

Our ref: CW/AF/Q230438
Your ref: 22/502598/FUL
Email: charlotte.williams@quod.com
Date: 16th November 2023



Planning Department
Swale Borough Council
Swale House
East Street
Sittingbourne
ME10 3HT

Submitted via Planning Portal (PP-12591610)

FAO: Megan Harris

Dear Sir / Madam,

Town and Country Planning Act 1990 (as amended)
Land at Trinity Trading Estate, Mill Way, Sittingbourne, ME10 2PG
Application for a Non-Material Amendment to planning permission ref.
22/502598/FULL, dated 27th January 2023
On behalf of Batut Property Unit Trust

We are instructed by our client, Batut Property Unit Trust ('the Applicant'), to submit the enclosed Section 96A application which seeks approval for a non-material amendment to planning permission ref. 22/502598/FUL, dated 27th January 2023 at Land at Trinity Trading Estate, Sittingbourne, ME10 2PG ('the Site').

The application specifically relates to the plans approved under Condition 2 of planning permission ref. 22/502598/FUL.

As Officer's will be aware, an application made under Section 96A is not an application for planning permission. A non-material amendment is a quick and simple procedure which allows non-material amendments to be approved by the Local Planning Authority within 28 days. Section 38(6) is not relevant for the reasons set out in this covering letter.

The proposed amendments to this existing planning permission are non-material and this application should therefore be granted. It should also be noted that Central Government does not expect consultation or publicity to be required given the non-material nature of these amendments, which is wholly relevant in this instance. The minor nature of changes for which this application seeks approval, can be dealt with by way of a Section 96A non-material amendment application.

The following documents have been submitted in support of this application:

Completed application form;

Quod | 21 Soho Square London W1D 3QP | 020 3597 1000 | quod.com

Quod Limited. Registered England at above No. 7170188





Copy of Decision Notice (ref. 22/502598/FUL);

Site Location Plan (dwg. 0501 C); and

The following plans prepared by UMC Architects:

Drawing Title	Drawing Reference	Scale
Existing Site Plan	0502 D	1:250 @ A0
Proposed Site Plan	0503 G	1:250 @ A0
Proposed Fencing Plan	0504 H	1:250 @ A0
Proposed Cycle Store & Bin Store Plan	0505 F	1:250 @ A0
Proposed Site Surfacing Plan	0506 F	1:250 @ A0
Existing Substation Location Plan	0508 D	1:250 @ A0
Tree Retention and Removal Plan	2235 21 03 D	1:500 @ A2
Proposed Soft Landscape: Landscape Maintenance and Management Plan	2235 21 RP01 C	NTS
Detailed Planting Plan	2235 21 04 L	1:500 @ A2

An online payment of £234 has been made to Swale Borough Council on the day of submission, along with the planning portal administration fee.

1 Background

Full planning permission was granted on 27th January 2023 under planning permission ref. 22/502598/FULL for the following development:

“Erection of 1no. building for use class E(g)(iii), B2 and B8 including access and servicing arrangements, vehicle parking, refuse storage, landscaping and associated works”.

The planning permission was subject to 13no. conditions.

A non-material amendment application was granted on 13th March 2023 under planning permission reference 23/500687/NMAMD. The application allowed revisions to the timing trigger of Condition 7 (BREEAM) to enable the submission of the BREEAM Certificate within 6 months of occupation of the completed development.

A further non-material amendment application was granted on 23rd August 2023 under planning permission ref. 23/503649/NMAMD. The application permitted revisions to the position of the substation and subsequent amendments to the approved landscaping scheme. This was necessary to allow UK Power Networks maintenance access to the substation.



A copy of the Decision Notices are enclosed as **Document 1**.

This non-material amendment application specifically relates to the wording of Condition 2 (Approved Plans) of planning permission ref. 22/502598/FULL. The approved plans and those which they will replace are listed at Table 1 below.

The approved plans are required to be amended for two reasons:

1. to create a future development phase at the north of the Site specifically to avoid “Hillside” and “Pilkington” issues with its future redevelopment; and
2. landscaping revisions to enable the installation of the approved EV charging facilities. This is necessary to avoid a conflict between the landscaping proposals and the existing foul water drainage and HV / LV cable easement zones.

Further details are set out below.

