

planning  
transport  
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land



**Planning Statement**

HGV Parking and New Access at Land South of Cross and Wells Ltd,  
Castle Road, Sittingbourne

**September 2023**  
**AP/AD/31313**

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# 1 Introduction

## 1.1 Purpose of this Statement

1.1.1 DHA have prepared this Statement on behalf of Incafield Ltd in support of a full planning application for HGV Parking and new access at Land South of Cross and Wells, Castle Road, Sittingbourne, ME10 3RN.

1.1.2 The application is seeking permission for the:

*'Temporary change of use of land for HGV Parking and construction of a new access at Land South of Cross and Wells, Castle Road, Sittingbourne.'*

1.1.3 This Statement provides a detailed overview of the application site, planning history and development proposals. It identifies the relevant planning policies in the statutory Development Plan that are applicable to this proposal. It sets out the planning considerations which are regarded as material to the determination of the application.

1.1.4 This document concludes that the proposal is appropriate in planning terms and accordingly requests that planning permission be granted.

## 1.2 Application Documents

1.2.1 This document should be read in conjunction with the suite of plans and documents submitted as part of the application. This includes the following:

Reference	Document	Author
	Application Form	DHA
AP/AD/31313	Planning Statement	DHA
31313/ P-01/ P1	Site Location Plan	DHA
31570/H-02/P1	Existing/Proposed Site Layout Plan	DHA
31570/H-01/P1	Proposed Access and Visibility Splays	DHA
SM/MM/31570	Access Technical Note	DHA

## 1.3 About the Client

1.3.1 Incafield Ltd. are the landowners with Cross and Wells Ltd (C&W) being the long-term lease holders. C & W was formed in December 2002 as an independent third-party service provider delivering production, storage, ripening and quality.

1.3.2 They currently operate from the 155,000 sq ft purpose-built unit in Sittingbourne (north of the application site) which is able to accommodate all produce types and dry goods.

## 2 Application Site

### 2.1 The Site

2.1.1 The site is located to the north of Sittingbourne, south of Castle Road, with industrial units to the east and west and a storage yard to the south. The site lies within the wider Eurolink Industrial Estate and comprises an area of land approximately 0.85 ha currently used for the parking primarily for articulated lorries associated with Marshalls PLC to the north of Swale Way opposite the Cross and Wells Ltd warehouse.



Figure 2.1: Site Location (courtesy of Google Maps)

2.1.2 Whilst the site is not subject to any environmental or historical constraints, there is a scheduled monument 115m southeast of the site but there is no intervisibility. The Swale SSSI and Ramsar Site is also located approximately 620m east of the site.

2.1.3 The site is located within flood zone 1 and therefore at the lowest probability of flooding.

### 2.2 Planning History

2.2.1 The recent planning history for the site is limited and the site has been largely undeveloped until sometime between 2015 and 2018 according to Google Earth. According to Swale’s online search function, a number of applications were approved on the site, including the following:

Reference	Description	Decision
SW/76/0719	BUILDING FOR MAINTENANCE OF VEHICLES AND IMPLEMENTS	Approved 6 December 1976
SW/81/0878	ERECTION OF STORAGE BUILDING PLUS ANCILLARY OFFICE AND USE OF TRANSPORT YARD	Approved 17 September 1981

SW/83/0324	ERECTION OF VEHICLE STORE AND WORKSHOP	Approved 9 May 1983
SW/87/0894	CHANGE OF USE TO PLANT HIRE	Approved 26 August 1987
SW/89/0779	OUTLINE APPLICATION FOR ROADS AND SEWERS TO SERVE B1 AND B8 USES	Approved 3 September 1997
SW/01/1014	Erection of a single factory/industrial use building.	Approved 4 December 2001
16/506696/FULL	Erection of a building for B8 use with ancillary office space, lorry parking and cafe with ancillary overnight accommodation for drivers, car parking and landscaping, together with associated ancillary structures and works, including smoking and cycle shelters, underground diesel tank and refuelling facilities, electrical plug in units, electricity sub-station, security gates and fencing.	Withdrawn 15 March 2018

2.2.2 It should be noted that it does not appear that any of the permissions have been built out and the site was largely undeveloped until sometime between 2015 and 2018 according to aerial imagery.

