water Management – The emerging Local Plan will seek to reduce flood risk, promote water efficiency measures, and protect and enhance water quality through the following measures:
 - Food risk management: ensuring development has positive to nil impact on flood risk management; development that will cause harm will not be permitted; and where a development benefits from existing or proposed flood infrastructure, the development should contribute towards the capital costs or maintenance.
 - Sustainable urban drainage: Development should enable or replicate natural ground and surface water flows and decreased surface water runoff , via the use of Sustainable urban Drainage systems (SUDS), utilising green infrastructure where possible.
 - Water supply: Development within Groundwater Source Protection Zones and Principal Aquifers will only be permitted provided that it has no adverse impact on the quality.
 - Water quality: All new development should have regard to the actions and objectives of appropriate River Basin Management Plans in striving to protect and improve the quality of water bodies, ecology, geomorphology, and water quality.
 - Adaption to climate change: Development will be required to be designed to be resilient to, and adapt to the future impacts of, climate change through the inclusion of adaptation measures.

- Policy NE8: Air Quality – The Council seek to reduce exposure to areas of poor air quality, maintain areas of good air quality, and where possible improve air quality restricting development. Development proposals which have the potential to impact air quality are expected to be accompanied by air pollution impact assessments and mitigate measures. All proposals should take account of the Medway Council Air Quality Planning Guidance that sets out a screening checklist for major size development and proposed development within, or close to an AQMA.

- Policy BE1: Promoting High Quality Design – All development in Medway will be expected to be of high quality design that makes a positive contribution and respond appropriately to the character and appearance of its surroundings. Proposals of high quality design and sustainability which demonstrate the following criteria will be permitted: the scale and form of development is appropriate to its surrounding context; The protection and possible enhancement of the historic environment and heritage assets; the proposal relates to and/or reinforces the local distinctiveness; works with the topography of the site and the incorporation of existing natural features; makes efficient use of land and ensures appropriate streetscapes; good connectivity permeability that provides a clear user hierarchy for pedestrians, cycles, public transport and cars;

demonstration of provision and/or access to essential services; respects the amenity of neighbouring uses; creates a safe environment; buildings that are appropriately flexible/adaptable and in appropriate circumstances transformable in the interests of sustainable life-long places; provides for discreet waste and recycling bin storage and collection; high quality landscaping and areas of public realm; achieves a transition from urban to rural; and includes measures to mitigate and adapt to climate change. Proposals that fail to take the opportunity to incorporate high quality design will be resisted.

- Policy BE2: Sustainable Design - All new development should aim for high standards of sustainable design and construction where feasible.
- Policy BE5: Historic Environment - To ensure the continued contribution that the historic environment has on Medway, the council will support the conservation and, where possible, the enhancement of the historic environment; including the heritage assets and their distinctiveness and characteristics.
- Policy BE6: Managing Development in the Historic Environment - Development that impacts a heritage asset, or its setting, should achieve a high quality of design which will preserve or enhance the asset's historic or architectural character, appearance and setting. Where a development impacts upon a heritage asset, or its setting, a proportionate heritage assessment must be submitted that assesses the level of impact. Where a development involves, or has the potential to involve heritage assets with archaeological interest, applicants must submit a desk-based assessment, or where appropriate, a field evaluation.
- Policy I1: Infrastructure Planning and Delivery – The Council will seek the timely and effective delivery of infrastructure to support the needs of Medway's communities. Medway will produce and review regularly an Infrastructure Delivery Plan and will identify land for safeguarding of future infrastructure. Development coming forward will be expected to contribute to the delivery of new and improved infrastructure. Appropriate conditions will be attached in order to make development acceptable.
- Policy I2: Developer Contributions – To make development acceptable, deficiencies in infrastructure will be mitigated through developer contributions and conditions. Where a need is identified, the Council will require that infrastructure is delivered ahead of the development being occupied. When developers consider serious implications for the viability of the development, the Council will require an 'open book' approach and where necessary will operate the policy flexibly.

