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Planning Statement

Unit 1G, Former Syngenta Works, Yalding

CLIENT: Clip n Climb Operating Ltd

DECEMBER 2023
MWB/LS/32380



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1 INTRODUCTION

1.1 PURPOSE OF THIS STATEMENT

1.1.1 This Statement is submitted on behalf of Clip N Climb Operating Ltd (hereafter referred to as "Clip 'n Climb"), in support of a planning application to Maidstone Borough Council ("MBC") for the continued development of Building 1G approved under 23/502118/REM with minor amendments and change of permitted use to indoor and outdoor leisure and recreation uses.

1.1.2 The full description of development is as follows:

"Continued development of building 1G approved under 23/502118/REM with minor amendments and change of permitted use to indoor and outdoor leisure and recreation uses".

1.1.3 This Planning Statement provides an overview of the application site and proposals. It assesses the planning merits of the scheme with regard to the planning policy framework and material considerations, and subsequently concludes that the proposal is acceptable in planning terms and therefore planning permission should be granted.

Application documents

1.1.4 This Planning Statement forms part of a suite of documents that support the planning application, and it is designed to be read in conjunction with the documents listed in Table 1.1.

Document	Author
Application Form	DHA Planning
Planning Statement	DHA Planning
CIL forms	Clip N Climb Operating Ltd
Flood Risk Assessment	JBA
Contamination Report	Fortitude Environmental
Transport Statement	DHA Transport
Town Centre Sequential Assessment	DHA Planning
Site Location Plan	Civils Contracting Ltd
Block Plan	Civils Contracting Ltd
Elevations and Sections	Gdm Architects
Structure Plan, Ground Floor and Roof Plan	Gdm Architects

TABLE 1.1: LIST OF SUBMITTED APPLICATION DOCUMENTS

2 SITE AND SURROUNDINGS

2.1 SITE LOCATION

- 2.1.1 The application relates to the northeast part of the former 'Syngenta Works' site, with outline planning permission for up to 46,447 sqm of employment in use classes B1(c) (now use E(g)(iii)), B2 and B8 uses, approved in October 2021 (ref: 19/504910/OUT) and subject to a Section 73 variation of condition approval in November 2023 (ref: 23/502119/OUT). The reserved matters for phase B of the development, comprising erection of 20no. commercial units with associated parking, access and landscaping was approved in August 2023 (ref: 23/502118/REM). Subsequently, an application for a revised phasing strategy was submitted in September 2023 (ref: 23/504153/SUB), wherein Building 1G forms part of the new separate and independently implementable phase 'F'.