## 3 The Proposed Development

### 3.1 Overview

3.1.1 This application is seeking full planning permission for the:

*'Temporary change of use of land for HGV Parking and construction of a new access.'*

### 3.2 Need and Rationale

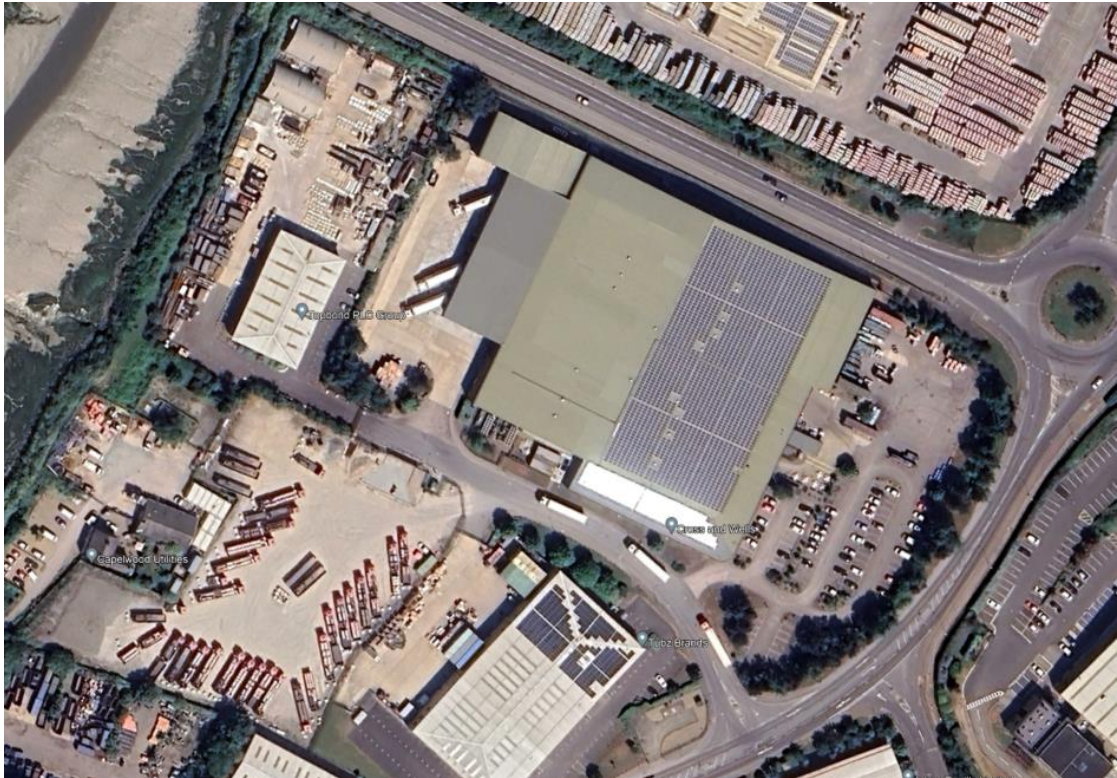
3.2.1 The site has most recently been leased to Marshalls PLC to provide additional HGV parking associated with their brickworks site to the north of the site opposite the Cross and Wells Ltd warehouse. This lease is now coming to an end and Incafield Ltd intend to lease the site to C & W to use the site to park HGVs associated with the operation of the Cross and Wells business.

3.2.2 Currently, HGVs arriving to the Cross and Wells warehouse are having to queue on Castle Road until loading bay becomes available to load or unload goods or there is space in the yard. The queuing of HGVs is shown in figures 3.1 & 3.2 below.