2 Proposals

This NMA is required to ensure that the area to the north west of the site can be developed in the future alongside the current planning permission and to amend the landscaping scheme slightly to avoid a conflict between the approved species of tree and utilities beneath the site.

Future Development Phase

The Applicant is the owner of the wider Trinity Trading Estate (‘TTE’) and has aspirations to invest into and modernise the entirety of the estate. Following the approval of Unit 140 – which is now known as ‘Unit 53’ – under planning permission ref. 22/53598/FUL, there has been interest from an existing occupier at TTE to operate from a new, larger unit within the estate. The name of the operator must remain confidential at the time of submission for commercial reasons. An area of land to the north of Unit 53 has been identified as an ideal site to accommodate the operator, who are specifically seeking a new unit for Class E(g)(iii), B2 and B8 use. The identified Site comprises an area of hardstanding which is marked for car parking and a grass verge.

A full planning application has been submitted for the redevelopment of this land and is currently pending determination by SBC under planning permission ref. 23/504568/FULL. The application proposes the following development:

“Erection of 1no. warehouse for use class E(g)(iii), B2 and B8 including access and servicing arrangements, vehicle parking, refuse storage, landscaping and associated works”.

The Proposed Site Layout Plan (dwg. 0601 P4) - which has been submitted for approval - shows the area for development and is appended as **Document 2**.



The red line area submitted for planning application ref. 23/504568/FULL, overlaps with the red line boundary approved under planning permission ref. 22/53598/FULL, particularly at the site access and within the car parking and vehicle movement areas. This is shown on the Planning Boundary Overlay Plan (dwg. P000 P1) which is appended as **Document 3**. In order for both developments to be delivered lawfully, the approved layout plan for planning permission 22/53598/FULL needs to acknowledge that there is a future development in the north west corner of the site. As such, this application seeks to amend the relevant approved plans to show a “future development phase”.

Ultimately, this issue should be considered an unavoidable administrative matter as a result of the Hillside Judgement in 2022. The most appropriate method to ensure that both developments can be delivered lawfully is to acknowledge the future development zone in the approved plans of 22/503598/FULL. Officers will be aware of the Pilkington¹ and Hillside² judgements, which are relevant. The Pilkington case restricts the submission of ‘drop-in’ applications where it becomes physically impossible to carry out development authorised by an earlier permission. The Hillside case restricts the use of minor material amendment applications (under Section 73) to vary a planning permission where that variation would be inconsistent with the description of the development.

The proposed approach has previously been discussed with SBC Officer’s as part of pre-application discussions (ref. 23/503457). SBC advised at pre-application stage that the proposed revisions would be reviewed by Officer’s once the non-material amendment application had been formally submitted.

Landscaping

Amendments are also required to the approved landscaping scheme to allow the installation of the approved electric vehicle parking facilities at the southern boundary of the car park.

There are currently 4no. Acer campestre trees proposed at the southern boundary of the car park. However, this species of tree has a root depth of up to 5 metres. The position of the proposed trees and their pits therefore conflict with the location of the ducts required for the electric vehicle parking, which are at a depth of 0.5 metres. This is illustrated on the enclosed Proposed External Ducting Plan (dwg. 0605 C4) which is enclosed as **Document 4**.

To ensure that there is no conflict, the 4no. Acre campestre trees have been replaced with 4no. Amelanchier canadensis along the southern boundary of the car park. As these trees do not require a tree pit, there will be no conflict with the underground ducts.

It has also become apparent that there is a foul water easement zone in the western part of the site, where a single tree was proposed. This is shown on the enclosed Proposed Ducting Plan (dwg. 0605

¹ Pilkington v Secretary of State for the Environment and Others [1973] 1 WLR 1527 (CA)

² Hillside Parks Ltd v Snowdonia National Park Authority [2022] UKSC 30



C4). Due to the tree's position over the foul water easement, it cannot be planted due to the root system and pit of the proposed tree being too deep for this location.

Finally, the species mix along the northern boundary of the Unit 53 car park site has been revised from 3no. sorbus aucuoparia to 3no. mahonia x media 'charity'. This is due to the position of the planting over the HV / LV cable easement zone, which is also shown on the enclosed Proposed Ducting Plan (dwg. 0605 C4).

The new planting will provide a shallow root system which will not conflict with the existing easement. The plans approved under planning permission reference 22/503598/FULL and which are to be superseded are set out in **Table 1**.

