

# PLANNING STATEMENT

Site: Albion Road, Dartford.

Client: Select Plant Hire.

Prepared by: JB/JH/15650.

Date: July 2021.

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## 1.1 Introduction

1.1.1 This Planning Statement has been prepared on behalf of the applicant, Select Plant Hire, in relation to the following related applications, which are required in order for the applicant to be able to use the former Ocado warehouse at Albion Way, Dartford, which has remained vacant for some time:

- 1) Discharge Condition 27 of planning application reference: DA/02/00086/OUT, which prohibits open storage of any goods or materials within the curtilage of any of the premises or employment areas, without the prior approval of the LPA; and
- 2) Remove personal occupancy Condition 1 pertinent to planning application reference DA/07/01217/REM, which restricts the use of the premises to Ocado only unless prior approval is sought from the LPA.

1.1.2 The discharge of condition and removal/variation of condition application are interconnected, as the applicant, Select Plant Hire, can only effectively operate the site if the personal condition is removed and open storage of goods and materials is allowed.

1.1.3 This statement provides an overview of the application site, the proposed works, addresses historic planning decisions on the site and subsequently concludes the development is acceptable and therefore requests that planning permission be granted for the above works.

1.1.4 This Planning Statement is intended to be read in conjunction with the following suite of documents:

Document	Author
Planning Statement.	DHA PLANNING.
Transport Note.	DHA TRANSPORT.
Site Location Plan.	Gerald Eve.
Albion Road – Existing Site Layout Plan.	Gerald Eve.
Proposed Site Layout Plan.	Gerald Eve.
Existing Floor Plans.	Laing O'Rourke.
Existing North East Elevation.	Laing O'Rourke.
Existing North West Elevation.	Laing O'Rourke.
Existing south East Elevation.	Laing O'Rourke.
Existing South West Elevation.	Laing O'Rourke.

Proposed Floor Plans.	Laing O'Rourke.
Proposed North East Elevation.	Laing O'Rourke.
Proposed North West Elevation.	Laing O'Rourke.
Proposed South East Elevation.	Laing O'Rourke.
Proposed South West Elevation.	Laing O'Rourke.
Floor Plan Proposed Office	Select Plant Hire.
Elevations Proposed Office.	Select Plant Hire.

## 1.2 Site Location, Planning History and Context

### Application Site

- 1.2.1 The site lies to the west of the A282 and to the north of Rennie Drive, comprising some 2.5 hectares of hardstanding with a large warehouse. The application site itself comprises some 1.17 hectares of land.
- 1.2.2 Until around 2017, the site was used by the Ocado Group as a Storage and Distribution Centre (B8). Ocado Group employees travelled to the site where personal vehicles were then parked. Ocado Group vans/HGVs which were then parked on the site were loaded and various journeys made to consumers. Within the main building there were some offices ancillary to the B8 usage of the site.
- 1.2.3 The site lies within Flood Zone 3, an area with a high risk of flooding that benefits from flood defences. Given the nature of the proposals it is considered that the proposal will have no effect on flooding.

### Surrounding Area

- 1.2.4 The site lies some 750m to the west of the A282, which provides access to the Dartford Crossing and the M25 (both clockwise and anti-clockwise) as well as the A2.
- 1.2.5 The site lies adjacent to an identified employment area (Policy DP20) where local policy is clear that the areas have a vital role in providing storage, industrial and distribution services.

### Planning History

- 1.2.6 According to the online records held by Dartford Borough Council, the site has been subject to the following relevant planning applications:

Application Reference	Description	Status
02/00086/OUT	Outline application for the redevelopment of the site to provide Class B8 (storage and distribution) uses and ancillary Class B1 uses with associated highway works and landscaping and alterations to existing site access.	Approval of Outline Permission.
07/01217/REM	Submission of reserved matters pursuant to Conditions 1, 3, 9, 19 and 21 (in part) of Planning Permission DA/02/00086/OUT for the erection of a detached warehouse building with offices at	Approval of Details.