Figure 3.1: Aerial image dated April 2020 showing four HGVs queuing on Castle Road.





**Figure 3.2:** Aerial image dated June 2023 showing three HGVs queuing on Castle Road

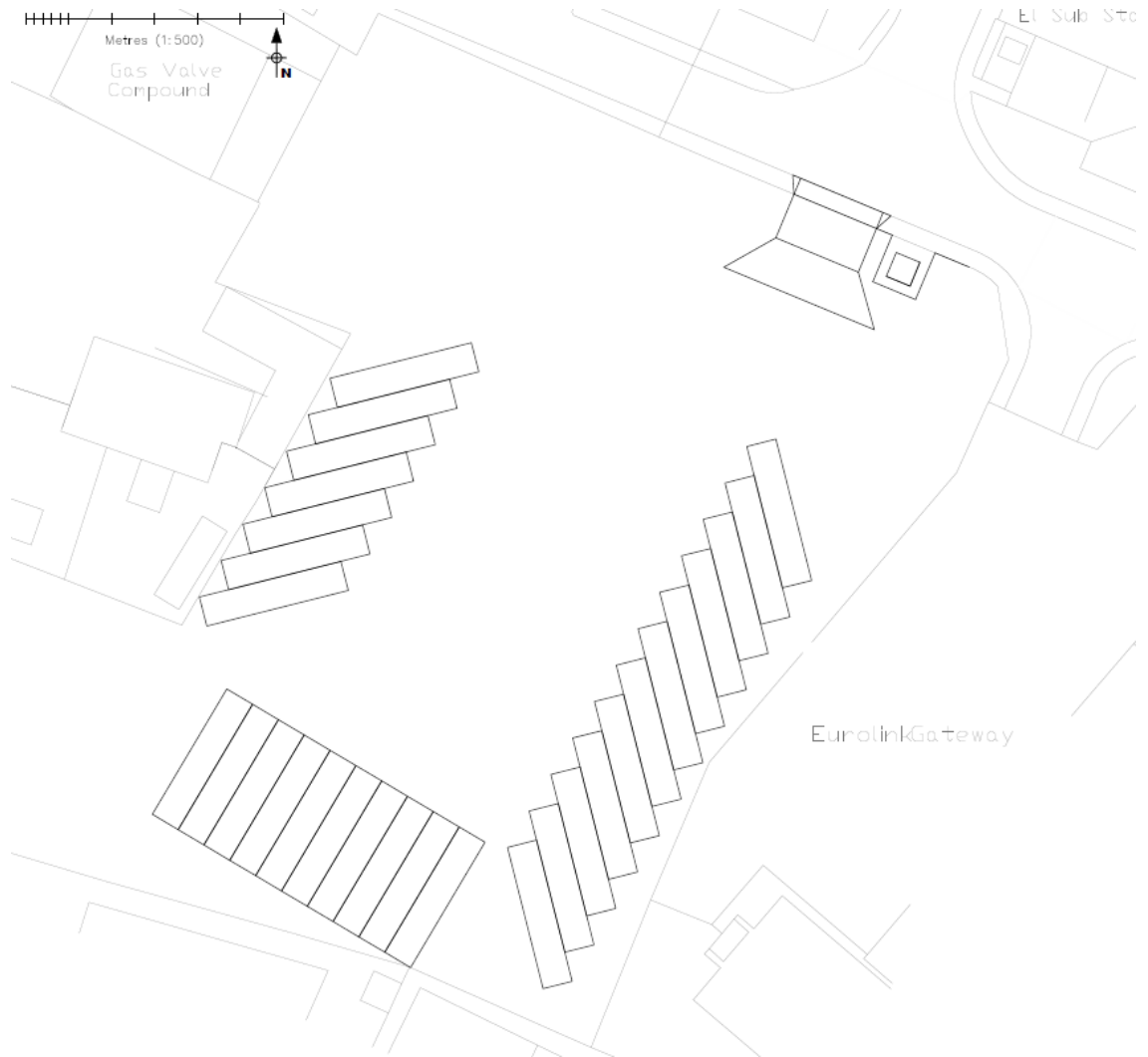
3.2.3 This creates a highway safety issue and conflict between the queuing HGVs and other road users access the other units along Castle Road. Therefore, the proposed development seeks to remove the HGVs from Castle Road and park them in an off-street waiting area to the south of Castle Road allowing the business to operate at a greater efficiency.

