

## CROWN/2025/000002 Sevington Inland Border Facility

### Conditions (As agreed between the LPA and Applicant)

#### 1. Approved plans

The development shall be carried out in accordance with the following approved plans:

Document Title	Author	Date	Reference
Building Reference Plan	Plowman Craven	02 April 2025	49502-PCL-RP-XX-DR-Y-00001 Rev P02
Existing Block Plan	Chetwoods	15 April 2025	5861 CA ZZ ZZ DR A 00005 Rev P03
Off Plan Area Measurement Report	Plowman Craven	28 February 2025	49502-001 Rev C01
Site Boundary & Land Ownership Plan	Chetwoods	01 April 2025	5861 CA ZZ ZZ DR A 00001 Rev P01
Existing Site Sections Sectional Elevations – A Sheet 1	Chetwoods	15 April 2025	5861 CA 00 XX DR A 00451 Rev P01
Existing Site Sections Sectional Elevations – A Sheet 2	Chetwoods	15 April 2025	5861 CA 00 XX DR A 00452 Rev P01
Existing Site Sections Sectional Elevations – A Sheet 3	Chetwoods	15 April 2025	5861 CA 00 XX DR A 00453 Rev P01
Existing Site Sections Sectional Elevations – A Sheet 4	Chetwoods	15 April 2025	5861 CA 00 XX DR A 00454 Rev P01
Existing Site Sections Sectional Elevations – A Sheet 5	Chetwoods	15 April 2025	5861 CA 00 XX DR A 00455 Rev P01
Existing Site Sections Sectional Elevations – A Sheet 6	Chetwoods	15 April 2025	5861 CA 00 XX DR A 00456 Rev P01
Existing Site Sections Sectional Elevations – A Sheet 7	Chetwoods	15 April 2025	5861 CA 00 XX DR A 00457 Rev P01
Existing Site Sections Sectional Elevations – B Sheet 8	Chetwoods	15 April 2025	5861 CA 00 XX DR A 00458 Rev P01

Document Title	Author	Date	Reference
Existing Site Sections Sectional Elevations – B Sheet 9	Chetwoods	15 April 2025	5861 CA 00 XX DR A 00459 Rev P01
Existing Site Sections Sectional Elevations – B Sheet 10	Chetwoods	15 April 2025	5861 CA 00 XX DR A 00460 Rev P01
Existing Site Sections Sectional Elevations – B Sheet 11	Chetwoods	15 April 2025	5861 CA 00 XX DR A 00461 Rev P01

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans is achieved in practice.

## 2. Lighting mitigation and implementation plan

Within 6-months of the date of this decision a Lighting Mitigation and Implementation Plan for the entire site shall be submitted for the written approval of the Local Planning Authority. The Lighting Mitigation and Implementation Plan shall include evidence of engagement with Sevington with Finberry Parish Council and Mersham Parish Council and be informed by the recommendations for measures to reduce lighting impacts set out in the External Lighting Assessment (Document Reference: SEV-WBS-ZZ-ZZ-RP-E63000) and include a written timetable for implementation. The development shall be completed in accordance with the approved details and retained and maintained thereafter.

Reason: In order to balance the requirements for safety and security with the requirements to protect areas of nature conservation, the setting of the Kent Downs National Landscape and the residential amenity of the occupiers of surrounding properties in accordance with Policies ENV1, ENV3B, ENV4 and ENV5 of the Ashford Local Plan 2030 and paragraph 198 of the NPPF.

## 3. Signage strategy

Within 3-months of the date of this decision an updated Signage Strategy for directing HGVs to the site shall be submitted for the written approval of the Local Planning Authority.

The Signage Strategy shall include evidence of engagement with National Highways, Kent County Council, Sevington with Finberry Parish Council, Mersham Parish Council and relevant satellite-navigation companies and a timetable for implementation. The development shall be implemented in full accordance with the details so approved.

Reason: In the interests of highways safety and to prevent the use of inappropriate routes by HGVs to the site in accordance with Policies TRA7 and TRA9 of the Ashford Local Plan 2030 and paragraph 89 of the NPPF.

#### 4. Travel Plan

Within 3-months of the date of this decision an updated Staff Travel Plan shall be submitted for the written approval of the Local Planning Authority in consultation with Kent County Council. The Travel Plan shall include the following:

- i. setting of objectives and targets in response to review of success of the 2022 Staff Travel Plan;
- ii. measures to promote and facilitate public transport use, walking and cycling (including details of cycle storage, changing and shower facilities and associated storage space);
- iii. measures to reduce car usage, including staff bus service;
- iv. measures to reduce air pollution;
- v. promotion of practices/facilities that reduce the need for travel;
- vi. monitoring and review mechanisms;
- vii. Travel Plan co-ordinators and associated support;
- viii. Provision of travel information and marketing together with a timetable for the implementation of each element;
- ix. **[Measures to monitor the use of EV charging, including 6 monthly monitoring updates to the Local Planning Authority. Where evidence of need is demonstrated, the number of proposed additional active EV charging units shall be submitted and agreed with the Local Planning Authority.]**

The agreed Travel Plan measures shall be implemented in accordance with the details approved within 3-months of the date of such approval and thereafter maintained.

