

APPENDIX A

2.4 REFERENCE NO – 22/505369/FULL		
PROPOSAL Proposed removal of containers and brick toilet and erection of data storage facility building with associated off street parking		
SITE LOCATION Former RAF Mast Site Courtenay Road Dunkirk Kent ME13 9LH		
RECOMMENDATION Delegate to the Head of Planning to grant planning permission subject to appropriate safeguarding conditions with further delegation to the Head of Planning to negotiate the precise wording of conditions, including adding or amending such conditions as may be consequently necessary and appropriate.		
APPLICATION TYPE Minor		
REASON FOR REFERRAL TO COMMITTEE Cllr Gould requested the application be reported the Planning Committee for determination.		
Case Officer Alice Reeves		
WARD Boughton and Courtenay	PARISH/TOWN COUNCIL Dunkirk	APPLICANT Mr A Hanton AGENT Origin Power Services Limited
DATE REGISTERED 14.11.2022	TARGET DATE 14.04.2023	
BACKGROUND PAPERS AND INFORMATION: 22/505369/FULL Proposed removal of containers and brick toilet and erection of data storage facility building with associated off street parking Former Raf Mast Site Courtenay Road Dunkirk Kent ME13 9LH (midkent.gov.uk)		

1. SITE LOCATION AND DESCRIPTION

- 1.1 The application site is a broadly rectangular shaped strip of land with an area of approx. 2784sqm. There are containers and a brick building containing a toilet occupying the site. The site is located in the designated countryside but immediately adjacent to the built up area boundary of Dunkirk and within a Kent Level Area of High Landscape Value and the Bleans Woods Special Landscape Area.
- 1.2 The site is located between the former RAF radar mast which lies to the north and residential dwellings to the south and east. The mast is a grade II listed structure and lies within a secure compound. The existing mast is host to a range of telecommunication equipment. To the northwest of the mast, and mostly beyond the immediate fenced compound is a larger area of land that once formed the RAF Dunkirk Chain Home Radar Station, featuring a range of buildings and groundworks and the remains of other former masts, which is a Scheduled Ancient Monument.

APPENDIX A

- 1.3 The site occupies part of the frontage of Courtenay Road which is otherwise a residential area.

2. PLANNING HISTORY

16/507586/FULL – Planning permission granted on 09.11.2018 for “*Removal of containers and brick toilet and erection of a data storage facility building with associated off-street parking*”. This permission was not implemented.

SW/14/0393 - Appeal against non-determination dismissed on 03.03.2015 for “*Erection of data storage facility (B8) and permanent historical exhibition*”.

SW/11/1370 – Planning permission refused on 08.02.2013 and dismissed at appeal on 13.11.2013 for “*Erection of data storage facility (B8) and permanent historical exhibition*”.

SW/10/1128 – Planning permission refused on 28.10.2010 for “*Erection of offices and data storage building*”.

This application thus follows four previous applications for a data storage facility on the site, two of these went to appeal. Both appeal decisions state that the principle of this facility on the site is acceptable but the first appeal was dismissed due to impact on the living conditions of no. 7 Courtenay Road, and the second was dismissed as it failed to preserve the setting of the listed mast. Most recently an application for a data storage facility, with amended design, was approved by Members at Planning Committee in 2018. A condition was placed on the previous approval requiring all noise mitigation measures within the submitted Acoustic report being installed prior to first use of the building.

3. PROPOSED DEVELOPMENT

- 3.1 Planning permission is sought for the erection of a two-storey building to be used as a data storage facility with associated parking within the fenced compound. This is the same proposal as previously approved under ref. 16/507586/FULL.
- 3.2 The data storage building would be located in the south-western corner of the site, car parking and a turning area would be provided to the front of the proposed building and would be accessed by the existing access of Courtenay Road. The plant room would be in the basement.
- 3.3 Six parking spaces are proposed as well as one disabled car parking space. Cycle parking facilities are also proposed as well as additional landscaping to the boundary.
- 3.4 The proposed building would be set back from the road by 57m and set 5m away from the southern boundary of the compound beyond which are residential properties on

APPENDIX A

Courtenay Road and London Road. The building would measure 31m x 13m and at its highest point would measure 7.7m in height.

- 3.5 The design takes inspiration from the site's military history and buildings of that era, whilst taking the form of a modern building using grey aluminium windows and being finished in a grey / green render. The windows to the first floor will be obscure glazed and non-openable other than high level windows.