### **3.3 Description, Design and Layout**

3.3.1 The current access to the parking area is located on the radius of the access to the rear loading and storage yard for units 1-3 Eurolink Gateway, Castle Road. Whilst this provides suitable access in and out of the parking area, in order to navigate from the parking area to the warehouse HGVs are required to make a near 180 degree turn, followed by a 90 degree turn into the warehouse layout. This creates difficulties and delays with HGVs needing to make multiple point turns on the public highway to allow them to turn left towards the warehouse entrance. The proposals will mean there is no requirement for the HGVs to make such movements by providing a new access directly opposite the existing HGV entrance for the warehouse minimising disruption on the public highway. The HGVs can wait in the parking until there is space available within the yard to the north. The gate will be marshalled to control when HGVs can exit the parking area.

3.3.2 The new access will be an out only access and has been provided directly opposite the warehouse to allow for easy access from the parking area to the warehouse yard for HGVs. The access is formed of a dropped kerb arrangement and is 10.4m in width. Visibility splays of 2.4 x 43m have been provided within the new access.

3.3.3 It is important to note that the application is for a temporary 5-year permission.



**Figure 3.3:** Proposed Site Layout.

- 3.3.4 The new access includes and concrete apron and comprises includes a two leaf palisade gate which is 3m high and matches the existing boundary fence as shown in the figures below.





**Figure 3.4:** View from Castle Road of new access with palisade gate



**Figure 3.5:** View of new access from within the parking area looking north to the warehouse.

## 4 Planning Policy Framework

### 4.1 Introduction

- 4.1.1 Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission are required to be determined in accordance with the provisions of the development plan in force unless material considerations indicate otherwise.
- 4.1.2 For the purpose of this planning application the relevant development plan comprises Swale’s Bearing Fruits Local Plan 2031.
- 4.1.3 The National Planning Policy Framework, 2021 (NPPF) and the National Planning Policy Guidance (NPPG) are material considerations when determining this planning application.

### 4.2 Bearing Fruits 2031 – The Swale Borough Local Plan

- 4.2.1 **Policy ST1- Delivering Sustainable Development in Swale** – sets out the requirements for proposed development to achieve sustainable development.
- 4.2.2 **Policy ST3 – The Swale Settlement Strategy** – indicates that the site is located within the built-up area of Sittingbourne which is the primary focus for growth.
- 4.2.3 **Policy ST5 – The Sittingbourne Area Strategy** – within the Sittingbourne area, the town is the principle urban centre and focus for the main concentration of developments in and adjacent to the town.
- 4.2.4 **Policy CP1 – Building a Strong, Competitive Economy** – seeks to develop the local Swale economy by encouraging inward investment, job retention and creation and provide additional employment floor space.
- 4.2.5 **Policy CP4 – Requiring Good Design** – All development proposals will be of a high quality design that is appropriate to its surroundings.
- 4.2.6 **Policy CP7 – Conserving and Enhancing the Natural Environment** – providing for green infrastructure – ensures the protection and enhancement of Swale’s natural assets including ensuring that there is no adverse effect on the integrity of a SAC, SPA or Ramsar site, alone or in combination with other plan and projects.
- 4.2.7 **Policy CP8 – Conserving and Enhancing the Historic Environment** – ensures that developments sustain and enhance the significance of designated and non-designated heritage assets to sustain the historic environment whilst creating a sense of place and special identity for all areas.
- 4.2.8 **Policy DM6- Managing Transport Demand and Impact** – outlines requirements for developments that impact the highway. Part 2c) aims to avoid the formation of a new direct access onto the strategic or primary distributor route network where possible, or unless identified by the Local Plan. Other proposals for new access onto the networks will need to demonstrate that they can be created in a location acceptable to the Borough Council and appropriate Highway Authority.

