

Planning Committee – Supplementary agenda

A meeting of the Planning Committee will be held on:

Date: 12 April 2017

Time: 6.30pm

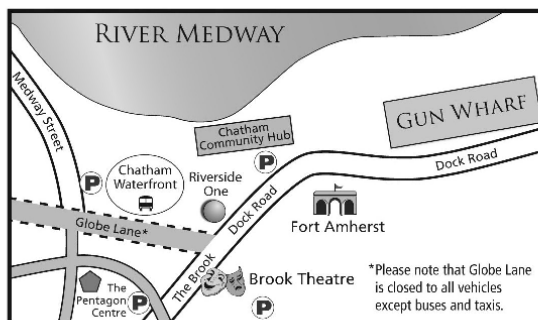
Venue: Meeting Room 2 - Level 3, Gun Wharf, Dock Road, Chatham ME4 4TR

Items

- 17 Additional Information - Supplementary agenda advice sheet (Pages 3 - 8)

For further information please contact Ellen Wright, Democratic Services Officer on Telephone: 01634 332012 or Email: democratic.services@medway.gov.uk

Date: 12 April 2017



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বাংলা 331780
中文 331781

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کوردی 331841
এহেৎশাফব 331786

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Русский 332374
Lietuviškai 332372

Medway Council

PLANNING COMMITTEE – 12 April 2017

Supplementary Agenda Advice

**Page 70 MC/17/0353 311 Station Road, Rainham, Gillingham
ME8 7PU**

Recommendation

Amend condition 13 as follows:

13. Prior to the first occupation of any flat on site, details of an external lighting scheme for the site (including the parking area) shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall incorporate the recommendations set out within the preliminary ecological appraisal received on 30 January 2017. The approved lighting scheme shall be implemented prior to first occupation of any of the flats and shall thereafter be maintained. No other external lighting shall be installed on site without the prior consent of the Local Planning Authority.

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Application be deferred

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Reason for refusal agreed with Chairman and spokes:

The application site was formerly open agricultural land and lies within an Area of Local Landscape Importance, where new buildings, particularly of such size, scale and of an industrial nature, would not normally be allowed. The construction of the building concerned was only allowed on the basis of its link and relationship to the agricultural use of surrounding land and the agricultural use (for fruit) of other land in the applicants ownership and control. On that basis the LPA would not support the retention of the building should its link with the agricultural use of adjacent land not remain as this would result in an industrial use in the open countryside, within an Area of Local Landscape Importance which would as a result be harmful to the important character of the area as well as being harmful to the visual amenities of nearby residents. The removal of the condition would be contrary to the aims and objectives of Policies BNE1, BNE2, BNE25, and BNE34 of the Medway Local Plan 2003 and paragraph 109 of the NPPF 2012.

Conditions imposed on planning approval

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed waste storage area drawing received 9 December 2016; the site plan, block plan, proposed floor plan and floor plan showing proposed toilets received 11 January 2017.

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

3. The use hereby permitted shall only operate between the hours of 10:00 to 23:30 Mondays to Saturdays inclusive and between the hours of 10:00 to 22:30 on Sundays and Public Holidays.

Reason: To ensure that the development does not prejudice the amenities of neighbouring property in accordance with Policy BNE2 of the Medway Local Plan 2003.

4. Prior to the first use of the building as a café and micropub, a scheme of acoustic protection shall be submitted to and approved in writing by the Local Planning Authority. The scheme must demonstrate that the internal noise levels within neighbouring residential units will conform to the indoor ambient

noise levels for dwellings identified by BS8233 2014: Guidance on Sound Insulation and Noise Reduction for Buildings. Air borne sound insulation testing details may also be submitted to address this as part of any mitigation case proposed. All works which form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: To ensure that the development does not prejudice the amenities of neighbouring property in accordance with Policy BNE2 of the Medway Local Plan 2003.

5. Prior to the first use of the building as a café and micropub, an acoustic assessment shall be undertaken to determine the impact of noise arising from air conditioning units and/or chiller plant. The noise rating level (L_{Ar},T_r) of the air conditioning units shall be at least 10dB below the background noise level (L_{A90},T) at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014. The results of the assessment and details of any mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the approved measures have been implemented in accordance with the approved details and thereafter be maintained.

Reason: To ensure that the development does not prejudice the amenities of neighbouring property in accordance with Policy BNE2 of the Medway Local Plan 2003.

6. No amplified noise, music or sound, or the use of a television shall take place at any time in connection with the use hereby permitted.

Reason: To ensure that the development does not prejudice the amenities of neighbouring property in accordance with Policy BNE2 of the Medway Local Plan 2003.

7. Notwithstanding the submitted details and prior to the first use of the building as a café and micropub, details of the refuse storage arrangements, including provision for the storage of recyclable materials and empty casks, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the refuse storage arrangements have been implemented in accordance with the approved details and the refuse storage arrangements shall thereafter be retained.

Reason: In the interests of visual amenity and to ensure a satisfactory provision for refuse and recycling in accordance with Policies BNE1 and BNE2 of the Medway Local Plan 2003.

8. Deliveries shall only be made to the front of the property in the High Street.

Reason: To ensure that the development does not prejudice the amenities of neighbouring property in accordance with Policy BNE2 of the Medway Local Plan 2003.

9. The rear access and the associated area shall only be used by staff for the storage of and/or removal of refuse and for no other purpose. The rear access shall remain in accessible to the public at all other times unless needed in the event of an emergency.

Reason: To ensure that the development does not prejudice the amenities of neighbouring property in accordance with Policy BNE2 of the Medway Local Plan 2003.

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