4. **CONSULTATION**

- 4.1 Neighbouring occupiers adjoining the site were notified in writing and a site notice was displayed at the application site. Full details of representations are available online.

- 4.2 Two letters were received in relation to the consultation objecting to the application. Concerns/comments were raised in relation to the following matters:

- Building is two storey and out of place in a rural setting.
- Light pollution.
- Noise of generators and cooling fans.
- Dunkirk has intermittent power cuts and when the diesel generator is used nearby residents will be subject to greater noise pollution as well as air pollution from the generator exhaust.

- 4.3 **Dunkirk Parish Council:** Objects to the application on the following grounds:

- Uncertainty regarding noise levels which are considered unacceptable;
- Noise report shows ventilation fans at 56db will exceed the 26+4db background noise level and will require silencers;
- Report suggests these potentially have an impact on performance and are untested;
- Use of generator will cause issues of noise;
- Further investigations need to be made regarding noise attenuation examples at other data storage facilities.

5. **REPRESENTATIONS**

- 5.1 **SBC Conservation:** - No objection.

- 5.2 **Mid Kent Environmental Health:** - No objection on the basis that the noise feasibility assessment demonstrates that the proposal is technically feasible in this location. It does not amount to a fully developed acoustic design and a condition is required for this to be submitted and approved prior to development, along with conditions related to external

APPENDIX A

lighting and details of ventilation systems. Further discussions took place with Environmental Health regarding additional noise related conditions which were considered appropriate - these include a detailed design of the building and its acoustic performance, the submission of a verification report to ensure all measures set out within the Acoustic Design Report have been implemented, and post completion sound levels. If these sound levels are found to exceed those set out in the Acoustic Design Report, further mitigation measures and an implementation programme will be required to be submitted.

- 5.3 **KCC Ecology:** - No objection was raised subject to relevant conditions.
- 5.4 **KCC Highways:** - Stated that the proposal does not meet the criteria to warrant involvement from the Highway Authority.
- 5.5 **Historic England:** - Supports the application on heritage grounds. The proposal does not pose harm to the heritage significance of the nearby listed mast or scheduled World War II Chain Home Radar Station. The development has been carefully positioned to avoid any encroachment into key views of the listed tower or the associated transmitter group. Supportive of the additional proposal to provide information boards to inform the public of the heritage significance of the site.
- 5.6 **KCC Archaeology:-** No objection subject to suitable archaeological conditions.

6. DEVELOPMENT PLAN POLICIES**6.1 Bearing Fruits 2031: The Swale Borough Council Local Plan 2017**

- ST3** (The Swale Settlement Strategy)
- CP1** (Building a strong, competitive economy)
- CP4** (Requiring good design)
- CP6** (Community facilities and services to meet local needs)
- DM3** (The rural economy)
- DM7** (Vehicle Parking)
- DM14** (General development criteria)
- DM19** (Sustainable design and construction)
- DM24** (Conserving and enhancing valued landscapes)
- DM26** (Rural Lanes)
- DM28** (Biodiversity and geological conservation)
- DM32** (Development involving listed buildings)
- DM34** (Scheduled Monuments and archaeological sites)

APPENDIX A

6.2 Boughton and Dunkirk Neighbourhood Plan (BDNP)

Policy BE1 (Proposals for new and expanded businesses)

Policy BE2 (Landscape and heritage character for new commercial development)

Policy BE3 (Vehicle parking for new commercial development)

Policy E7 (Preciously developed sites)

Policy E8 (Biodiversity Net Gain)

Policy E9 (Local distinctiveness)

Policy E10 (Design)

6.3 Supplementary Planning Document: Swale Borough Council – Parking Standards 2020

7. ASSESSMENT

7.1 This application is reported to the Committee at the request of Cllr Alastair Gould (Ward Member). The main considerations involved in the assessment of the application are:

- The Principle of Development
- Landscape and Visual
- Heritage
- Design of the proposed development
- Ecology
- Transport and Highways
- Living Conditions

Principle

7.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 sets out that the starting point for decision making is the development plan unless material considerations indicate otherwise.

7.3 The National Planning Policy Framework provides the national policy context for the proposed development and is a material consideration of considerable weight in the determination of the application. The NPPF states that any proposed development that accords with an up-to-date local plan should be approved without delay. At the heart of the NPPF is a presumption in favour of sustainable development and for decision-taking this means approving development that accords with the development plan.

