

Planning Committee – Supplementary agenda

A meeting of the Planning Committee will be held on:

Date: 24 July 2019

Time: 6.30pm

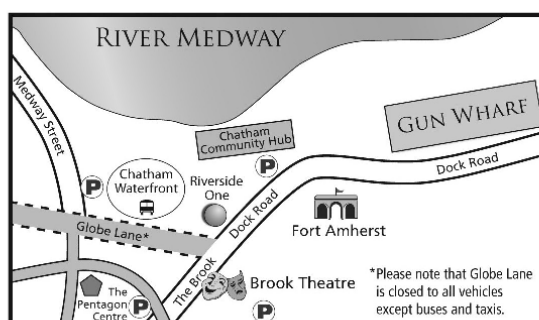
Venue: Meeting Room 9 - Level 3, Gun Wharf, Dock Road, Chatham ME4 4TR

Items

- 17 Additional Information - Supplementary agenda advice sheet (Pages 3 - 12)**

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

Date: 24 July 2019



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If you have any questions about this meeting and you want to speak to someone in your own language please ring **01634 335577**

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Medway Council

PLANNING COMMITTEE –
24 July 2019

Supplementary Agenda Advice

Page 26 MC/19/0038 Bardell Terrace, Rochester, Kent ME1
1NG

Recommendation

Amend the following conditions to read as follows:

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

Drawing numbers 0506 rev P-00 and 0570 Rev P-00 received on 15 January 2019; Drawing numbers 0130 Rev P-03, 0210 Rev P-01, 0221 Rev P-03, 0222 Rev P-04, 0230 Rev P-03, 0240 Rev P-01, 0241 Rev P-01, 0300 Rev P-00, 0301a Rev P-00, 0308 Rev P-02 and 0331 Rev P-03 received on 21 May 2019; Drawing numbers 0005 Rev P-02, 0104 Rev P-00, 0201 Rev P-03, 0301 Rev P-03, 0401 Rev P-02, 0420 P-04, 0422 Rev P-04, 0423 Rev P-04 and 0430 Rev P-04 and received on 23 May 2019; Drawing numbers 0002 Rev P-04, 0101 Rev P-02, 0103 Rev P-04, 0320 Rev P-04, 0340 P-03, 0402 Rev P-02 , 0411 Rev P-02, 0412 Rev P-02, 0440 Rev P-02, 0441 Rev P-02 and 0501 Rev P-02 received on 30 May 2019; drawing numbers 102 Rev P-04, 0120 Rev P-04 and 0341 Rev P-04 received on 21 June 2019; and drawing numbers 0202 Rev P-06, 0203 Rev P-05, 0208 Rev P-04, 0209 Rev P-04, 0220 Rev P-04, 0302 Rev P-05, 0303 Rev P-04, 0304 Rev P-04, 0305 Rev P-07, 0306 Rev P-04, 0307 Rev P-03 0321 Rev P-06, 0322 Rev P-06, 0342 Rev P-05, 0403 Rev P-05 0404 Rev P-04, 0421 P-04, 0502 P-03, 0503 Rev P-02, 0504 Rev P-04, 0505 Rev P-02 and 0520 Rev P-04 received on 8 July 2019 and drawing number 0140-P-03 received on 16 July 2019.

- 4 Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation and archaeological works must not take place until conditions 5 to 8 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified in writing by the Local Planning Authority until condition 8 has been complied with in relation to that contamination.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on human health and water courses as a

result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 5 No development shall take place other than archaeological works until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, including risks to groundwater, whether or not it originates on the site. The scheme shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- o human health
- o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes.
- o adjoining land,
- o groundwaters and surface waters,
- o ecological systems,
- o archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

- 6 No development shall take place other than archaeological works until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared and submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 7 No development shall take place other than development required to enable the remediation process to be implemented and archaeological works until the approved remediation scheme has been carried out in

accordance with its terms. The Local Planning Authority must be given not less than two weeks written notification prior to the commencement of the remediation scheme works.

Following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and submitted to and approved in writing by the Local Planning Authority prior to the bringing into use of the development.