Table 1: Approved and Proposed Plans

Approved Plans (to be superseded)	Proposed Plans (to be approved)
Existing Site Plan (dwg. 0502 B)	Existing Site Plan (dwg. 0502 D)
Proposed Site Plan (dwg. 0601 G)	Proposed Site Plan (dwg. 0503 D)
Proposed Fencing Plan (dwg. 0504 H)	Proposed Fencing Plan (dwg. 0504 G)
Proposed Cycle Store & Bin Store Plan (dwg. 0505 F)	Proposed Cycle Store & Bin Store Plan (dwg. 0505 D)
Proposed Site Surfacing Plan (dwg. 0506 F)	Proposed Site Surfacing Plan (dwg. 0506 E)
Existing Substation Location Plan (dwg. 0508 B)	Existing Substation Location Plan (dwg. 0508 D)
Tree Retention and Removal Plan (dwg. 2235-21-03 C)	Tree Retention and Removal Plan (dwg. 2235 21 03 D)
Proposed Soft Landscape: Landscape Maintenance and Management Plan (SWG. 2235-21-RP01 B)	Proposed Soft Landscape: Landscape Maintenance and Management Plan (dwg. 2235 21 RP01 C)
Detailed Planting Plan (dwg. 2235-21-04 I)	Detailed Planting Plan (dwg. 2235 21 04 L)

We trust this is all clear, but please do contact us if you have any queries.

3 Conclusion

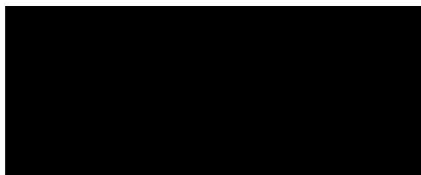
We are instructed by Batut Property Unit Trust to submit the enclosed Section 96A application which seeks consent for a non-material amendment to approved planning permission ref. 22/502598/FULL.



The proposed amendments relate to the introduction of a 'future development phase' at the north of the site and landscaping revisions to allow the installation of the approved EV facilities at the southern boundary of the site and to ensure that there is no conflict between the foul water easement zone and HV / LV cable easement zone.

Given the non-material nature of the changes sought, we trust that this submission can be approved without delay. We trust that the enclosed information is sufficient to ensure that the application is validated and subsequently registered. If for any reason this is not the case, please contact us immediately. Otherwise, we look forward to receiving confirmation of registration in due course.

Yours faithfully,



Charlotte Williams
Senior Planner

cc. Batut Property Unit Trust



DOCUMENT 1

HISTORIC DECISION NOTICES



Arax Properties
C/O Quod
F.A.O Miss Charlotte Williams
Quod
8-14 Meard Street
London
W1F 0EQ

27 January 2023

PLANNING DECISION NOTICE

APPLICANT:	Arax Properties
DEVELOPMENT TYPE:	Large Major Other
APPLICATION REFERENCE:	22/502598/FULL
PROPOSAL:	Erection of 1no. building for use Class E(g)(iii), B2 and B8 including access and servicing arrangements, vehicle parking, refuse storage, landscaping and associated works.
ADDRESS:	Land At Trinity Trading Estate, Mill Way, Sittingbourne, Kent, ME10 2PG

The Council hereby **GRANTS** permission/consent for the proposal referred to above subject to the following Condition(s):

1. Time Limit - Full Schemes
The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Completion in Accordance with Approved Drawings
-

MKPS – Working in Partnership with: Swale Borough Council

Please Note: All planning related correspondence for SBC should be sent to:

Mid Kent Planning Support, Maidstone House, King Street, Maidstone ME15 6JQ

Email: planningsupport@midkent.gov.uk

Access planning services online at: www.swale.gov.uk or submit an application via www.planningportal.co.uk

The development hereby approved shall be carried out in broad accordance with the following approved drawings:

Drawing Title	Drawing No.	Scale
Site Location Plan	0501 B	1:1250 @ A1
Existing Site Plan	0502 B	1:1000 @ A1
Proposed Site Plan	0503 D	1:250 @ A0
Proposed Fencing Plan	0504 C	1:250 @ A0
Proposed Cycle Shelter & Bin Details	0505 C	1:250 @ A0
Proposed Site Surfacing Plan	0506 D	1:250 @ A0
Proposed Building Topography Sections	0507 B	1:500 @ A0
Existing Substation Location Plan	0508 B	1:250 @ A0
Proposed Unit 140 Building Layout	1001 B	1:100 @ A0
Proposed Unit 140 Roof Plan	1002 A	1:125 @ A0
Proposed Unit 140 Office Layout	1003 A	1:50 @ A0
Illustrative Visual Impact Assessment	2001 A	NTS
Proposed Unit 140 Elevations & Sections	1301 B	