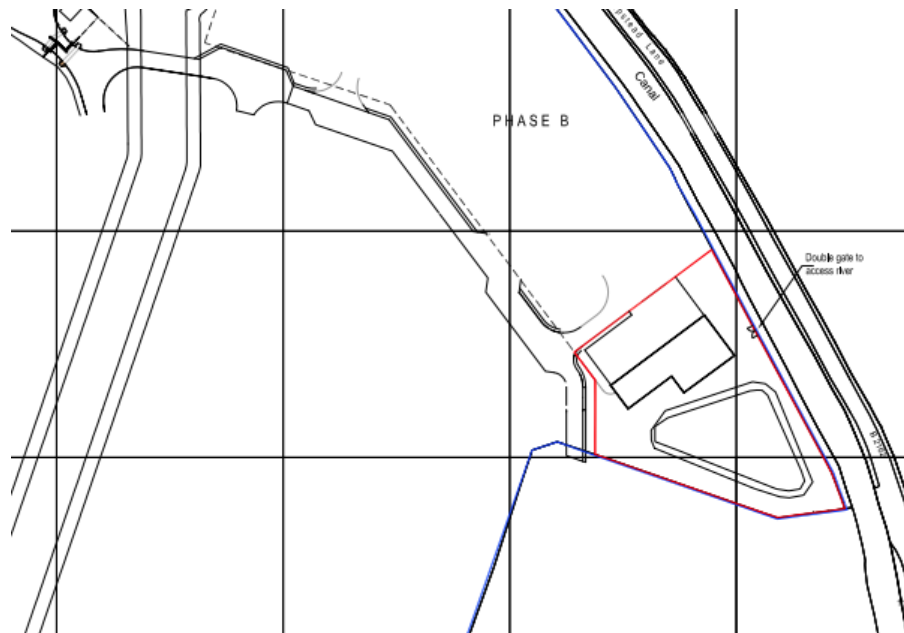


FIGURE 2.1: SITE LOCATION

- 2.1.2 The site is allocated for redevelopment which includes leisure and employment uses under policy RMX1(4) of the Maidstone Local Plan. It is situated approximately 1.6km east of the village of Yalding on the southern side of the B2162 Hampstead Lane and immediately south of Yalding Railway Station. The B2162 connects to the B2105 Maidstone Road and the A228 which provides northbound access to the M20 and southbound access to Paddock Wood and Tunbridge Wells. Yalding Railway Station also provides regular mainline services to Tonbridge, Strood and surrounding areas.

3 PLANNING HISTORY

3.1.1 The site has an extensive planning history relating to its wider historic use as the former Syngenta site. We have highlighted those most relevant to the application site below:

REFERENCE	PROPOSAL	DECISION/DATE
19/504910/OUT	Outline application for the redevelopment of the former syngenta works site to provide a new business park of up to 46,447 sqm of B1(c), B2 and B8 accommodation with associated access, parking and infrastructure works. (Access only being sought).	Approved 08/10/2021
22/501299/SUB	Submission of details pursuant to conditions 9 (construction management plan), 10 (phasing plan), 11 (PRB gate and groundwater monitoring and maintenance plan), and 12 partial discharge for Phases A and B only (proposed slab levels and existing site levels) of 19/504910/OUT.	Approved 24/10/2022
22/501820/SUB	Submission of Details to Discharge Condition 13 (Surface Water Drainage Scheme), Condition 14 Parts 1, 2 and 3 (Contamination), Condition 31 (Infiltration) and Condition 38 (Foul Drainage) of planning permission 19/504910/OUT	Approved 10/10/2022
22/502161/SUB	Submission of details pursuant to condition 8 (ecological mitigation and enhancement strategy) of application 19/504910/OUT.	Approved 24/11/2022
23/500871/SUB	Submission of details to discharge condition 15 (noise scheme), 19 (delivery and route management strategy) and 20 (delivery management strategy) of planning application 19/504910/OUT.	Refused 24/04/2023
23/500870/SUB	Submission of details to discharge conditions 22 (framework travel plan) and 29 (flood evacuation plan) of planning application 19/504910/OUT.	Approved 10/07/2023
23/501271/SUB	Submission of details to discharge condition 17 (habitat creation plan) of planning application 19/504910/OUT.	Approved 11/05/2023
23/501314/SUB	Submission of details to discharge condition 11 (RAMS monitoring procedure) of planning application 19/504910/OUT.	Approved 06/07/2023
23/502118/REM	Approval of Reserved Matters (scale, layout, appearance and landscaping sought) for Phase B of the development, comprising erection of 20no. commercial units with associated parking, access and landscaping, pursuant to 19/504910/OUT	Approved 23/08/2023
23/502119/OUT	Section 73 - Application for variation of condition 21 to allow 14,000m ² of floorspace to be occupied prior to the provision of the capacity improvements to the Maidstone Road/Hampstead Lane junction pursuant to 19/504910/OUT	Approved 17/11/2023
23/504153/SUB	Submission of details to discharge condition 10 (phasing plan) of planning application 19/504910/OUT.	Awaiting Decision