	first floor level together with associated car parking, servicing and landscaping.	
08/00522/REM	Submission of reserved matters pursuant to Conditions 1, 9, 19 and 21 of Planning Permission DA/02/00086/OUT in respect of siting; design; external appearance; landscaping; drainage for parking and car parking provision for the erection of 2 detached warehouse buildings with offices at first floor level together with associated car parking and servicing.	Approval of Details.
09/00255/CDNA	Submission of details in respect of Gas Membrane, External Materials and External Lighting pursuant to Conditions 07, 08 and 22 of Planning permission DA/02/00086/OUT.	Approval of Details for Conditions.
09/00524/CDNA	Submission of Travel Plan pursuant to Condition 20 of Planning permission DA/02/00086/OUT.	Approval of Details for Conditions.
10/01357/OUT	Application to renew outline application DA/02/00086/OUT for the redevelopment of the site to provide Class B8 (storage and distribution) uses and ancillary Class B1 uses with associated highway works and landscaping and alterations to existing site access.	Approval of Outline Permission.

### Context to the Application

- 1.2.7 The applicant, Select Plant Hire, are one of the UK's largest suppliers of equipment and services to the construction industry. The company supply all manner of equipment to the construction industry, including but not limited to: tower cranes, mobile cranes, crawler cranes, MEWPS, hoists and lifting accessories.
- 1.2.8 This particular branch of the company are currently located at Church Manorway, Erith some 5km to the west of the application site. Select now need to vacate that site and have identified the application site as being conveniently located to allow existing staff to be retained, whilst being accessible to major road networks and having appropriate facilities to accommodate staff and equipment.
- 1.2.9 The existing personal condition has prevented occupation by any other company since Ocado vacated the site, whilst external storage is a necessary function for Select, and would be no different to the use of other sites nearby.

### Proposed Development

- 1.2.10 Select's use of the site falls within the extant B8 use so no change of use is required.
- 1.2.11 Machinery and equipment will predominately be stored externally, whilst the existing warehouse will be used for storage and the ancillary general maintenance and repairs of machinery and equipment, whilst the current offices will be converted for staff welfare facilities, retaining kitchen and staff breakout areas.
- 1.2.12 As aforementioned, Select Plant Hire operate by renting machinery/equipment to Construction companies. Construction companies state the machinery/equipment they require, as well as how long for, and then Select Plant Hire transport the

machinery/equipment to the appropriate site, where it could stay on site for a day or for a number of weeks, depending on the scale and nature of development.

- 1.2.13 Once the construction company has finished using the machinery/equipment, Select Plant Hire then transport the goods back to site, where they will be inspected, repaired if necessary within the warehouse building, and then stored ready for next use.
- 1.2.14 It is considered that the operation generates little to no noise, air, and odour concerns. All repairs will be undertaken within the warehouse building in order to minimise disturbance.

### **1.3 Planning Policy Framework**

#### Introduction

- 1.3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the statutory development plan, unless material considerations indicate otherwise.
- 1.3.2 For the purpose of this planning application, the adopted Development Plan for Dartford Borough Council comprises the Core Strategy (2011) and Development Policies Plan (2017).
- 1.3.3 The National Planning Policy Framework ('NPPF' or 'the framework', 2021) will also be considered.

#### Core Strategy (2011)

- CS1: Spatial Pattern of Development;
- CS6: Thames Waterfront;
- CS7: Employment Land and Jobs;
- CS15: Managing Transport Demand;
- CS16: Transport Investment;
- CS24: Flood Risk; and
- CS26: Delivery and Implementation.

#### Development Policies Plan (2017)

- DP1: Dartford's Presumption in Favour of Sustainable Development;
- DP3: Transport Impacts of Development;
- DP4: Transport Access and Design;
- DP20: Identified Employment Areas;

#### National Planning Policy Framework (2021)

- 1.3.4 Achieving sustainable development is the core objective for the planning system and the NPPF is built on the premise that sustainable development should go ahead without delay.

