

Planning Committee – Supplementary agenda no.1

A meeting of the Planning Committee will be held on:

Date: 30 August 2023

Time: 6.30pm

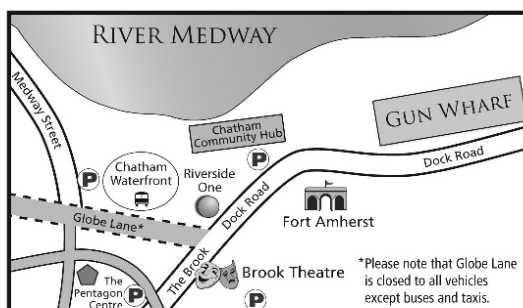
Venue: Meeting Room 9 - Level 3, Gun Wharf, Dock Road, Chatham
ME4 4TR

Items

- 11 Additional Information - Supplementary Agenda Advice Sheet (Pages 3 - 8)

For further information please contact Julie Francis-Beard, Democratic Services Officer on Telephone: 01634 332012 or Email: democratic.services@medway.gov.uk

Date: 30 August 2023



This agenda and reports are available on our website
www.medway.gov.uk

A summary of this information can be made available in other formats from **01634 333333**

Medway Council
PLANNING COMMITTEE – 30 August 2023
Supplementary Agenda Advice

Page 55 MC/23/0535 Land Adjacent to Balancing Pond St Andrews, Halling

Amend the following plan number in Condition 2 ASP-CH-042-PL-009A – Supermarket Plans/Elevations.

Amend conditions 5, 6, 7, 9, 15 and 16 to include wording for each phase of the development (Care Home and Co-op separately) so that they read as follows:

- 5 A landscape management plan for each phase of development, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any part of the development. The landscape management plan shall be carried out as approved.

Reason: Pursuant to condition 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality in accordance with policies BNE1 and BNE6 of the Medway Local Plan 2003.

- 6 Prior to first occupation of any phase, a lighting design plan for biodiversity shall be submitted to, and approved in writing by, the Local Planning Authority. The plan will show the type and locations of external lighting, and expected light spill in lux levels, demonstrating that areas to be lit will not adversely impact biodiversity. All external lighting shall be installed in accordance with the specifications and locations set out in the plan and will be maintained thereafter.

Reason: To ensure a satisfactory external appearance and biodiversity sensitivity and to ensure the provision of lighting does not result in glare or light overspill to surrounding properties in accordance with policies BNE2 and BNE5 of the Medway Local Plan 2003.

- 7 Prior to first occupation of each phase of the development hereby approved, details of how the development will enhance biodiversity shall be submitted to, and approved in writing by, the Local Planning Authority. This will include the implementation of ecological enhancements set out in section 7 within the Preliminary Ecological Appraisal (GreenSpace Ecological Solutions June 2023). The approved details shall be

implemented prior to first occupation or in accordance with an implementation plan agreed as part of the submission pursuant to this condition and thereafter retained.

Reason: To ensure a satisfactory development that is in alignment with paragraph 179 of the National Planning Policy Framework 2019.

- 9 Prior to any phase of the permitted development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.

- 15 No phase of the development shall be first occupied until details of secure private cycle parking provision in the form of individual lockers have been submitted to and approved in writing by the Local Planning Authority for that phase. The cycle parking shall be implemented in accordance with the approved details before any part of the development is occupied within that phase and shall thereafter be retained.

Reason: To ensure the provision and permanent retention of bicycle spaces in accordance with Policy T4 of the Medway Local Plan 2003.

- 16 No development within any phase shall take place above ground floor slab level until details of the provision of all electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. Details shall include the location, charging type (power output and charging speed), associated infrastructure and timetable for installation. The development shall be implemented in accordance with the approved details prior to first occupation of the development or in accordance with a timetable agreed in writing with the Local Planning Authority and shall thereafter be maintained.

Reason: In the interests of sustainability in accordance with paragraph 110E of National Planning Policy Framework 2019.

Recommendations

Add additional conditions 24, 25 and 26 as follows:

24 An investigation and risk assessment, in addition to any assessment provided with the planning application, must be 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:
 - human health
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service
 - lines and pipes.
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - 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 'Land Contamination Risk Management document (LCRM)'.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

25 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 must be prepared, and submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. 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.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 26 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of any development (other than development required to enable the remediation process to be implemented) unless otherwise agreed in writing by the Local Planning Authority. 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.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

Planning Appraisal

Page 89 Add new section on Contamination after Amenity as follows:

Contamination

A desktop study was submitted (Knapp Hicks & Partners Limited received November 2022 Report Ref: 38336.R.001A.G.CLD.RJM) based on the findings within the study due to the former industrial use, it is recommended that an intrusive site investigation be carried out due to potential contamination on the site. In order to fairly assess the potential contamination, it is necessary for land contamination investigation to be submitted which can be addressed by planning condition. Subject to condition where mitigation is in place, the development would comply with the objectives of Policy BNE23 of the Local Plan.

Page 90 Delete section on Road Surface within *Highways* section of appraisal and replace with following:

Road Surface

With regard to the issue of road resurfacing as raised by objectors. The applicant is not prepared to upgrade the approach road to the site (which would include Grove Road) nor the junction between the private road and the proposal site. On previous application MC/18/2040 the condition of the road formed a refusal reason, however on the associated appeal reference APP/A2280/W/19/3229251 the inspector acknowledged that taking into consideration the reduction in car movements from the existing use, together with the reduction in HGV movements to the site that the proposal would not further compromise the safety or condition of routes. This application would see a further reduction in dwellings therefore it is determined that the proposal would not cause significant harm to the road network.

Taking into the account the above it is considered that the proposal would be in accordance Policies T1, T2 and T3 of the Local Plan and paragraphs 111, 112(e) and 130f of the NPPF which promote fostering a well-designed and safe built environment.

This page is intentionally left blank