23/504486/SUB	Submission of details to discharge conditions 2 - External and Hard Surface Materials, 3 - Pointing and Mortar and 6 - Earth Batters Cross Sections, Subject to 23/502118/REM	Awaiting Decision
23/505172/SUB	Submission of details to discharge conditions 16 - Noise Mitigation Measures and 17 - Electric Vehicle Charging Infrastructure, Subject to 23/502119/OUT.	Awaiting Decision
23/505551/SUB	Submission of details to discharge conditions 4 - Soft Landscaping and 5 - Noise Assessment, Subject to 23/502118/REM	Awaiting Decision

TABLE 2.1: PLANNING HISTORY

- 3.1.1 Outline planning permission for the redevelopment of the former Syngenta works to provide a new business park of up to 46,447 sqm of B1(c), B2 and B8 accommodation with associated access, parking and infrastructure works was approved in October 2021 (ref: 19/504910/OUT).
- 3.1.2 Notably, Condition 36 of the outline permission states that:
- "Any buildings and associated land shall only be used for B1(c)/Class E(g)(iii), B2 or B8 uses and for no other purpose (including any other purpose under Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended) or permitted under the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)) or any statutory instrument revoking and re-enacting those Orders with or without modification".*
- 3.1.3 The reserved matters for phase B of the development, comprising erection of 20no. commercial units with associated parking, access and landscaping was approved in August 2023 (ref: 23/502118/REM).
- 3.1.4 Subsequently, an application for a revised phasing strategy was submitted in September 2023 (ref: 23/504153/SUB), wherein Building 1G forms part of the new separate and independently implementable phase 'F'.

4 PROPOSED DEVELOPMENT

4.1 OVERVIEW

- 4.1.1 Building 1G is at the early stages of construction and will likely be substantially complete by this time this application is determined. Nevertheless, at the current time it does not exist, and the permitted use has not commenced. Therefore, the proposed development is for the continued development of Building 1G and minor amendments to enable the change of permitted use to indoor and outdoor leisure and recreation.
- 4.1.2 The site will be occupied by Clip 'n Climb as an indoor/outdoor activity centre, with use of the nearby lagoon and kayaking on the river (Use Class E and F2).
- 4.1.3 The full description of development is as follows:

"Continued development of building 1G approved under 23/502118/REM with minor amendments and change of permitted use to indoor and outdoor leisure and recreation uses".

Layout and Design

- 4.1.4 Approval of Reserved Matters (scale, layout, appearance and landscaping) for Phase B of the development (including Building 1G), was granted in August 2023. The proposals seek permission for an alternative use of Building 1G with minor amendments as shown on the submitted plans.

Highways, Access and Parking

- 4.1.5 The access arrangements will remain as approved under the aforementioned Reserved Matters application.
- 4.1.6 It is proposed that the vehicle parking provision for the unit will increase to 32 spaces, including one EV charging bay, one accessible bay and two larger, undesignated bays in accordance with Kent County Council (KCC)'s Kent and Medway Structure Plan: Supplementary Planning Guidance 4 (SPG4) standards. Due to the nature of the proposed use, the goods vehicle bays will be removed.
- 4.1.7 A total of seven cycle parking spaces will be provided for the unit, also in accordance with the SPG4 standards.

5 PLANNING POLICY

5.1 INTRODUCTION

- 5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.1.2 The development plan for Maidstone Borough Council, which is of relevance to the site and the scheme, comprises the 2017 Local Plan.

5.2 MAIDSTONE LOCAL PLAN 2017

- 5.2.1 The site is allocated for development under policy RMX1 (4) of the Local Plan (2017).

- 5.2.2 **Policy RMX1 (4)** states:

“The Council will support the redevelopment of the brownfield Former Syngenta Works Site, as shown on the policies map, provided that a comprehensive scheme of flood mitigation which addresses the identified floor risk will be delivered in association with the development. A comprehensive Flood Risk Assessment which has been undertaken to a methodology agreed by the Environment Agency will be required. The FRA must identify measures to address safe site egress and access and measures to address the flood risk. Contributions may be required for measures to reduce flood risk to dwellings in Yalding.