Reason: In order to take into account the cumulative impacts of major development on air quality and climate change and to assist modal shift by encouraging the use of sustainable transport modes by staff in accordance with Policies ENV12, TRA6 and TRA8 of the Ashford Local Plan 2030 and paragraph 118 of the NPPF.

#### 5. Noise impact assessment

Within 6-months of the date of this decision an updated Noise Impact Assessment shall be submitted for the written approval of the Local Planning Authority.

The Noise Impact Assessment, accounting for the bespoke operational requirements of the site, shall include but not be limited to:

**Commented [RS1]:** *The inclusion of the condition wording at (ix.) represents the Applicant's position with respect to EV charging (EVC). The Applicant considers it appropriate for monitoring measures for EVC to be included as part of the Travel Plan condition.*

*The Council considers that EVC should form a standalone Condition (as set out in Condition 21 below). This is the only Condition where parties are not in agreement and it is therefore for the Inspector to determine.*

*The balance of the travel Plan condition wording is agreed between parties.*

- i. evidence of engagement with Sevington with Finberry Parish Council and Mersham Parish Council;
- ii. investigation of low frequency noise from plant and HGVs;
- iii. investigation of tonal noise from refrigerated HGVs;
- iv. investigation of reversing beepers;
- v. investigation of clanging of curtain sider poles and horns;
- vi. investigation of frequency of use of Romeo and Tango;
- vii. investigation of use of the southern perimeter road by HGVs to exit the site;
- viii. mitigation measures (including but not limited to the investigation of options for the cessation of use of the southern perimeter road by HGVs during the night-time period) and a written timetable for implementation;
- ix. a scheme for ongoing monitoring and reporting of noise impacts to the Local Planning Authority and where those impacts indicate further mitigation measures are required, details of those measures and a written timetable for implementation.

Assessment of noise shall be undertaken in accordance with BS4142 apart from low frequency noise which will be assessed (if present) using NANR45 procedure.

The development shall be implemented in full accordance with the details so approved.

Reason: To protect the residential amenity of the occupiers of surrounding properties and users of the surrounding public right of way network and the area generally in accordance with paragraph 198 of the NPPF.

## **6. Air quality**

Within 3-months of the date of this decision an Air Quality Management Plan (AQMP) shall be submitted for the written approval of the Local Planning Authority. The AQMP shall include but not be limited to:

- i. arrangements for ongoing monitoring and annual reporting of air quality to the Local Planning Authority for a period of 10 years from the date of this decision;
- ii. measures to mitigate operational impacts on air quality, including relating to minimising vehicle idling and provision and use of electric hook-up points for refrigerated vehicles across the site; and
- iii. a timetable for implementation.

The development shall be implemented in full accordance with the details so approved.

Reason: In order to take into account the cumulative impacts of major development on air quality on the surrounding area, to protect the residential amenity of the occupiers of surrounding properties and to ensure that a satisfactory working environment is provided on site in accordance with Policy ENV12 of the Ashford Local Plan 2030 and the NPPF.

#### **7. Heritage / archaeological interpretation boards**

Within 6-months of the date of this decision details of heritage / archaeological interpretation measures, including evidence of engagement with Sevington with Finberry Parish Council and Mersham Parish Council, details of the design and siting of interpretation boards and a written timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The archaeological interpretation boards shall be implemented in accordance with the approved details.

Reason: To ensure that appropriate conservation and interpretation of the heritage and archaeological assets within and in the setting of the application site is achieved and that information on the assets is publicly accessible in accordance with Policy ENV15 of the Ashford Local Plan 2030 and paragraphs 218 and 219 of the NPPF.

#### **8. Waste management plan**

Within 3-months of the date of this decision an Operational Waste Management Strategy shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Environment Agency. Thereafter, the approved Operational Waste Management Strategy shall be implemented in full.

Reason: To ensure that waste is managed in a sustainable and environmentally responsible manner, in accordance with the NPPF.

#### **9. Alternative uses of the site to be brought within planning control**

The use of the site shall be limited to that associated with the Inland Border Facility, Border Control Post and traffic management purposes and for no other purpose whatsoever, without express planning permission from the Local Planning Authority first being obtained.