- 4.2.9 **Policy DM7- Vehicle Parking** – states that vehicle parking for non-residential uses, will take into account: accessibility and availability of public transport, the type and use of the development proposed and ensure that development proposals do not exacerbate on-street car parking to an unacceptable degree.
- 4.2.10 **Policy DM14- General Development Criteria** – outlines the criteria required for all developments.
- 4.2.11 **Policy DM19- Sustainable Design and Construction** - states that development proposals will include measures to address and adapt to climate change.

#### **4.3 Material Considerations**

##### ***The National Planning Policy Framework (NPPF)***

- 4.3.1 The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. **Paragraph 2** of the NPPF states that it is a material consideration in planning decisions. **Paragraph 8** states that sustainable development can be met through three overarching objectives: economic, social and environmental.
- 4.3.2 **Chapter 8** discusses the need for planning policies and decisions to achieve healthy, inclusive and safe places.
- 4.3.3 **Chapter 9** seeks to promote sustainable transport. Paragraph 109 states that Planning policies and decisions should recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance. Proposals for new or expanded distribution centres should make provision for sufficient lorry parking to cater for their anticipated use.
- 4.3.4 **Chapter 11** seeks to make the most effective use of land for meeting the need of housing and other uses. This particularly focuses on supporting the development of under-utilised land and buildings and decisions need to reflect changes in the demand for land.
- 4.3.5 **Chapter 14** requires developments to take a proactive approach to mitigating and adapting to climate change.
- 4.3.6 **Paragraph 201** states that where a proposed development will lead to substantial harm to a heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 4.3.7 **Paragraph 202** states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

***Emerging Local Plan for Swale***

- 4.3.8 SBC are in the process of carrying out a Local Plan Review in line with Government requirements. Consultation on the Issues and Preferred Options (Regulation 18) took place between 29th October and 29th November 2021.
- 4.3.9 According to the Local Development Scheme (LDS) which was published by SBC in July 2022, it was intended that the Regulation 19 draft would proceed to consultation in October, November, and December 2022. As set out in the 'Local Plan Review Update and Next Steps'<sup>1</sup> document which was considered at the Policy and Resources Committee on 19th October 2022, SBC has decided to pause work on the Local Plan until the Levelling Up and Regeneration Bill (LURB) gains Royal Assent. SBC considers that this could be for approximately 18-months from October 2022.

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<sup>1</sup>[https://services.swale.gov.uk/assets/Planning%20Policy%202019/Reg%2018%20October%202021/FINAL%20SBLP%20\(Oct%202021\)%20Issues%20and%20Options.pdf](https://services.swale.gov.uk/assets/Planning%20Policy%202019/Reg%2018%20October%202021/FINAL%20SBLP%20(Oct%202021)%20Issues%20and%20Options.pdf)

## **5 Planning Appraisal**

### **5.1 Introduction**

5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

5.1.2 In determining whether the proposal accords with the development plan, the following issues are considered:

- Principle of the Proposed Development;
- Highways, Access and Parking; and
- Landscape and Visual Impact

### **5.2 Principle of the Proposed Development**

5.2.1 The proposed development seeks to provide for a temporary planning permission five year period for change of use of the land for HGV parking and construction of a new access.

5.2.2 Previously, HGVs have needed to queue along Castle Road prior to accessing the warehouse but this proposal would allow HGVs to park off the public highway in a designated parking area that has previously been used for parking HGVs for Marshalls Brickworks.

5.2.3 It is clear from the Google Earth imagery that the change of use the land from scrubland to parking area occurred some time between April 2015 and May 2018 where it has been laid with a type 1 aggregate. Since the change of use it has been used as parking primarily for HGVs continuously for at least five years.