Subject to the findings of the FRA, potential suitable uses for the site could include employment (B classes), leisure, commuter car parking and open space.

Design and Layout

- (1) Within the site boundary, the Fen area of land to the south (13ha) is to be retained as a nature conservation area;
- (2) The significant landscape belt which lies to the south of the development area is retained and enhanced to provide a clear boundary to the developed parts of the site, to act as a buffer to the Local Wildlife Site and to screen views of development from the attractive countryside to the south and from the properties in Parsonage Farm Road;
- (3) The retention and enhancement of the landscape belts along the western boundary of the site, on both sides of the railway line, and along the eastern boundary adjacent to the canalised section of the river, to screen and soften the appearance of the development.

Access

- (4) Development should secure public rights of way improvements, including providing an alternative to the 'at grade' pedestrian footpath crossing the railway line.

Ecology

- (5) The site lies adjacent to Hale Ponds and Pastures Local Wildlife Site. A survey which assesses the site's ecological potential must be submitted. Development proposals must provide for the delivery of appropriate habitat creation and enhancement measures in response to the survey findings including the creation and enhancement of wildlife corridors, and, if required, mitigation measures.

Site Drainage

- (6) Measures are secured to ensure adequate site drainage, including through the implementation of sustainable drainage measures.

Land Contamination

- (7) Demonstration that contamination of the site resulting from its previous use has been remediated to the satisfaction of the local authority and the Environment Agency.

Highways and Transportation

- (8) Development will contribute, as proven necessary through a Transport Assessment, to requisite improvements to the highway network.

Utility Infrastructure

- (9) A connection is provided to the local sewerage system at the nearest point of adequate capacity, in collaboration with the service provider.

Minerals safeguarding

- (10) The site falls within the Minerals Safeguarding Areas as shown on the policies map and therefore development proposals will be required to undertake a minerals assessment to assess the viability and practicability of prior extraction of the minerals resource. The minerals assessment will comply with Policy DM7 of the Kent Minerals and Waste Local Plan (2013-2030) and any supplementary planning guidance produced by the Minerals Planning Authority in respect of minerals safeguarding.

- 5.2.3 **Paragraph 4.93** of the Maidstone Local Plan (2017) states that "in addition to allocated development within the settlement, the Council will support the

redevelopment of the brownfield former Syngenta Works site". Any development should ensure:

- Safe and sustainable linkages between the Syngenta site and the village are provided if this development comes forward;
- Robust flood mitigation measures form an essential part of any development proposals in the settlement;
- The size of the site offers an opportunity for a sustainable drainage mitigation approach to flood prevention.

5.2.4 **Policy SP11 Larger Villages** - Within designated larger villages including Yalding, the Council will focus on new development within the settlement when it is; (i) An allocated site in the local plan; (ii) Minor development such as infilling; or (iii) The redevelopment of previously developed land that is of a size appropriate to the role, character and scale of the village. The Council will also resist the loss of local shops, community facilities and green spaces, whilst supporting new retail development, community services and green spaces to meet local need.

5.2.5 **Policy SP16 Yalding Larger Village** - In addition to minor development and redevelopment of appropriate sites in accordance with policy SP11, approximately 65 new dwellings will be delivered on one allocated site. Key Infrastructure requirements for Yalding include; (i) Improvements to highway and transportation infrastructure; and (ii) Improvements to health infrastructure including extension and/or improvements at Yalding GP practice. Under policy SP16, the application site is highlighted as an 'Area for potential development'.