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

3. Pre-occupation: On Street Parking Restrictions
The development shall not be occupied a Traffic Regulation Order has been approved associated with the waiting restrictions shown on the approved drawings (21711-HYD-XX-XX-DR-TP-8001 P01) introduction of double yellow lines along Mill Way and the scheme implemented in accordance with the outcome of the order prior to the occupation of any units hereby approved.

Reason: To prevent overflow on-street parking.

4. Pre-commencement: Sustainable Urban Drainage Systems
Prior to commencement of development, a detailed sustainable surface water drainage scheme for the site will be submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the Drainage Strategy prepared by Hydrock Consulting dated 26th July 2022 and the Flood Risk Assessment dated 6th May 2022. The submission shall also demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site. The drainage scheme shall also demonstrate (with reference to published guidance):
 - o that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
 - o appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required

prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

5. **Pre-occupation: Sustainable Urban Drainage Systems verification**
No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

6. **Landscape Implementation**
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 with the local planning authority.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure an acceptable development.

7. **BREEAM**

The buildings hereby approved shall be constructed to BREEAM 'Very Good' Standard or an equivalent standard and prior to the use of the building the relevant certification shall be submitted to the Local Planning Authority confirming that the required standard has been achieved unless otherwise agreed in writing by the Local Planning Authority.

Reasons: In the interest of promoting energy efficiency and sustainable development.

8. Parking and Loading

The area shown on the submitted plan as loading, off-loading and parking space shall be used for or be available for such use at all times when the premises are in use and no 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 that area of land or in such a position as to preclude vehicular access to this reserved area; such land and access thereto shall be provided prior to the commencement of the use hereby permitted.

Reason: Development without adequate provision for the parking, loading or off-loading of vehicles is likely to lead to parking inconvenient to other road users.

9. Cycle Parking

The development hereby approved shall not be first used until details of the provision and permanent retention of secure covered cycle parking facilities shall have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in complete accordance with the approved details.

Reason: In the interests of highway safety.

10. CEMP

Prior to the commencement of the development hereby approved details of a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The following details shall be provided within the Construction Management Plan:

- (a) Routing of construction and delivery vehicles to / from site,
- (b) Parking and turning areas for construction and delivery vehicles and site personnel,
- (c) Timing of deliveries,
- (d) Provision of wheel washing facilities.

The development hereby approved shall be carried out in accord with the approved details at all times.

Reason: In the interest of highways safety.

11. EV Charging Points

Prior to bringing any part of the development hereby approved into first use the provision and permanent retention of a scheme of Electric Vehicle charging spaces in broad accordance with details on the Proposed Block Plan (0503 D), but which shall also include full details of the technical specification of the EV charging points, that shall first have been agreed in writing by the Local Planning Authority shall be provided in full.

Reason: In the interest of sustainability and the provision of sufficient infrastructure.

12. Construction Hours

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 0730 - 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 interest of amenity.

13. Contamination

The development hereby permitted shall not be commenced until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment (2). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

4) A Closure Report is submitted upon completion of the works. The closure report shall include full verification details as set out in (3). This should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean.

Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved.

Reason: In the interests of minimising the risk of contamination.

Informative(s):

(1) Informative:

It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway. Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning

permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil. Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority. Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process. Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site. Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissionsand-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

The Council's approach to this application:

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

If your decision includes conditions that need to be discharged, please be advised that there is a separate application process to discharge them which includes a fee. For more information on this please visit https://www.planningportal.co.uk/info/200126/applications/60/consent_types/12 and to submit an application for approval of details (discharge conditions) please use this link <https://www.planningportal.co.uk/applications>



**Emma Wiggins
Director Regeneration
Swale Borough Council**

Please be advised that irrespective of whether your proposal requires planning permission or not, it may still require Building Regulation Approval. For more information on this please visit our website