7.4 The principle of this type of development has been accepted by two Planning Inspectors in their decisions and by Members in approving the most recent application. It is acknowledged that the site is outside the built-up area boundary and as such is subject to rural restraint policies. It is explained in the submitted statements why this site is suitable and such arguments have been accepted by Planning Inspectors and this Council previously. The wider site is rare in that it contains the historic listed mast which

APPENDIX A

has a clear line of site to central London, and in close proximity to the A2/M2 corridor which has a fibre optic cable linking the site to central London. This makes the site uniquely suitable for secure data storage and, according to both Planning Inspectors and the Council previously, suitable for this use, subject to other matters being acceptable.

- 7.5 Whilst the fenced compound is located in the designated countryside it is flanked on three sides by development and is previously developed land. It is considered that this site is not particularly sensitive as the built up area boundary wraps around the site to the south and east. The NPPF at paragraph 85 supports the reuse of brownfield sites and encourages this irrespective of whether or not they are located in the countryside, and is supportive of modern communications development. Additionally, the BDNP, at policy BE1 is supportive of proposals upon previously developed sites. On the basis of the above the principle of development is acceptable in this location.

Landscape and Visual

- 7.6 The NPPF requires decisions to ensure that development is '*sympathetic to... landscape setting*'. Policy DM24 of the Local Plan seeks to conserve and enhance valued landscapes and states that conservation and enhancement of the landscape needs to be demonstrated. The site itself is located within an Area of High Landscape Value (AHLV) - Kent Level.
- 7.7 As stated above, this is previously developed land and adjacent to an existing Grade II listed Mast. The proposed development is in keeping with the existing use of the wider site. Further landscaping to the site, secured by condition below, will ensure that the proposed building sits comfortably on this parcel of land and will soften its appearance within the landscape. On this basis, and particularly taking into account the context of this site it is considered that the proposal complies with policy DM24 as the existing landscaping within the AHLV will be enhanced.

Heritage

- 7.8 The National Planning Policy Framework states that local planning authorities should identify and assess the particular significance of any heritage asset and consider the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits that may arise and this is endorsed by the Local Plan.
- 7.9 The proposed building has been sited to avoid any encroachment into key views of the listed mast or the associated transmitter group which is a Scheduled Monument site.

APPENDIX A

The design of the proposed building seeks to blend with the utilitarian form of the existing and former buildings and the overall character of the site.

- 7.10 The proposed data storage centre would be dependent on the continued existence of the listed mast to enable wireless data transfer, and to that extent the development should help to sustain maintenance of the mast. The development is justified on its own merits due to the suitability of the location for telecommunications based development.
- 7.11 The submitted Heritage Statement and site plan details the siting of an information board to outline the heritage significance of the site and the part it played in war efforts during WWII.
- 7.12 In considering the impact of this development upon designated heritage assets, Members should note that the Council's Conservation Officer raises no objection to the proposal whilst Historic England support the proposals. Based upon the above it is concluded that proposal preserves the setting of the Grade II Listed structure and the Scheduled Ancient Monument in accordance with policies DM32 and DM34 of the Local Plan and the NPPF.
- 7.13 In considering the impact of this proposal upon designated heritage assets, officers have had regard to the Council's obligations pursuant to the Planning (Listed Building and Conservation Areas Act) 1990.

Design of the proposed development

- 7.14 The National Planning Policy Framework attaches great importance to the design of the built environment and that design should contribute positively to making places better for people. The Local Plan reinforces this requirement.
- 7.15 It is considered that the proposed design fits with the use for which the building will be used. The immediate area is surrounded by modern housing and the proposed finish of the building includes modern materials and different roof heights to add contrast and interest. The design is suitable for the location and the height is consistent with that of nearby dwellings. Whilst the render colour of grey/green has been suggested in the submission, a condition has been recommended below to require samples of the colour finish ensuring that this will sit well in the surroundings. As a result, the scheme is considered to accord with policy CP4 of the Local Plan 2017 and the NPPF.

Ecology

- 7.16 The Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations') affords protection to certain species or species groups, commonly known as European Protected Species (EPS), which are also protected by the Wildlife and Countryside Act

APPENDIX A

1981. This is endorsed by policies CP 7 and DM 28 of the Local Plan, which relates to the protection of sites of international conservation importance including Special Areas of Conservation (SAC), Special Protection Areas (SPA) or Ramsar Sites.