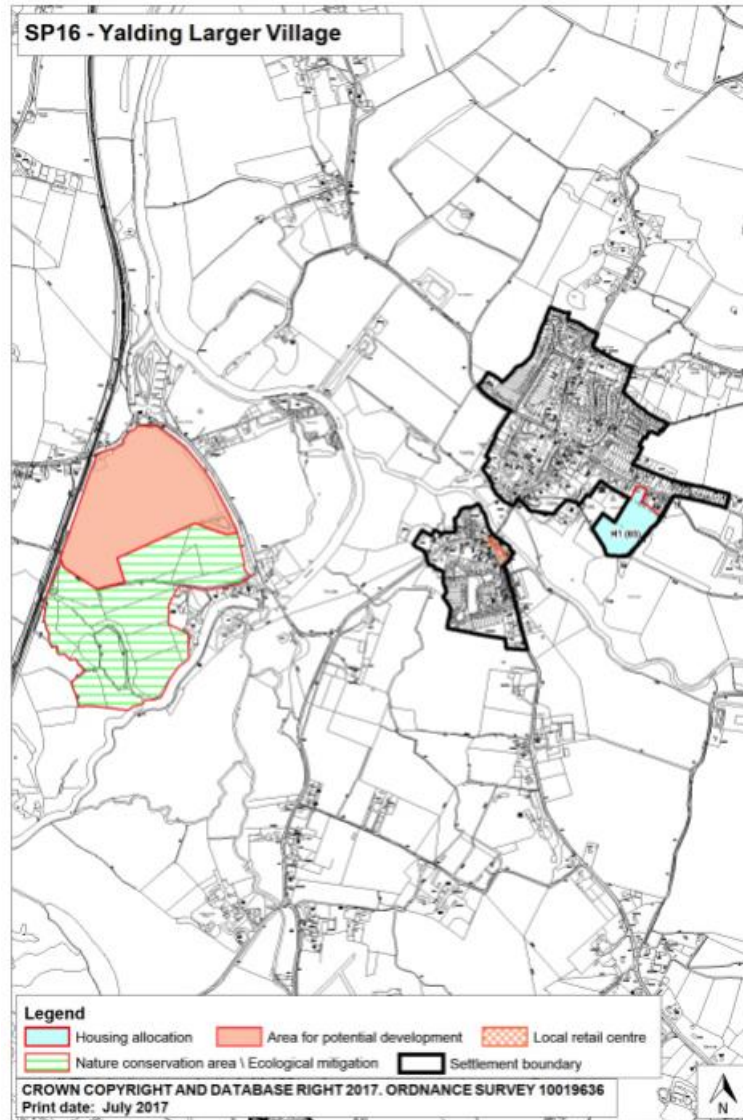


FIGURE 5.1: EXTRACT FROM POLICY SP16 OF THE LOCAL PLAN (2017) IDENTIFYING THE APPLICATION SITE AS AN 'AREA FOR POTENTIAL DEVELOPMENT'

- 5.2.6 **Policy SP17 Countryside** - Development proposals in the countryside will not be permitted unless they accord with other policies in this plan and will not result in harm to the character and appearance of the area.
- 5.2.7 **Policy SP21 Economic Development** - The Council is committed to supporting and improving the economy and providing the needs of businesses.
- 5.2.8 **Policy DM16 Town Centre Uses** -

- (1) Proposals for main town centre uses should be located in an existing centre unless:
 - (i) By means of a sequential approach, it is demonstrated that the proposal could not be accommodated first on a site within an existing centre and the proposal is located at the edge of an existing centre, or second it is demonstrated that the proposal could not be accommodated on a site within or at the edge of an existing centre and the proposal is located on an accessible out of centre site; and
 - (ii) By means of an impact assessment it is demonstrated that a retail, office or leisure proposal would not result in a significant adverse impact, cumulative or otherwise, on the vitality and viability of an existing centre or undermine the delivery of a site allocated for the use proposed; or
 - (iii) The development is in the countryside and is in accordance with Policy DM37 or Policy DM40; or
 - (iv) The development is designed to only serve the needs of the neighbourhood.
- (2) Proposals located at the edge of an existing centre or out of centre should ensure the provision of specific measures which will improve the quality and function of sustainable connections to the centre, in particular walking and cycling routes and public transport links and specific measures which will mitigate the impact of the proposal on the identified centre or centres. The nature, extent and permanence of the measures will be directly related to the scale of the proposal.