- Policy I4: Communications Technology – To support the social and economic potential of Medway, the Council will seek to develop and enhance the provision of broadband and telecommunications infrastructure. Proposals for new major employment developments should include appropriate infrastructure, wired and wireless, to provide high speed internet access as part of the development.
- Policy I5: Utilities - Any new development will be supported by the requisite utilities infrastructure. The Council will seek early consultation with utilities providers to meet the growing needs of Medway and support the timely and sustainable delivery of development. Significant new development will be assessed to determine the impact on the existing network.
- Policy T1: Promoting Sustainable Transport – The Council will work with relevant authorities to: support the Medway Local Transport Plan, ensure development is located and designed to enable sustainable transport, mitigate the impact of new development, require a Travel Plan for significant movement generating development, plan for strategic road and rail improvements, improve public transport, develop an integrated transport strategy, identify the need for park and ride facilities, address the impacts of the proposed Lower Thames Crossing, undertake revisions to the Parking Standards, and improve air quality as a result of vehicular emissions.
- Policy T2: Integrating Land Use and Transport Planning – All development which incorporated sustainable development will be supported. Proposals which compromise this policy will be resisted.
- Policy T3: Hoo Peninsula rail connections – The Council aim to safeguard land for new rail infrastructure. Proposals which compromise this land will be resisted. The Council will work with strategic transport bodies and wider partners to seek investment in providing new passenger rail services on the Hoo Peninsula.
- Policy T5: Riverside Infrastructure – This policy reinforces Medway's strategic location in the Thames Gateway. Ports and Wharfage will be safeguarded in order to support existing business sectors and to attract businesses requiring such facilities. Riverside infrastructure associated with the transport of minerals, waste and other defined minerals will be safeguarded in accordance with national policy. Riverside infrastructure will be required to comply with the requirements of conserving the designated environmental features of the estuaries and river. Development must demonstrate no loss of protected or priority species, unless the impacts are not significant at a waterbody scale and can be mitigated for.

- Policy T6: Medway Riverside Path – The Council intend to maximise the potential of the River Medway and its edges as a strategic priority. Waterfront proposals will incorporate public space to facilitate walking and cycling and demonstrate the highest design standards, including Sport England's Active Design guidance.
- Policy T8: Urban Logistics – This policy will support the logistics sector develop in Medway and encourage efficient courier distribution. The loss of existing B8 uses will be resisted, unless it can be demonstrated that the site is no longer suitable.
- Policy T9: Connectivity and Permeability – All development proposals must demonstrate how the street layout will promote connectivity and permeability. The Council will seek to expand the network of safe pedestrian and cycle routes to ensure that areas dedicated to vehicular circulation are designed with pedestrian safety and needs of vulnerable groups in mind. Proposals which highlight design features for vulnerable groups will be encouraged.
- Policy T10: Vehicle Parking - Planning applications for non-residential development will be determined in accordance with the adopted Parking Standards.
- Policy T11: Cycle Parking and Storage - Development proposals will be expected to comply with the cycle parking standards in accordance with the council's adopted Parking Standards. Long term cycle parking facilities for residents, visitors and/or employees of the development must be conveniently located; safe to use; secure; weatherproof; and be well integrated into the building and/or layout of the site.
- Policy T12: Managing the transport impact of development - The council expects proposals that will generate a significant amount of movement to be supported by a Transport Assessment. Travel Plans will also be required for developments above threshold sizes, specified by the council. Developments, including those that require new or additional crossovers, will need to demonstrate that the proposal would not cause a road safety hazard to vehicle occupants, cyclists, and pedestrians.
- Policy MWE1: Minerals Supply – The Council will plan for a steady and adequate supply of minerals by: maintaining a seven year landbank of permitted sands and gravel reserves, and supporting regional consideration of planning of minerals through its membership of the South East England Aggregates Working Party.

- Policy MWE6: Waste Management - All development should seek to minimise the generation of waste, having regard to the Waste Hierarchy. The council will promote sustainable waste management within all new developments proposals, ensuring that there is an appropriate provision for the separation, storage and collection of waste. To reduce waste through the development process, planning applications for major or strategic development must include a waste management audit, which will be expected to show how waste is to be managed both through the construction period and from the development provided.
- Policy MWE12: Low Carbon Development – This policy seeks to implement an energy hierarchy by achieving energy efficiency first, before requiring the implementation of other forms of renewable energy generation on a larger scale. Developers are required to follow the hierarchical approach set out below in achieving the energy and carbon dioxide emission requirements of the Building Regulations for all new non-residential development. The hierarchal approach is to: improve efficiency through thermal and fabric performance improvement measures, provide on-site renewable energy generation or on-site connected heating, and the remainder of the carbon reduction targets to meet the Building Regulations targets should be met through suitable additional measures. Developers are encouraged to meet higher standards than those required nationally and pursue additional low carbon or renewable energy generation measures.