<https://www.swale.gov.uk/building-control>

IMPORTANT - YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES

NOTIFICATION TO APPLICANT FOLLOWING REFUSAL OF PERMISSION OR GRANT OF PERMISSION SUBJECT TO CONDITIONS

This decision does not give approval or consent that may be required under any act, bylaw, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development, or to grant it subject to Conditions, then you can appeal to the Secretary of State (SoS) under Section 78 of the Town and Country Planning Act 1990. **Please see “Development Type” on page 1 of the decision notice to identify which type of appeal is relevant.**

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and if you want to appeal against the LPA's decision on your application, then you must do so within **28 days** of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the LPA's decision on your application, then you must do so within **28 days** of the date of service of the enforcement notice, or within **6 months [12 weeks** in the case of a **householder** or **minor commercial** application decision] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a **Householder** application or a **Minor Commercial** application and you want to appeal the LPA's decision, or any of the conditions imposed, then you must do so within **12 weeks** of the date of this notice.
- In all other cases, you will need to submit your appeal against the LPA's decision, or any of the conditions imposed, within **6 months** of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority (planningappeals@midkent.gov.uk) and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

The SoS can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The SoS need not consider an appeal if it seems to the SoS that the LPA could not have granted planning permission for the proposed development or could not have granted it without

the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.



Magrock Limited
C/O Quod
FAO Miss Charlotte Williams
Quod
21 Soho Square
London
W1D 3QP

13 March 2023

PLANNING DECISION NOTICE

APPLICANT:	Magrock Limited
DEVELOPMENT TYPE:	N/A
APPLICATION REFERENCE:	23/500687/NMAMD
PROPOSAL:	Non-Material Amendment to Application 22/502598/FULL: To Revise timing trigger of Condition 7.
ADDRESS:	Land At Trinity Trading Estate Mill Way Sittingbourne Kent

The Council hereby confirms that it is **SATISFIED** that the above amendments to the relevant planning permissions are not material. These amendments can be incorporated into your original planning permission.

Informative(s):

- (1) Under the provisions of Sec.96A of the Town and Country Planning Act 1990, it is considered that the amendment to the time trigger to Condition 7 to allow the submission of the BREEAM Certificate within 6 months of occupation of the completed development, as set out in the application and supporting cover letter by Quod dated 6th February 2023 constitute a non-material amendment to planning permission 22/502598/FULL dated 27th January 2023.

MKPS – Working in Partnership with: Swale Borough Council

Please Note: All planning related correspondence for SBC should be sent to:

Mid Kent Planning Support, Maidstone House, King Street, Maidstone ME15 6JQ

Email: planningsupport@midkent.gov.uk

Access planning services online at: www.swale.gov.uk or submit an application via www.planningportal.co.uk

Please note you must comply with all the Conditions attached to the relevant planning permission. Otherwise the permission may not be valid and any development may be unauthorised.



Emma Wiggins
Director Regeneration
Swale Borough Council

Please be advised that irrespective of whether your proposal requires planning permission or not, it may still require Building Regulation Approval. For more information on this please visit our website
<https://www.swale.gov.uk/building-control>



Magrock Limited.
C/O Quod
Miss Charlotte Williams
21 Soho Square
London
W1D 3QP

23 August 2023

PLANNING DECISION NOTICE

APPLICANT:	Magrock Limited.
DEVELOPMENT TYPE:	N/A
APPLICATION REFERENCE:	23/503649/NMAMD
PROPOSAL:	Non Material Amendment to 22/502598/FULL : Erection of 1no. building for use Class E(g)(iii), B2 and B8 including access and servicing arrangements, vehicle parking, refuse storage, landscaping and associated works.
ADDRESS:	Land At Trinity Trading Estate Mill Way Sittingbourne Kent

The Council hereby confirms that it is **SATISFIED** that the above amendments to the relevant planning permissions are not material. These amendments can be incorporated into your original planning permission.