- 10 No development shall take place within a phase other than demolition, contamination investigation and remediation works, archaeological works and earthworks until an Air Quality Scheme, which demonstrates how poor air quality from road transport emissions can be mitigated by the installation of a clean air ventilation system for buildings within that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover all habitable rooms and include details of the design and installation of the clean air ventilation system and, if necessary, air purification equipment. The Air Quality Scheme shall be implemented in accordance with the approved details prior to the occupation of any part of the development to which the phase relates and shall thereafter be retained.
- 11 No development shall take place other than demolition, contamination investigation and remediation works, archaeological works and earthworks until an Air Quality Assessment and an Emissions Mitigation Assessment has been submitted to and approved in writing by the Local Planning Authority. The Air Quality Assessment shall include an assessment of air quality at the application site and details of any scheme necessary for the mitigation of poor air quality affecting the residential amenity of this development. The Emissions Mitigation Assessment should include a damage cost assessment that uses the DEFRA emissions factor toolkit and should include details of mitigation to be included in the development which will reduce the emissions from the development during construction and when in operation. The development shall be implemented in accordance with the approved details prior to the first occupation of any part of the and shall thereafter be retained.
- 12 No development including demolition works but other than contamination investigation and remediation works, archaeological works and earthworks shall take place within a phase until a Construction Environmental Management Plan (CEMP) in relation to that phase has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of: hours of construction working; measures to control noise and vibration affecting nearby residents; dust and air pollution control measures; pollution incident control, bat mitigation measures indicated within the ecology report and site contact details in case of complaints. The construction works within

that phase shall be undertaken in accordance with the approved Construction Environmental Management Plan.

- 14 No development shall take place other than demolition, contamination investigation and remediation works, archaeological works and earthworks until a scheme showing details of the disposal of surface water, based on sustainable drainage principles, including details of the design, implementation, maintenance and management of the surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.

Those details shall include (if applicable):

- i. a timetable for its implementation (including phased implementation where applicable).
- ii. appropriate operational, maintenance and access requirements for each sustainable drainage component are adequately considered.
- iii. proposed arrangements for future adoption by any public body, statutory undertaker or management company.

Representations

A letter has been received from Councillor Tranter as Ward Councillor and is attached in full to this agenda.

A further letter from the City of Rochester Society has been received raising the following concerns:

- Assessment is light on design quality and harm to the historic environment
- Daylight assessment is somewhat disingenuous.
- No reference to the Corporation Street Development Brief seeking lower development and very little reference to the extensive provisions of Medway Housing Design Standards.
- The viability report should be regarded with scepticism and should not provide a reason to accept an over scaled, cheap and dull scheme.
- Urges members to refuse the proposal in its present form for the following reason with regard to paragraph 130 of the NPPF and to set an appropriate quality standard for the future regeneration.
 - *'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.'*

Add a new condition 8:

- 8 The existing education centre, currently being occupied as living accommodation shall be removed upon occupation of the keepers lodge accommodation.

Reason: To ensure the site remains for the purpose of the zoo and public house uses and in the interests of protecting the countryside character of the area in accordance with Policy BNE25 of the Local Plan 2003.

Planning Appraisal

Principle

Add a paragraph to the end of the 'Principle' section

The main animal welfare operative/zoo manager (applicant) is currently living in a building that was originally approved as an educational building, at the side (south) of the main public house. Whilst this building has planning permission, the use of it for residential accommodation does not. The building is currently therefore being occupied as a dwelling unlawfully.

The siting of the proposed keepers lodge would regularise the current living situation for the zoo keeper/animal welfare manager in terms of living on site but would be in a location considered to be low impact in terms of visibility and the wider general impact. The existing 'Education Centre' building which is currently being occupied as a dwelling is to be removed as part of the proposal. A condition is recommended.

Page 78 MC/19/0797 4, 16, 20 and 22 High Street, Rainham, Gillingham

Recommendation

Amend the following conditions to read as follows:

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

Drawing numbers: 20073RH P01, 20073RH P03/A, 20073RH P04/A, 20073RH P05, 20073RH P07, 20073RH P08, 20073RH P09, 20073RH P10, 20073RH P11 and 20073RH P20 received on 25 March 2019; and drawing number 20072RH P02D received on 30 May 2019.

- 16 The windows on the east elevation serving units 10 and 27 shall be fitted with obscure glass and apart from any top-hung light, that has a cill height of not less than 1.7 metres above the internal finished floor level of the room it serves, shall be non-opening. This work shall be completed

prior to the first occupation of any part of the development herein approved.

Add a new condition 26:

- 26 The development hereby permitted shall only be occupied by persons over 60 years of ages, or those of 60 years or over with a spouse or partner of at least 55 years.