5.2.9 **Policy DM21 Assessing the Transport Impacts of Development** - Development proposals must; (i) demonstrate that the impacts of trips generated to and from the development are accommodated, remedied or mitigated to prevent severe residual impacts; (ii) provide satisfactory Transport Assessment; and (iii) Demonstrate that the development complies with the requirements of policy DM6 for air quality.

5.2.10 **Policy DM23 Parking Standards** - Vehicle parking for non-residential uses will take into account; (i) the accessibility and availability of public transport; (ii) the type, mix and use of the development proposed; (iii) the need to maintain an adequate level of car parking within town centres to ensure that viability of the centres is not compromised; and (iv) where development proposals exacerbate on street car parking to an unacceptable degree.

5.3 OTHER MATERIAL CONSIDERATIONS

National Planning Policy Framework (2023)

- 5.3.1 The NPPF is a material consideration which carries significant weight since it sets out national planning policy. The NPPF as a whole is relevant to the application, but the following paragraphs are particularly relevant:
- 5.3.2 **Paragraph 85** states that planning policies and decisions should help create 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.
- 5.3.3 **Paragraph 88** states that decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings; b) the development and diversification of agricultural and other land-based rural businesses; c) sustainable rural tourism and leisure developments which respect the character of the countryside; and d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.
- 5.3.4 **Paragraph 89** states that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.
- 5.3.5 **Section 9** concerns the promotion of sustainable transport. **Paragraph 115** states 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.

Emerging Local Plan

- 5.3.6 The Maidstone Local Plan Review (LPR) was submitted for Examination in Public (EIP) in March 2022. The Stage 2 hearings have now concluded, and it is anticipated that the LPR will be adopted by the Borough Council in the coming months, subject to a number of Main Modifications. Until the examination has progressed, the LPR is considered to hold limited weight. Nonetheless, the draft plan has been considered for the purposes of this application.

- 5.3.7 **LPRSAEMP1 Former Syngenta Works** - remains allocated for a mix of uses, as it was in the 2017 Local Plan. The policy remains in place to ensure the delivery of employment floorspace over the plan period.
- 5.3.8 **Policy LPRCD1 Shops, Facilities and Services** - Proposals for retail, leisure and other uses (including entertainment, cultural and tourist uses as well as other mixed-uses) that would support the vitality and viability of the centres in the retail hierarchy below Maidstone Town Centre will be directed sequentially to the District Centres, Local Centres, then to edge-of-centre location and, only if suitable sites are not available, to accessible out-of-centre locations, subject to certain criteria.

6 PLANNING CONSIDERATIONS

6.1 PRINCIPLE OF DEVELOPMENT

- 6.1.1 The Local Plan policy RMX1(4) allocates the site for redevelopment, with suitable uses (subject to the findings of an FRA), including employment (B classes), leisure, commuter car parking and open space. Indeed, paragraph 4.200 of the Local Plan states that securing employment and leisure uses on the site will have important sustainability benefits.
- 6.1.2 This application is supported by a Flood Risk Assessment which concludes that the use is classified as “less vulnerable” development, and therefore the application proposal is compatible with the level of risk in Flood Zone 3. Therefore, the proposed use of Building 1G as an indoor and outdoor leisure facility is in accordance with the requirements of policy RMX1(4).
- 6.1.3 Moreover, the site benefits from outline planning permission for a new business park (ref: 19/504910/OUT), including light industrial under Class B1(c) (now Class E), general industry under Class B2 and storage and distribution under Class B8. Notably, these uses are also classified as “less vulnerable” under NPPF guidance. Reserved matters consent for phase B of the development (including Building 1G), including associated parking, access and landscaping was subsequently approved in August 2023 (ref: 23/502118/REM).
- 6.1.4 In summary, the principle of the change of use of the site to Class E and Class F2 is acceptable.