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

Received 23 May 2022

Drawing number 0501 B - Site Location Plan

Drawing number 1001 B - Proposed Unit 140 Building Layout

Drawing number 1002 A - Proposed Unit 140 Roof Plan

Drawing number 1003 A - Proposed Unit 140 Office Layout

Drawing number 1301 B - Proposed Unit 140 Elevations & Sections

Received 1 June 2022

Drawing number 0507 B - Proposed Building Topography Sections

MKPS – Working in Partnership with: Swale Borough Council

Please Note: All planning related correspondence for SBC should be sent to:

Mid Kent Planning Support, Maidstone House, King Street, Maidstone ME15 6JQ

Email: planningsupport@midkent.gov.uk

Access planning services online at: www.swale.gov.uk or submit an application via www.planningportal.co.uk

Received 7 August 2023

Drawing number 0601 C11 E - Proposed Site Plan

Drawing number 0504 F - Proposed Fencing Plan

Drawing number 0505 D - Proposed Cycle Shelter Plan and Bin Store Details

Drawing number 0506 E - Proposed Site Surfacing Plan

Drawing number 2235-21-03 C - Tree Retention and Removal Plan

Drawing number 0002 C06 - Drainage Layout

Drawing number 0060 C06 - External Works Plan

Document Reference 2235-21-RP01B - Proposed Soft Landscape: Landscape Maintenance and Management Plan

Received 21 August 2023

Drawing number 2235-21-04 I - Detailed Planting Plan

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

Informative(s):

- (1) This decision also takes account of the application form and cover letter reference CW/AF/Q210639 (dated 4 August 2023) received 7 August 2023 and email from Quod dated 21 August 2023.

Please note you must comply with all the Conditions attached to the relevant planning permission. Otherwise the permission may not be valid and any development may be unauthorised.



Emma Wiggins

Director of Regeneration & Neighbourhoods

Please be advised that irrespective of whether your proposal requires planning permission or not, it may still require Building Regulation Approval. For more information on this please visit our website