Reason: To accord with the terms of the submitted application and in accordance with Policy H10 of the Medway Local Plan 2003 and Paragraph 59 of the National Planning Policy Framework 2019.

Page 116 MC/19/0273 Garage Block rear of 15 – 17 Doddington Road, Twydall, Gillingham

Representation

One further representation has been received, further to a previous objection confirming:

- Height of town houses will invade privacy, bungalows would be preferable.

Page 198 MC/19/1146 44 Woodlands Road, Gillingham, ME7 2BQ

Recommendation

Approval subject to:

- A. Section 106 for contribution of £245.56 towards Wildlife mitigation

Planning Appraisal

Page 203

Background

6 lines from the bottom replace with:

Recently, planning permission was refused for the conversion of the building into a combined HMO and flats on character and amenity grounds.

This proposal is only partly in Rochester West ward but has a significant impact.

I am not against the principle of residential development on this site, but my underlying concern is that this development does not even begin to work in terms of building a cohesive community or contributing in any way to Rochester beyond the provision of dwellings.

1. Why would anyone want to go to this space, or spend time there?
2. Bardell Walk will be constantly in shadow, with noise from Corporation Street traffic, and wind funnelling between the tall buildings. It looks a very unpleasant space.
3. The main part of the development sits in the middle of a giant island of cars; why is Bardell Terrace not incorporated for effectively into the development?
4. One interesting feature is the views from the top of these building, but sadly that opportunity is lost because there is no public use space.
5. How will residents cross to Historic Rochester? This junction is already an unpleasant and difficult barrier.
6. How does the remaining retail element contribute to, or hinder, our High Street development plans for Chatham Intra?
7. What happens if these retail units are not let; Historic Rochester is one of the more active retail areas, due to its character and number of independent traders, but even there many traders are finding it tough.
8. There are no Sec 106 contributions to offset the impact this development would have on Rochester, yet no doubt the residents will want to enjoy the public amenities and be able to get around Rochester with ease. How will we achieve this?

I believe Rochester deserves more; I think we should expect every development – especially of this size – to add interest visually, but above that to be a space which is enjoyable and interesting to visit in its own right, rather than a place to escape from at every opportunity.

I recommend this design is reviewed again by a Design SE panel, that highways considerations be given more priority, and for there to be tangible contributions to the local community to offset the impact it will have.

Is this truly the best we can do? Given the very long term impact this will have on all Rochester, I firmly believe a delay to get this absolutely right is very worthwhile.

Stuart Tranter

The City of Rochester Society



Councillor Diane Chambers
Medway Council
Gun Wharf
Chatham
ME4 4TR

22 July 2019

Dear Mrs Chambers

Application MC/19/0038. Residential-led mixed use development at Bardell Terrace, Rochester ('Bardell Wharf')

Further to my letter of 1 July, we have just seen your officers' report recommending approval for this scheme and are obviously disappointed.

Before a decision is taken by the Planning Committee at its meeting on 24 July, at which I hope to be present, I shall be grateful if you could give these last few points on the scheme serious consideration.

The officers' report is 'light' on a number of matters including assessment of design quality and harm to the historic environment, whilst the daylight section is, we think, somewhat disingenuous. There is no reference (as far as we can see) to the Corporation Street Development Brief which sought a far smaller scale of development for the area, and very little reference to the extensive provisions of the Medway Housing Design Standards.

We also think the viability report referred to by your officers should be treated with scepticism. Altering the assumptions upon which it will be based will alter the figures quite substantially and, in addition, we also suspect that a large profit margin has been built into the figures. It does not provide a reason to accept an over-scaled, cheap and dull scheme. Nor, incidentally, does the present state of the site provide a reason for approval.

Mainly though we agree with Councillor Tranter's comments on the scheme – is this 'truly the best we can do'? Is it really?

For the sake of Rochester – and Medway as a whole – and for the sake of laying down an appropriate quality standard for future regeneration, please refuse this scheme. We suggested some reasons for refusal in our last letter to you. In addition, we ask you to have regard to paragraph 130 of the NPPF:

130. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

We therefore urge the Planning Committee to reject the scheme in its present form. We also wish to thank you and all the members of the Planning Committee for giving our comments careful consideration.

Yours sincerely

Alan Moss

Alan Moss
President – City of Rochester Society.

CC
Dave Harris, Head of Planning
Planning Committee
Councillors for Rochester East and River wards
Jane Briginshaw, Chair, South East Design Review Panel.