Town Centre Sequential Assessment

- 6.1.5 Whilst the proposal will offer leisure use that is located outside of the town centre, given the nature of the use and the requirement for a large unit that is located near to a river, it is not seen that the proposed use could be accommodated within a town centre location.
- 6.1.6 This application is supported by a Town Centre Sequential Assessment which demonstrates that there are no suitable, available or viable alternatives that could be considered sequentially preferable to the proposed development. Consequently, the proposal is considered to fully accord with local and national policy and guidance in relation to the sequential approach.
- 6.1.7 The accompanying Town Centre Sequential Assessment should be referred to for detailed considerations in this regard.

Leisure Impact Assessment

- 6.1.8 Local Plan Policy DM16 requires that proposals for retail, office or leisure uses demonstrate that they will not have an adverse impact on the vitality and viability of an existing centre or undermine the delivery of a site allocated for the use proposed.
- 6.1.9 Clip 'n Climb have centres throughout the UK, including approximately 9km away in Tonbridge, and are eager to acquire additional sites.
- 6.1.10 The position of Building 1G adjacent to the lagoon provides a unique opportunity to deliver a new overwater climbing experience which does not currently exist in the Borough. There would be no significant adverse impact on an existing centre.
- 6.1.11 Notwithstanding this, unlike the other strategic site policies in the Local Plan, policy RMX1(4) does not necessitate the submission of a retail impact assessment. The site is allocated for a range of uses, including leisure, and therefore it does not undermine the delivery of the site for the use proposed.

6.2 HIGHWAYS, ACCESS & PARKING

- 6.2.1 The proposed development has been found to comply with all levels of transport planning policy, including by way of the extant outline and reserved matters consents.
- 6.2.2 SPG4 recommends a maximum of 40 parking spaces for the proposed leisure use based on the unit floorspace of 880sqm. A total of 32 parking spaces is proposed, which is considered to reflect the operational needs of the end user. EV charging infrastructure will be provided in accordance with Part S of the Building Regulations.
- 6.2.3 Cycle parking is proposed to reflect the capacity of the intended use. Due to the nature of the use, it is expected that a maximum of 54 customers will be on-site at any one time and therefore, cycle parking will be provided on this basis and monitored through the site-wide Travel Plan.
- 6.2.4 The proposed development will have a negligible net impact on the operation of the surrounding highway network relative to the extant use, as shown in the following section of this report. As such, there would be no conflict with Paragraph 115 of the NPPF.
- 6.2.5 It is therefore concluded that the proposals should not result in any detrimental impacts in transport terms and therefore there should be no sound transport-based objection to the planning application.

6.3 CONTAMINATION

- 6.3.1 In accordance with the requirements of Condition 14 attached to the outline consent (ref: 19/504910/OUT), a Contamination Risk Assessment was submitted in relation to phase B of the development (including Building 1G) and approved in October 2022 (ref: 22/501820/SUB). Notwithstanding this, Policy RMX1(4) states that planning permission will be granted if demonstration that contamination of the site resulting from its previous use has been remediated to the satisfaction of the local authority and Environment Agency. The site comprises a former pesticide manufacturing facility and therefore a Contamination Risk Assessment and Strategy undertaken by Fortitude Environmental is submitted alongside this application.
- 6.3.2 The Assessment outlines a strategy to deal with the potential risks associated with any contamination on the site, including a preliminary risk assessment, site investigation scheme, risk assessment and remediation strategy.