<https://www.swale.gov.uk/building-control>

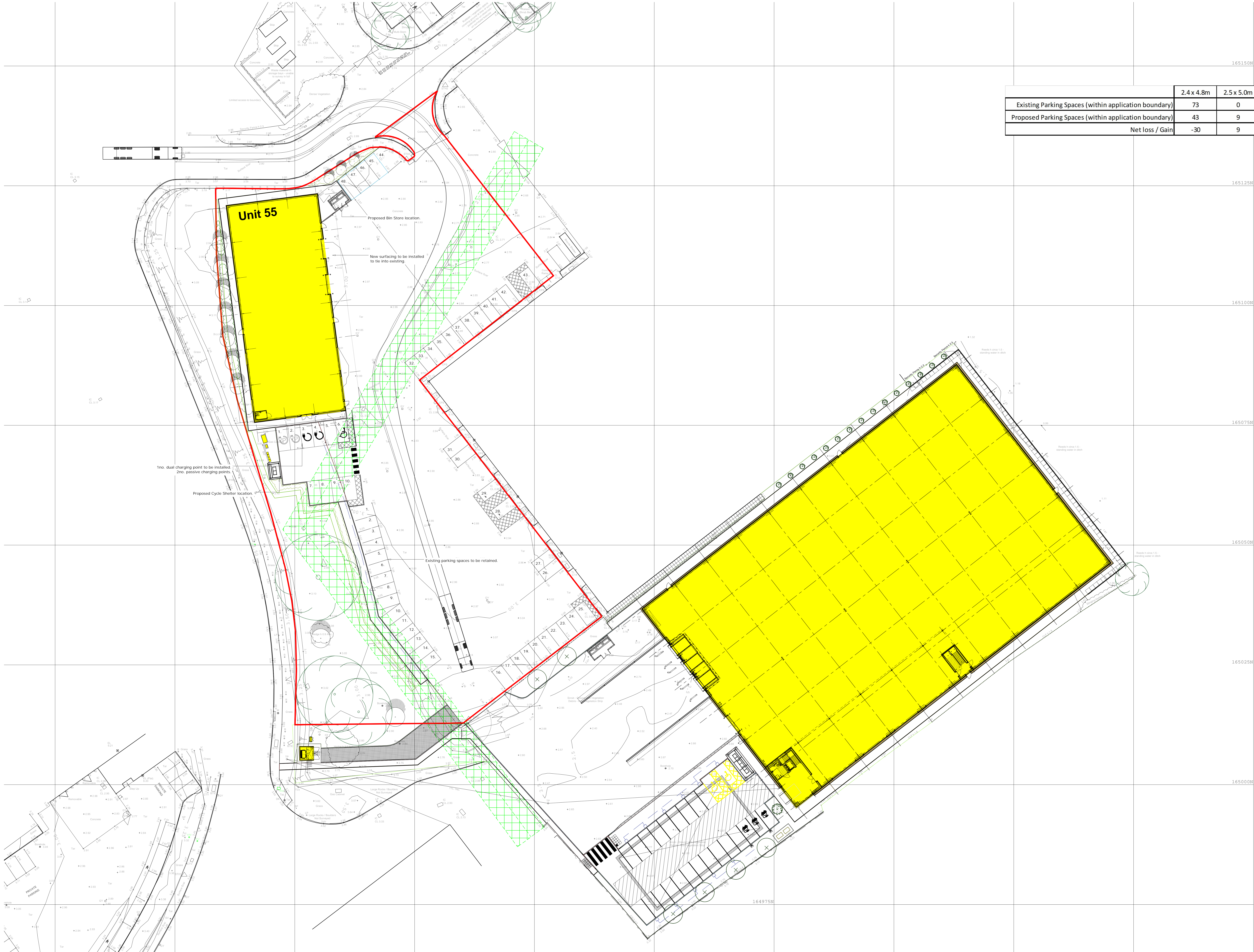


DOCUMENT 2

PROPOSED SITE LAYOUT PLAN (DWG. 0601 P4)

- Dimensions are in millimeters, unless stated otherwise.
 - It is the recipient's responsibility to print this document to the correct scale.
 - All relevant drawings and specifications should be read in conjunction with this drawing.

	2.4 x 4.8m	2.5 x 5.0m	Accessible	Total
Existing Parking Spaces (within application boundary)	73	0	5	78
Proposed Parking Spaces (within application boundary)	43	9	6	58
Net loss / Gain	-30	9	1	-20



Unit 55 - Combined Site Layout Scale 1:250 @ A0

P4	Client Logo revised	AS	GH	29.09.23
P3	Landscaping updated. Cycle shelter relocated	AS	GH	25.09.23
P2	Notes to EVC added	AS	GH	05.07.23
rev	amendments	by	ckj	date

Unit 55, Trinity Trading Estate,
 Sittingbourne
 Site Plan - Combined

Batut Property Unit Trust



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RBIA PwV Stage:	4 - Technical Design
Document Suitability:	S2
Drawn / Checked:	AS / FGH
Date:	13.04.23
Scale:	1:250 A0
UMC Project Number:	21403
Document Reference:	23180 - UMC - UN55 - SI - DR - A
Drawing no:	0601
Revision:	P4



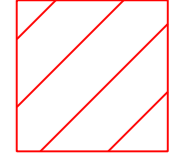


DOCUMENT 3

PLANNING BOUNDARY OVERLAY PLAN (DWG. P000 P1)

- Dimensions are in millimeters, unless stated otherwise.
 - Scaling of this drawing is not recommended.
 - It is the recipient's responsibility to print this document to the correct scale.
 - All relevant drawings and specifications should be read in conjunction with this drawing.



KEY:

-  Area of site with planning application boundaries for both Saxon 53 and Saxon 55 applications.
-  Saxon 53 application boundary.
-  Saxon 55 application boundary.

rev | amendments | by | ckd | date
**Proposed B2/B8 Facility,
 Trinity Trading Estate,
 Sittingbourne**
 Proposed Site Plan - Combined