- 7.17 Under the Natural Environment and Rural Communities Act (2006), the authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions for the purpose of conserving biodiversity. Furthermore, the National Planning Policy Framework states that 'the planning system should contribute to and enhance the natural environment by minimising impacts on biodiversity and delivering net gains in biodiversity where possible'. The National Planning Policy Framework states that 'if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for then planning permission should be refused.'
- 7.18 National planning policy aims to conserve and enhance biodiversity, and encourages opportunities to incorporate biodiversity in and around developments. Under the Natural Environment and Rural Communities Act (2006), "every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of these function, to the purpose of conserving biodiversity".
- 7.19 In terms of the Local Plan, policy DM 28 sets out that development proposals will conserve, enhance, and extend biodiversity, provide for net gains where possible, minimise any adverse impacts and compensate where impacts cannot be mitigated.
- 7.20 Policy E9 of the Boughton and Dunkirk Neighbourhood Plan also requires development within the plan area to demonstrate a 10% biodiversity net gain. This was not originally addressed within the application and was requested by Officer's. A Biodiversity Report was subsequently submitted which has demonstrated that a 17.22% biodiversity net gain is achievable on site. This will be achieved by:
- Managing grassland in zones on rotation
 - Grassland enhanced by sowing the grassland with a shade growing, meadow wild flower mix
 - 134.5m of native hedgerow to be planted on the boundaries
 - Locally sourced, native trees to be planted in the treeline including oak, beech, wild cherry, crab apple and holly.
- 7.21 After receipt of the Biodiversity Report, KCC Ecology were re-consulted and advised that acceptable ecological information has been provided to determine the application,

APPENDIX A

subject to conditions as set out below. This includes a condition requiring the submission of a Biodiversity Gain Plan and Biodiversity Management and Monitoring Plan to include 30 year objectives, management responsibilities, maintenance schedules and methodology to monitor how the net gain is progressing. As a result, the scheme is compliant with policy DM28 of the Local Plan 2017 and policy E9 of the Boughton and Dunkirk Neighbourhood Plan and the NPPF.

Transport and Highways

7.22 The NPPF promotes sustainable patterns of development and expects land use and transport planning to work in parallel in order to deliver such. A core principle of the NPPF is that development should:

“Actively manage patterns of growth to make the fullest use of public transport, walking and cycling and to focus development in locations which are sustainable.”

7.23 The NPPF also states that:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

7.24 Local Plan policy promotes sustainable transport through utilising good design principles. It sets out that where highway capacity is exceeded and/ or safety standards are compromised proposals will need to mitigate harm.

7.25 The data storage building is not a use that would require a high number of vehicle movements. It is anticipated that approximately seven employees will work at the site on a rota basis and with proposed off road parking for seven vehicles (including one disabled space and cycle parking), the proposal is not considered to contribute to any issues regarding highway safety and convenience in the local area.

7.26 Although in response to the consultation KCC Highways have stated that this development falls below their threshold for responding, it is noted that KCC Highways raised no objections in relation to the previously approved scheme for the same development, subject to a number of conditions which have again been recommended below. As a result, the proposed development is in accordance with policy DM7 of the Local Plan, policy BE3 of the Neighbourhood Plan and the Council's adopted Parking standards.

Living Conditions

7.27 The Local Plan requires that new development has sufficient regard for the living conditions of neighbouring occupiers.

APPENDIX A

- 7.28 It is not considered that the proposal would result in significant harm to the living conditions of local residents by way of being overbearing or giving rise to a loss of daylight / sunlight as the proposed building, whilst on a site almost surrounded by residential properties, would be set back in the corner of the site, approximately 24m from the nearest residential dwelling. The windows at first floor level would be obscure glazed and only high-level windows would be openable to ensure no overlooking.
- 7.29 The noise report submitted by the applicant concludes that the impact of noise can be mitigated through detailed design. Following, consultation with the Council's Environmental Protection team it is concluded that the proposed facility is technically feasible in this location. In order to ensure that a scheme operates within acceptable noise levels a fully developed acoustic design will be required to be submitted prior to the commencement of development. In addition, a condition is also recommended requiring a noise verification report to demonstrate that noise mitigation measures in the approved acoustic design have been implemented. A further condition is also recommended to require the submission of a post installation sound assessment (within one month) to ensure that the noise levels are not being exceeded. This is seen as an extremely robust set of conditions to ensure that noise levels are controlled and that the living conditions of the occupants of nearby dwellings are adequately protected. Therefore, subject to this, and conditions related to details of any ventilation equipment, details of external lighting and standard construction hours the Council's Environmental Health Team raise no objection. As a result, the scheme complies with policy DM14 of the Local Plan in terms of its impact upon living conditions.