- 1.3.5 Paragraph 8 states that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:
- *'contribute to building a strong, responsive and competitive economy, and identify and coordinate provisions for infrastructure;*
  - *support strong, vibrant and healthy communities; and*
  - *contribute to protecting and enhancing our natural, built and historic environment'.*
- 1.3.6 Paragraph 38 relates to 'decision-making' and states that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area.
- 1.3.7 Paragraph 81 regards 'building a strong, competitive economy.' The paragraph indicates that planning policies and decisions 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, taking into account both local business needs and wider opportunities for development.
- 1.3.8 Paragraph 111 is clear 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.
- 1.3.9 Paragraph 120 subparagraph (c) is clear that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs.
- 1.3.10 Paragraph 122 notes that planning decisions need to reflect changes in the demand for land.

#### **1.4 Discharging Condition 27 of Planning Application Ref: DA/02/00086/OUT**

- 1.4.1 Planning application ref: DA/02/00086/OUT was granted outline planning permission in 2002 for the:

*'Redevelopment of the site to provide Class B8 (storage and distribution) uses and ancillary Class B1 uses with associated highway works and landscaping and alterations to existing site access'.*

- 1.4.2 Condition 27 of the above outline planning permission states:

*'27. There shall be no open storage of any goods or materials within the curtilage of any of the premises or employment areas without the prior approval of the Local Planning Authority'.*

- 1.4.3 This application seeks approval of open storage in accordance with condition 27.

- 1.4.4 The reason for imposing the condition was to avoid obstruction of vehicle parking/manoeuvring areas and to ensure the character and appearance of the development and the locality is not significantly harmed in accordance with Policies B1, H12 and T22 of the adopted Dartford Local Plan.

***Obstruction of vehicle parking/manoeuvring areas***

- 1.4.5 Firstly, we note that the Policy Document given for imposing the above condition, The Dartford Borough Local Plan 1995 no longer forms part of the Development Plan and therefore should not be considered as part of this planning application.
- 1.4.6 Select Plant Hire have extensive experience and knowledge in storing equipment and machinery and it is considered that no vehicle parking/manoeuvring areas will be obstructed as part of the proposal.
- 1.4.7 The below photos show the standards which Select Plant Hire seek across all their sites.



**Figure 1: Example of external storage of machinery/equipment at their existing Erith site.**





**Figure 2: Example of external storage of materials/equipment.**

### ***Character and appearance***

- 1.4.8 The wider character and appearance of the area is that of an industrial area, as recognised in the Delegated Report for Planning Permission 19/00949/FUL (The Thames Crane site, site directly to the east of the site in discussion), which granted the erection of an industrial building for B2 Use, including ancillary offices, services areas etc. on land to the west of the application site.
- 1.4.9 It is worth noting that whilst the above application does not propose external storage, there is no conditions requesting that prior approval be granted before commencing with external storage.
- 1.4.10 The site is surrounded by similar B Use Classes to the north, south, east and west, including sites with extensive open storage, so there would be no adverse impact on the character and appearance of the area.
- 1.4.11 Furthermore, the site's former use suggests that at least 100 vans/HGVs could have been parked on the site at any one time. Open storage as proposed would not be as harmful than this previous use.
- 1.4.12 In addition, having reviewed historic satellite images, it is also considered that the wider area of the site has become more industrial since the 2002 planning permission.
- 1.4.13 Industrial buildings to the south of the site having been erected and it is concluded that the character and appearance of the area has changed considerably since the granting of the 2002 planning application, with the application site having little to no relation to nearby residential development.



Figure 3: Application site (edged red) and surrounding Land. December 2003)



Figure 4: Application Site (edged red) and the Surrounding Land. May 2021.

## 1.5 Removing Personal Condition 1 of Planning Permission: DA/07/01217/REM

- 1.5.1 Planning permission DA/07/01272/REM was granted to discharge Reserved Matter conditions 1, 3, 9, and 21 of planning permission DA/02/00086/OUT for the erection of a detached warehouse building with offices at first floor level together with car parking, servicing and landscaping.