Batut Property Unit Trust



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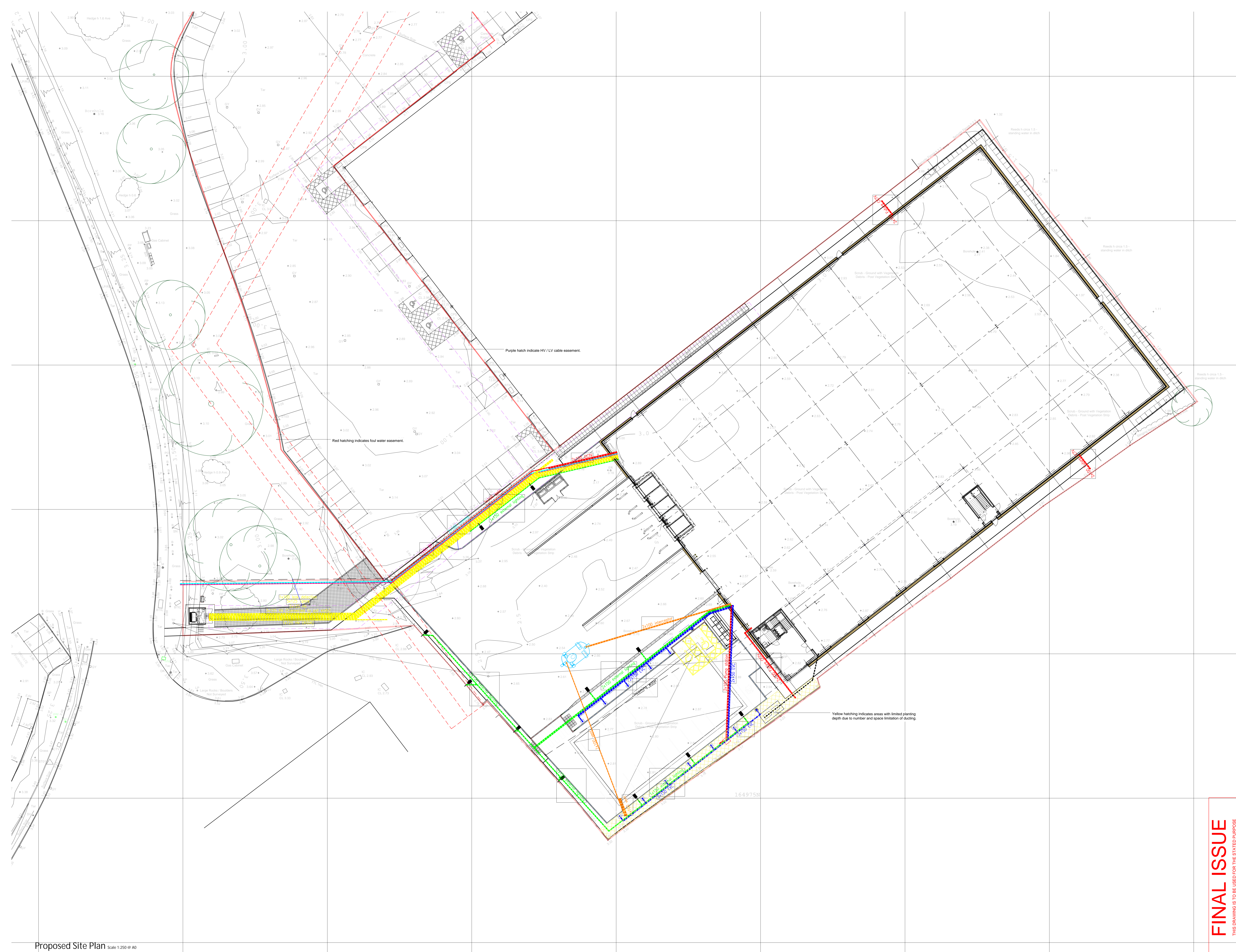
RBIA Plot Stage:	4 - Technical Design
Document Suitability:	52
Drawn / Checked:	AS / FGH
Date:	13.04.23
Scale:	1:250 A0
UMC Project Number:	231403
Document Reference:	23180 - UMC - XXXX - SI - DR - A 9000
Revision:	P1



DOCUMENT 4

PROPOSED EXTERNAL DUCTING PLAN (DWG. 0605 C4)

Dimensions are in millimetres, unless stated otherwise.
 - Scaling of this drawing is not recommended.
 - It is the responsibility of the user to refer to the document to the correct scale.
 - All relevant drawings and specifications should be read in conjunction with this drawing.



Proposed Site Plan Scale 1:250 @ A0

C4	Easements indicated and noted.	AS	GH	06.11.23
C3	FINAL ISSUE	AS	GH	30.10.23
C2	Construction Issue.	AS	GH	09.08.23
rev	amendments	by	chkd	date

Proposed B2/B8 Facility,
 Trinity Trading Estate,
 Sittingbourne
 Proposed External Ducting

Batut Property Unit Trust



RIBA Plot Stage:	6 - Handover
Document Suitability:	62
Drawn / Checked:	LD / GH
Date:	13.04.22
Scale:	1:200 AD
UMC Project Number:	21403
Document Reference:	21403 - UMC - XXXX - SI - DR - A
Drawing no:	0605
Revision:	C4

FINAL ISSUE
 THIS DRAWING IS TO BE USED FOR THIS SPECIFIC PURPOSE ONLY AND SHOULD NOT BE USED FOR ANY OTHER