5.2.4 This use has continued without causing any concerns locally and no enforcement action has been taken with regard to its use as a parking area.





**Figure 5.1:** Aerial image of the site showing HGVs parked on the site dated May 2018 (courtesy of Google Earth).

- 5.2.5 The reason for a new access is that HGVs would have to make a near 180 degree turn, followed by a 90 degree turn into the warehouse if they were to use the existing access. Therefore, the new access would allow HGVs to safely move from the parking area to the warehouse without needing to undertake unsafe manoeuvres on the public highway. The site would then effectively operate with an 'in' and 'out' with the existing access used as an in and the new access provide the out.
- 5.2.6 The application site is located within the built-up area of Sittingbourne and is broadly surrounded by development on all sides. The built-up area of Sittingbourne is the primary focus for sustainable development in Swale Local Plan. The development surrounding the site predominantly comprises commercial, industrial and infrastructure uses as part of the Eurolink business park. This is an existing strategic employment location as identified in the Local Plan. Policy CP1 seeks to build a strong, competitive economy in which criterion 5a seeks to maximise the potential of existing strategic employment sites. The site lies within the existing Eurolink business park and was vacant prior to being used as a parking area supporting local businesses.
- 5.2.7 Now Cross and Wells Ltd wish to make use of the site themselves to assist with managing their HGVs as their yard area is limited in size and cannot cater for all HGVs arriving on site. Whilst the use is effectively *sui generis* it is directly supporting the B8 use of Cross and Wells and therefore contributing to maximising the potential of the site.
- 5.2.8 The use of this land for HGV parking is supported by Chapter 11 of the NPPF which seeks to make effective use of land. Given the location of this land surrounded by commercial and industrial premises the proposed development seeks to utilise it to support an existing commercial business on a temporary basis.

### ***Sustainability***

- 5.2.9 Policy ST1 sets out a need to achieve sustainable development with the NPPF setting out a presumption in favour of sustainable development. The NPPF sets out three over-arching objectives to sustainable development as being economic, social and environmental. The proposed development meets all three objectives as demonstrated below.

#### Economic

- 5.2.10 The proposed development seeks to allow for effective and efficient parking and access for HGVs associated with the Cross and Wells business to the north. By allowing the vehicles to park on the land opposite, the HGVs will be effectively managed and deliveries to the unit can operate in an efficient way. This allows Cross and Wells to operate more efficiently and effectively resulting in associated economic benefits.

#### Social

- 5.2.11 The proposed development has reduced the amount of on-street parking by HGVs and reduce the traffic levels along Castle Road for all road users. It has also improved highway safety.

#### Environmental

- 5.2.12 The application is seeking to make an effective use of a currently underutilised piece of land within a designated existing strategic employment location where economic development is encouraged.
- 5.2.13 Therefore, the proposed development can demonstrate it meets the three objectives of sustainable development. The proposed development therefore accords with Policy ST1 and DM19 of the Local Plan and the NPPF.

### **5.3 Highways, Access and Parking**

- 5.3.1 As the proposed development requires a new access on to the public highway an Access Technical Note has been provided which demonstrates that the proposed access is acceptable and suitable. It also includes a Road Safety Audit at Appendix C.
- 5.3.2 The new, out only access is 10.4m in width with a dropped kerb arrangement and located directly opposite the access to the warehouse to the north. The location of this new out only access means HGVs do not have to undertake unsafe movements when exiting the existing access to reach the warehouse. This has resulted in a betterment in terms of safety to the public highway.
- 5.3.3 As Castle Road is a 30mph, the required visibility splays, as set out in Manual for Streets, are 2.4 x 43m. As shown on the 31570-H-01 at Appendix A of the Access Technical Note these splays can be achieved within the site boundary and land under the control of the Local Highway Authority.