1.5.2 The permission was granted subject to the following condition:

'1. *The use of the premises hereby permitted shall enure for the sole benefit of Ocado and it shall not enure for the benefit of the land or any other person, persons, or company without the prior approval of the Local Planning Authority*'.

1.5.3 The condition was imposed for the following reason:

*'The permission would not otherwise have been forthcoming bearing in mind the car parking provision, site management and traffic generation of the particular user in accordance with Policies B1, T19 and T22 of the Adopted Local Plan*'.

1.5.4 We note that the use of personal conditions are rarely applied to planning permissions as of late as it is considered that there shouldn't be personal circumstances for a development to be acceptable, developments should be judged on the merits of the application as presented. As per NPG Guidance pertinent to use of planning conditions, paragraph: 015 reference ID: 21a-015-20140306 is clear that planning permissions usually run with the land and it is rarely appropriate to provide otherwise. A condition limiting the benefit of the permission to a company is inappropriate because its shares can be transferred to other persons without affecting the legal personality of the company. <sup>1</sup>

1.5.5 In order to assist the LPA in determining whether it is appropriate for Condition 1 of Planning Permission DA/07/01217/REM to be removed, the applicant has instructed a Transport Statement (TS) to accompany this planning application.

1.5.6 The TS compares the extant total vehicle trip generation of planning permission ref: DA/07/01217/REM, from data obtained from the TS associated with that application, and compares the figures to the proposed development trip generation in order to establish whether the proposal will have an impact on the local road network.

1.5.7 The extant B8 use of the site has the capacity to generate approximately 61 trips during the morning peak with 47 trips taking place during the afternoon peak.

1.5.8 The proposed development would result in the generation of 27 vehicle movements during the morning 3-hour peak, with 31 taking place in the afternoon 3-hour peak.

1.5.9 It is noted that the development proposals will result in a net decrease in vehicle movements when compared with the extant trip generation of the existing site, equating to a reduction of 34 trips in the morning peak and 16 in the afternoon peak.

1.5.10 Details of how the above calculations have been met are contained within the accompanying TS, however, it is concluded that this level of trip generation will not result in highway impacts and indeed is likely to result in a reduction in residual vehicle trip generation.

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<sup>1</sup> Is it appropriate to use conditions to limit the benefits of the planning permission to a particular person or group of people: <https://www.gov.uk/guidance/use-of-planning-conditions>

- 1.5.11 Furthermore, the proposed use of the site as part external storage will mean that space historically used for parking is physically taken away. This will hinder the amount of parking that could take place on the site.

## **1.6 Summary**

- 1.6.1 This statement has demonstrated that the site is located within a heavily industrialised area, where it is commonplace for various vehicles, machinery and equipment to be stored externally.
- 1.6.2 Since the granting of planning permission reference: DA/02/00086/OUT, the context of the site has changed dramatically, and there is no relation to the site in discussion with nearby residential uses. As confirmed within the Delegated Report of planning permission ref: 19/00949/FUL the wider character and appearance of the area is that of an industrial area. As the site pertinent to this application lies adjacent to the 19/00949/FUL site, we consider that the same determination must be reached by the Council.
- 1.6.3 In terms of removing the personal condition attached to the site implemented under planning permission ref: DA/07/01217/REM, it is confirmed within the accompanying TS that the proposed development will result in a net decrease in vehicle movements when compared with the extant trip generation of the site.

## **1.7 Conclusion**

- 1.7.1 In light of the above, we respectfully ask the Council to Discharge Condition 27 of planning application reference: DA/02/00086/OUT as well as remove the personal occupancy Condition 1 pertinent to planning application reference DA/07/01217/REM.
- 1.7.2 Should there be any queries, please do contact: [jonathan.buckwell@dhaplanning.co.uk](mailto:jonathan.buckwell@dhaplanning.co.uk) and [jack.harley@dhaplanning.co.uk](mailto:jack.harley@dhaplanning.co.uk)