Reason: To ensure that any other proposal for the use of the site is the subject of a separate application to be determined on its merits, having regard to the amenity of the area.

### **10. Landscape Maintenance and Management Plan (LMMP)**

Within 6-months of the date of this decision an updated Landscape Maintenance and Management Plan (LMMP) shall be submitted for the written approval of the Local Planning Authority. The LMMP shall include evidence of engagement with Sevington with Finberry Parish Council and Mersham Parish Council and a mechanism for annual monitoring for a minimum period of 10 years from the date of this decision of all new and retained trees and planting. Where any trees or planting die, are removed or become seriously damaged or diseased, they shall be replaced in the next planting season with others of similar size and species. The development shall be implemented in accordance with the details so approved.

Reason: To ensure that adequate details of the proposals are submitted and to ensure the new landscaped areas are properly maintained in the interest of nature conservation and the amenity of the area in accordance with Policy ENV1 of the Ashford Local Plan 2030 and paragraphs 8, 162 and 187 of the NPPF.

### **11. Landscape Ecological Management Plan (LEMP)**

Within 6-months of the date of this decision an updated Landscape Ecological Management Plan (LEMP) shall be submitted for the written approval of the Local Planning Authority. The LEMP shall include evidence of engagement with Sevington with Finberry Parish Council and Mersham Parish Council. The development shall be implemented in full accordance with the details so approved.

Reason: To ensure the protection of wildlife and supporting habitat, enhance the nature conservation value of the site and character of the area, and secure opportunities for the enhancement of the ecological value of the site in accordance with Policy ENV1 of the Ashford Local Plan 2030 and paragraphs 8, 162 and 187 of the NPPF.

### **12. Enhanced Soft Landscaping Scheme**

Within 6-months of the date of this decision full details of an enhanced soft landscaping scheme shall be submitted for the written approval of the Local Planning Authority. The landscaping scheme shall include evidence of engagement with Sevington with Finberry Parish Council and Mersham Parish Council. The details shall relate to land within the site, including but not limited to land within the heritage viewing corridor, and the raised bunds to the east of Highfield Lane. The details shall identify how they respond to the specific ground conditions in each area and include:

- i. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/densities where appropriate; full

- details of proposed trees and tree pit size and specification to ensure maturation and long-term survival; guards and any other measures necessary to protect trees in locations immediately adjacent to parking bays;
- ii. all soft landscape works shall be carried out in accordance with the approved details. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out within 2 planting and seeding seasons following the date of the approval of these details or in accordance with a timetable agreed by the Local Planning Authority;
  - iii. any trees or plants whether new or retained which within a period of 10 years from the completion of the relevant phase 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 that adequate details of the proposals are submitted in the interests of the protection and enhancement of the area.

### **13. Litter maintenance and management**

Within 3-months of the date of this decision a Litter Maintenance and Management Plan for the Site, including a plan denoting the extent of adjacent surroundings to be included, shall be submitted to the Local Planning Authority for approval in writing. The Litter Maintenance and Management Plan shall include evidence of engagement with Sevington with Finberry Parish Council and Mersham Parish Council. Thereafter, the approved Litter Maintenance and Management Plan shall be implemented in full.

Reason: To protect the appearance of the area, nature conservation and residential amenity in accordance with the requirements of paragraphs 96 and 135 of the NPPF.

### **14. Waste or foul water**

Any waste or foul water that is tankered off-site must be taken to a wastewater treatment works outside of the Stour Valley catchment.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of foul water and does not impact on the water quality at the nationally and internationally designated wildlife habitat at Stodmarsh Lakes in accordance with policies SP1, ENV1 and ENV8 of the Ashford Local Plan 2030 and the Conservation of Habitats and Species Regulations 2017 (as amended).

### **15. Landscaped enhancement to staff entrance on Church Road**

Within 6-months of the date of this decision a strategy for the landscaped enhancement of the land within the landownership of the Applicant between Church Road and the staff entrance shall be submitted to the Local Planning Authority for approval in writing. The strategy shall include evidence of engagement with Sevington with Finberry Parish Council and Mersham Parish Council, details of hard and soft landscaping measures designed to mitigate the visual impact of the staff entrance and adjacent boundary treatments on the rural character of Church Road and the setting of surrounding heritage assets, and a timetable for implementation.

The development shall be implemented in accordance with the approved details.

Reason: To ensure that the development is of a high quality in the interests of safeguarding the visual amenity and rural character of the area and the setting of designated heritage assets in accordance with Policies SP6, ENV5 and ENV13 of the Ashford Local Plan 2030 and the NPPF.