6.4 FLOOD RISK

- 6.4.1 The site is located north of the River Medway at Anchor Sluice and west of the canal at Hampstead Lane, and is situated within Flood Zone 3.
- 6.4.2 The Environment Agency's Risk of Flooding from Surface Water map indicates that the site is predominantly at 'very low' risk from surface water flooding. There are localised areas of 'medium' and 'high' surface water flood risk in the centre and north of the site.
- 6.4.3 The application proposals for the site are classified in National Planning Practice Guidance as "less vulnerable" development and therefore the application proposal is compatible with the level of risk in Flood Zone 3 without the requirement to apply the Exception Test.
- 6.4.4 JBA Consulting was instructed by YEP Property Ltd to undertake a Flood Risk Assessment (FRA) to support the outline planning application for the redevelopment of the former Syngenta site. The report has been updated in the context of the proposed change of use and confirms that the overall risk to the site is considered to be low, where the consequences and the severity of impacts of flooding can be mitigated by the use of resilient construction, the implementation of a flood plan and emergency refuge on the site.
- 6.4.5 On the basis of this assessment, it is considered that flood risk does not pose a constraint to the proposed change of use.

Flood Risk Sequential Assessment

- 6.4.6 The Sequential Test aims to promote development in low flood risk areas. When planning a development, a sequential approach should be applied to identify suitable sites which are at minimal risk from flooding, avoiding Flood Zones 2 and 3 where possible. Relevant extracts at paragraphs 167 and 168 of the NPPF state that:

"All plans should apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:

a) applying the sequential test and then, if necessary, the exception test as set out below.

...The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding."

- 6.4.7 The development site is located within Flood Zone 3 and the risk of flooding to the site is therefore considered to be 'high'. However, the FRA demonstrates that the development will be safe from flooding throughout its lifetime without increasing flood risk elsewhere and recommends suitable flood mitigation measures. Local Plan policy RMX1(4) states that the council will support the redevelopment of the brownfield Former Syngenta Works Site, provided that a comprehensive scheme of flood mitigation which addresses the identified flood risk will be delivered in association with the development.
- 6.4.8 A Flood Risk Sequential Assessment was submitted to support the outline planning application (ref: 19/504910/OUT) and in considering the proposals, the Case Officer concluded that the applicant had carried out a thorough search of sites within a suitable catchment area which did not reveal any appropriate alternative sequentially preferable sites. For these reasons, the proposals passed the Sequential Test in accordance with the Local Plan, NPPF, and NPPG. Like the proposed leisure uses, the development was classified as "less vulnerable" to flood risk.
- 6.4.9 Following outline planning consent, the site has been reallocated in the emerging Local Plan to ensure delivery should the current permission fail to deliver. The Government's National Planning Practice Guidance (NPPG) expands on the NPPF and states that, "the Sequential Test does not need to be applied for individual developments on sites which have been allocated in development plans through the Sequential Test."

- 6.4.10 Given that a Sequential Test has already been undertaken for the site, where the allocation has been retained and the proposed use continues to be categorised as "less vulnerable" development, the proposal is acceptable and does not necessitate the application of a further Sequential Test.

7 CONCLUSIONS

7.1 SUMMARY

- 7.1.1 This Planning Statement has been prepared on behalf of Clip N Climb Operating Ltd to accompany an application for the continued development of Building 1G and change of permitted use to indoor and outdoor leisure and recreation (Use Classes E and F2).
- 7.1.2 With regard to the principle of the development, the site is located within an allocated Strategic Site whereby policy RMX1(4) of the Local Plan confirms that leisure uses are acceptable subject to the findings of an FRA.
- 7.1.3 The statement further demonstrates that flood risk does not pose a constraint to the proposed change of use, and that there are no significant adverse impacts on the local highway network.
- 7.1.4 This application is supported by a Town Centre Sequential Assessment which demonstrates that there are no suitable, available or viable alternatives that could be considered sequentially preferable to the proposed development. Moreover, there are no significant adverse impacts on the vitality and viability of an existing centre.
- 7.1.5 In summary, this application proposes an alternative leisure use of a building which already benefits from full planning permission by virtue of an outline planning permission and a subsequent Reserved Matters approval. The proposed use has been justified as needing to take place in this location, and there are no planning or technical reasons why this application should not be supported.
- 7.1.6 It is therefore respectfully requested that the application is approved.