Archaeology

- 7.30 The NPPF sets out that where development has the potential to affect heritage assets with archaeological interest, LPAs should require developers to submit an appropriate desk-based assessment, and where necessary, a field evaluation.
- 7.31 Policy DM 34 of the Local Plan sets out that planning applications on sites where there is or is the potential for an archaeological heritage asset, there is a preference to preserve important archaeological features in situ, however, where this is not justified suitable mitigation must be achieved.
- 7.32 The site is located within an area of archaeological importance. The County Archaeological Officer has raised no objection to the application subject to a condition being imposed on any permission for the implementation of a programme of archaeological work in accordance with a written specification. This condition is included below and as result the scheme complies with policy DM34 of the Local Plan.

APPENDIX A**Sustainability / Energy**

- 7.33 Policy DM19 of the Local Plan requires development proposals to include measures to address climate change. Specifically, the policy sets out that all new non residential developments (under 1,000sqm) will aim to achieve BREEAM 'good' as a minimum. On this basis a condition is imposed to ensure that this is achieved and as such, the proposal complies with policy DM19.
- 7.34 As well as policy DM19 of the Local Plan requiring development proposals to include measures to address and adapt to climate change, the Council's Car Parking SPD states that non-residential uses with off-street parking are required to provide 10% Active Charging Spaces with all other spaces to be provided as Passive Charging Spaces. A condition to secure at least one EV Charging point to comply with this is included below.

8. CONCLUSION

- 8.1 Whilst the footprint of the proposed building is more substantial than the residential dwellings in the area, these houses are all some distance away from the proposed development and the proposal is of a comparable height to the two storey houses. In the setting of the mast, which is considerably taller, the proposed building will have its bulk reduced in appearance as the massing is broken up into different forms and articulated into vertical and horizontal art-deco elements.
- 8.2 The IT functionality and the mid-20th Century aspirations of the architectural language are not at odds with the historic character of the listed building. These IT communication systems reflect something of the historic use of the RAF mast. No sustainable objections to the principle of the use of the building on the site on design or conservation grounds have been identified and the overall approach to the design is acceptable. Historic England and the Environmental Protection Team have found no reasons to object to the scheme on heritage or amenity grounds.
- 8.3 The proposal represents an opportunity for technological growth, and the use of a brownfield site is encouraged by the NPPF and the Boughton and Dunkirk Neighbourhood Plan. The proposal would also lead to the creation of seven jobs, which is supported by both the Local Plan and the NPPF. Taking all these factors into consideration, it is recommended that planning permission is granted subject to conditions.

CONDITIONS

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

APPENDIX A

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (2) The development hereby approved shall be carried out in accordance with the following approved drawings:

1078/101D, 1078/102D, 1078/103D, 1078/104C and 1078/105C.

Reason: For the avoidance of doubt and in the interests of proper planning.

- (3) The area shown on drawing 1078/101D as car parking space shall be kept available for such use at all times and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking or re-enacting that Order) or not, shall be carried out on the land so shown or in such a position as to preclude vehicular access thereto; such land and access thereto shall be provided prior to the first use of the development hereby permitted.

Reason: in the interests of highway safety and convenience.

- (4) Prior to the commencement of development a Construction Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: In the interests of the amenities of the area and highway safety and convenience.

- (5) The first 5m of the access from the edge of the highway shall be laid to a bound surface.

Reason: In the interests of highway safety.

- (6) The entrance gates to the access shall open away from the highway and be set back a minimum of 5.5m from the edge of the carriageway.

Reason: In the interests of highway safety.

- (7) The trees shown on the plans hereby approved as "existing trees to be retained" shall be retained and maintained. Any such trees removed, dying, being severely damaged or becoming seriously diseased within five years of the date of this

APPENDIX A

permission shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.

Reason: In the interests of visual amenity.