### **16. Emergency use strategy**

Within 3-months of the date of this decision an Emergency Use Strategy for Tango shall be submitted to the Local Planning Authority for approval in writing.

The Strategy shall include details for arrangements for liaison between the site operator and Ashford Borough Council, Sevington with Finberry Parish Council, Mersham Parish Council and surrounding residents.

The development shall be implemented in accordance with the approved details.

Reason: To protect the residential amenity of the occupiers of surrounding properties, including through effective communication with the local community.

### **17. Drainage strategy**

Within 6-months of the date of this decision, a detailed sustainable surface water drainage scheme for the site shall be submitted to the Local Planning Authority for approval in writing. The detailed drainage scheme shall be based upon the Flood Risk Assessment (Document Reference: 21082104-WAT-XX-XX-RP-N-770001\_P02.02) along with the as-built drainage information, information gathered from site visits and information set out in the Drainage Strategy (Document Reference: 419419 | 0001| P02 419419-MMD-XX-MO-RP-D-0001) approved for the Special Development Order, Relevant Approval 1, dated 01 December 2020. The submitted

scheme shall demonstrate compliance with the required technical standards or as agreed with Kent County Council or Ashford Borough Council at the time of submission and shall 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 within the curtilage of the site without increase to flood risk on or off-site. The detailed drainage scheme will also be required to demonstrate that any existing surface water flow paths 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):

- i. that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters;
- ii. appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered;
- iii. a programme for the implementation of the drainage changes proposed.

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.

#### **18. Entry arrangement to the staff car park**

Within 3-months of the date of this decision, investigate issues of potential vehicle and pedestrian conflict in the vicinity of the main staff car parking gate A statement of findings shall be submitted for the written approval of the Local Planning Authority. If evidence of vehicle and pedestrian conflict is confirmed, the statement of findings shall include details of measures designed to reduce vehicle and pedestrian conflict adjacent to the staff vehicle entrance, including a timetable for implementation. The development shall be implemented in full accordance with the details so approved.

Reason: To safeguard the safety and amenity of users of the surrounding public right of way network in accordance with Policies TRA5 and TRA6 of the Ashford Local Plan 2030 and the NPPF.

#### **19. Use of Tango in respect to noise mitigation**

In the event that Tango is used operatively more than 10 times (each time defined as any 24-hour period, or part thereof) within any single calendar year, within 3-months a detailed scheme for the provision of a new acoustic buffer shall be submitted to the Local Planning Authority for approval. Following written approval, the acoustic buffer scheme shall be fully implemented within 3-months.

Reason: In the absence of acoustic mitigation for Tango to safeguard the amenities of the occupiers of surrounding residential properties, users of the surrounding public right of way network and the area generally in accordance with paragraph 198 of the NPPF.

## **20. Vehicular parking**

The onsite vehicular parking shall be limited to a maximum of up to 357 staff car parking spaces, and up to 984 goods vehicle parking spaces.

Reason: To ensure the development is carried out in accordance with the approval and ensure provision of a level of parking proportionate to the activity in accordance with Policies TRA3(b) and TRA9 of the Ashford Local Plan 2030.

## **Condition (Not agreed between LPA and Applicant)**

*A standalone condition for EV Charging is proposed by the LPA (see draft Condition 21 as set out below). This is not agreed by the Applicant, who proposes the wording as inserted at Condition 4 (ix), including requirements for EV Charging to form part of the Travel Plan Condition wording.*

## **21. Electric vehicle charging**

Within 3-months of the date of this decision details for the provision of electric vehicle charging (EVC) points shall be submitted to and approved in writing by the Local Planning Authority. The details shall include provision for at least 20% of staff parking spaces provided to Mode 3 standard (providing up to 7.5kw) and SMART (enabling Wifi connection) and provision for HGV parking spaces. The EVC points shall be implemented in accordance with a timetable to be agreed and shall be retained in working order for use by staff for the lifetime of the development.

Reason: In order to take into account the cumulative impacts of major development on air quality and climate change and to assist modal shift by encouraging the use of sustainable transport modes through incorporating facilities for the efficient charging of plug-in electric and hybrid vehicles by staff in accordance with the NPPF.

## Informative:

1. The Applicant will use reasonable endeavours to help facilitate the replanting and establishment of tree screening on third-party land situated between the Site's northern boundary and the southern boundary of the A2070. The responsibility for delivery of a scheme of replanting in this area falls with National Highways and Kent Country Council.

**Commented [JS2]:** Applicant and ABC have proposed inclusion of an informative confirming Applicant to use reasonable endeavours to help facilitate provision by third-parties (National Highways and Kent County Council) of landscaping reinstatement and maintenance on National Highways' land to the north of the Site boundary

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