- 5.3.4 Furthermore, the regularisation of the parking area enables HGVs associated with Cross and Wells Ltd to park and wait off street rather than queuing on Castle Road and leading to obstructions along Castle Road and potentially block back onto the B2005. A swept path analysis has been completed which shows HGVs can adequately access and egress the parking area through the in and out accesses and park in the informally laid out spaces.
- 5.3.5 In terms of parking there are 29 HGV spaces indicated by the use of two concrete blocks. Previously the site has been used by Marshalls Brickworks in which the majority of the spaces were occupied at various times throughout the day however it is not expected that the HGV spaces will be occupied at all times when in use by Cross & Wells Ltd.
- 5.3.6 The proposals do not seek to increase the number of vehicle movements along Castle Road, and therefore there will be no residual cumulative impact of development on traffic generation. The parking area seeks to remove the need for HGVs to park on the public highway and allow the development of a formalised parking/ waiting area for vehicles before entering Cross and Wells yard to the north. Restricting the arrival of HGVs to the site is difficult particularly as much of the produce that is handled by Cross and Wells is imported. Therefore, arrivals to the site are dependent on traffic, ferries and port procedures. The parking area allows Cross and Wells to managing the HGVs arriving to the site particularly given their restricted yard space.
- 5.3.7 As demonstrated by the Access Technical Note the new access is found to be acceptable in terms of the required standards and that the new access and parking area will provide a betterment to the operation of the local highway network as well as possibly improving safety. The proposed development will not result in a severe residual impact in accordance with Paragraph 111 of the NPPF and therefore comply with Policy DM6.

#### **5.4 Landscape and Visual Amenity**

- 5.4.1 The site is not subject to any landscape designations and is located within the built-up boundary of Sittingbourne and is surrounded by commercial and industrial uses. The proposed use of the site as a parking area for HGVs does not conflict with the surrounding uses and has been ongoing for over five years.
- 5.4.2 Due to the commercial nature of the wider site and surroundings, the use of the space for additional HGV parking is not uncommon within the industrial estate. By introducing an official parking area for HGVs, they are removed from the public road network and therefore will reduce the visual and landscape impact of the current situation.
- 5.4.3 The site is screened from Castle Road to the east by an existing commercial unit and whilst views of the site are available from the north on Castle Road, the majority of the views would remain discrete and would be in keeping with the surrounding industrial and commercial use.
- 5.4.4 The existing boundary has also been retained which ensures the site remains enclosed on all sides.

- 5.4.5 The development would therefore not have an adverse impact on the landscape character or visual amenity of the area and is in accordance with Policies CP4 and DM14 of the Local Plan and NPPF.

## **6 Summary**

- 6.1.1 This Planning Statement has been prepared on behalf of Incafield Ltd. in relation to a planning application for the temporary change of use of land for HGV Parking and construction of a new access at Land South of Cross and Wells, Castle Road, Sittingbourne, for a period of five years.
- 6.1.2 This Statement has demonstrated that the proposed development is supported by relevant policies in the adopted Swale Local Plan. In particular, the site is located within the built-up area of Sittingbourne within an existing strategic employment area associated with industrial and commercial activity. Therefore, the proposed development site is appropriate for its location.
- 6.1.3 The proposed use and new access have been designed in accordance with the required standards and is considered to provide a benefit to the operation of the local highway network as well as improving highway safety. The proposed development results in a clear betterment to current situation by allowing HGVs to park in a designated area and not on the public highway.
- 6.1.4 The proposed development is not considered to result in material harm to the surrounding area, due to limited views of the site, only visible primarily from Castle Road directly adjacent to the site. However, given the existing industrial and commercial nature of the site and surrounding area the proposed change of use would not harm the surrounding landscape.
- 6.1.5 There are no other material considerations that indicate that permission should be withheld. Therefore, for the reasons given above, we respectfully request that the Council give this planning application favourable consideration and grant planning permission for the proposed development, subject to appropriate conditions.