- (8) No development beyond the construction of foundations shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate, means of enclosure, hard surfacing materials, and an implementation programme.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (9) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (10) Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (11) All mitigation for cotoneaster, reptiles, bats, and breeding birds will be carried out in accordance with the details contained in Section 4 of the 27th October 2022 Corylus Ecology, Preliminary Ecological Appraisal and Bat Building Report.

Reason: In the interests of preserving and encouraging biodiversity.

- (12) No development beyond the construction of foundations shall occur until a Biodiversity Gain Plan and Biodiversity Management and Monitoring Plan (to ensure that there is at least a 17.22% net gain in biodiversity as a result of the development, and the inclusion of habitat features) have been submitted to and agreed in writing by the Local Planning Authority.

The Biodiversity Gain Plan shall include a detailed planting plan, durable bird and bat boxes aimed at species of conservation concern and a review (and where required, update) of the Biodiversity Net Gain Report and Small Sites Metric Calculation Tool Spreadsheet Version 4.0 by Corylus Ecology, dated 18th July 2023 and showing a 17.22% net gain respectively.

APPENDIX A

The Biodiversity Management and Monitoring Plan shall include 30-year objectives, management responsibilities, maintenance schedules and a methodology to monitor how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

The Biodiversity Management and Monitoring Plan shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

Reason: In the interests of preserving and encouraging biodiversity.

- (13) No external lighting shall be installed until a detailed scheme of lighting has been submitted to, and approved in writing by the Local Planning Authority. This scheme shall take note of and refer to the Institute of ILP Guidance Note 01/21 The Reduction Of Obtrusive Light (and any subsequent revisions) and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. The scheme of lighting shall be installed, maintained and operated in accordance with the approved scheme.

Reason: In the interests of residential amenity.

- (14) No dust or fume extraction or filtration equipment, or air conditioning, heating or ventilation equipment shall be installed until full details of its design, siting, discharge points and predicted acoustic performance have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of residential amenity.

- (15) No development beyond the construction of foundations shall take place until external finishing materials to be used in the construction of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity.

- (16) All first floor windows in the building shall be obscure glazed and non-opening apart from those parts above 1.7m above finished internal floor level.

Reason: In the interests of residential amenity.

- (17) Prior to first use of the building information boards relating to the history and significance of the site shall be installed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the area.

- (18) Prior to the commencement of the development, a detailed design of the facility, along with the acoustic performance of all components associated with the facility

APPENDIX A

and mitigation measures to be employed (an Acoustic Design Report), shall be submitted to and approved by the Local Planning Authority. The design shall demonstrate that the nearest sensitive receptors shall not be adversely affected by noise generated by the development.

Reason: In the interests of residential amenity.

- (19) Prior to first use of the development, a Verification Report shall be submitted to and approved in writing by the Local Planning Authority which demonstrates that all relevant noise mitigation measures recommended in the approved Acoustic Design Report have been implemented.

Reason: In the interests of residential amenity.

- (20) Within 1 month of first use of the Data Storage Facility, post installation sound level assessments shall be undertaken and the results submitted to the Local Planning Authority.

If the results of the post installation sound level assessments show the specified sound levels at the specified receptors identified are exceeded, further mitigation details and a timetable of implementation shall be submitted for the approval of the Local Planning Authority within 2 months of the first use of the Data Storage Facility. The approved further mitigation details shall be installed to the approved timetable and retained thereafter.

Reason: In the interests of residential amenity.

- (21) No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:

Monday to Friday 0800 – 1800 hours, Saturdays 0800 – 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- (22) The use of the building hereby permitted shall be restricted to the electronic storage of data and it shall not be used for any other storage or distribution purpose (within Class B8) or for any other purpose including any uses otherwise provided for by the operation of the Town and Country Planning (Use Classes) Order 1987 (as amended) or The Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended).

Reason: In the interests of the amenities of the area.

- (23) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

APPENDIX A

Reason: To ensure that features of archaeological interest are properly examined and recorded.

- (24) Prior to the use of the development hereby permitted commencing, 1 of the parking spaces shall be fitted with an active electric vehicle charging point; with the remainder provided as passive charging spaces.

All Electric Vehicle chargers provided must be to Mode 3 standard (providing a minimum of 7kw) and SMART (enabling Wi-Fi connection). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list: <https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approved-chargepoint-model-list>

Reason: In the interests of sustainable development and encouraging sustainable modes of travel.

- (25) The building hereby permitted shall be constructed to meet a minimum of BREEAM "Good" Standard or an equivalent standard, and prior to first use of the building the relevant certification shall be submitted to the Local Planning Authority confirming that the required standard has been achieved.

Reason: In the interests of energy efficiency and climate change.

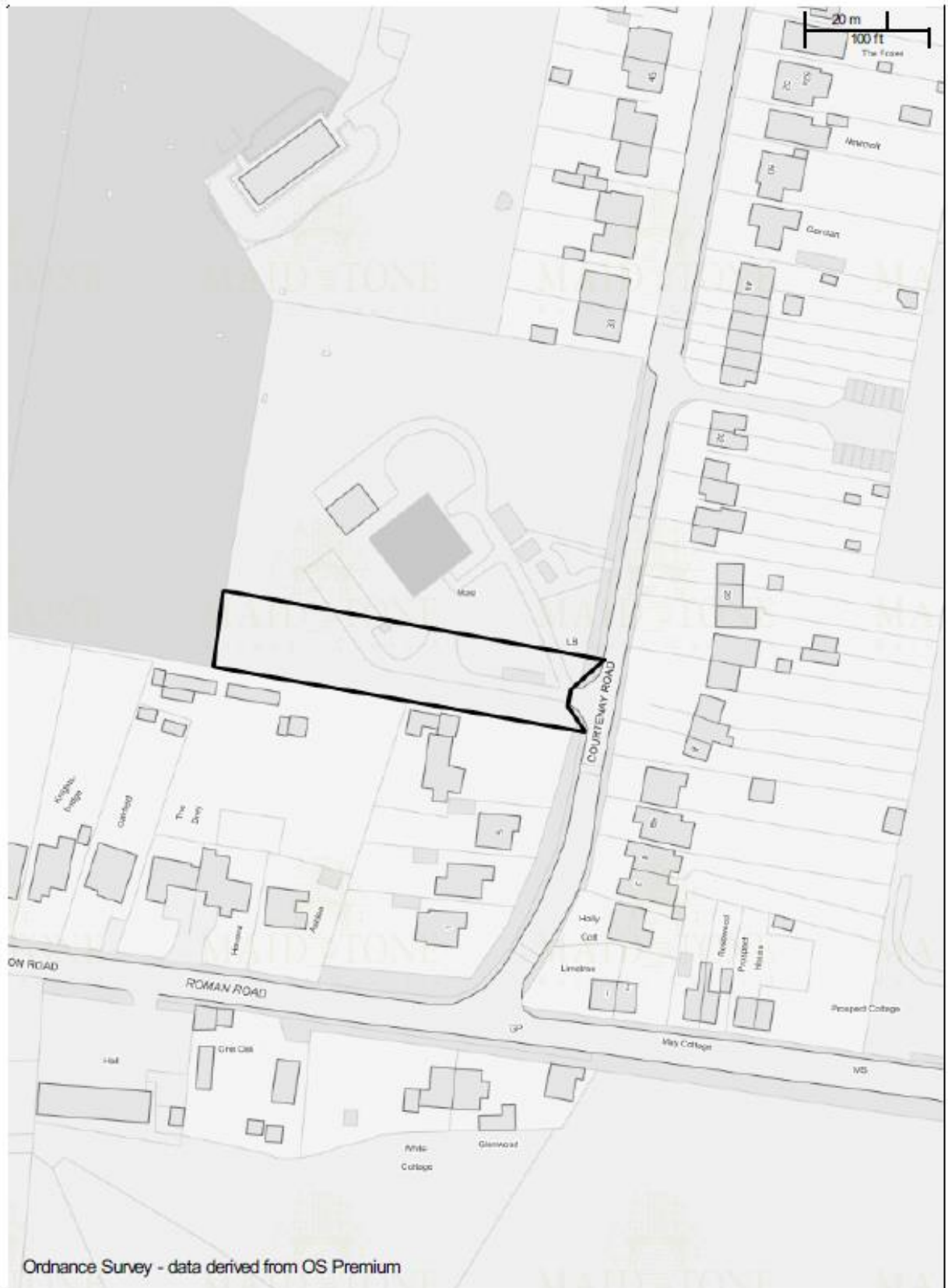
The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), September 2023 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

In this instance:

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

APPENDIX A



Ordnance Survey - data derived from OS Premium



22/505369/FULL - Former RAF Mast Site Courtney Road Dunkirk ME13 9LH

Scale: 1:1250

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