

MC/13/2741

Date Received: 30 October, 2013

Location: Land adjacent to Bellwood Cottages, Ratcliffe Highway, Hoo St Werburgh, Rochester, Kent

Proposal: Variation of condition 1 to allow for a minor material amendment to planning permission MC/11/2579 to alter the elevations of the buildings with the insertion of additional openings and the extension of the hardstanding area to the southwestern end of the buildings

Applicant: A C Goatham & Son

Agent: Mr T Ogden Bloomfields 77 Commercial Road Paddock Wood Tonbridge Kent TN12 6DS

Ward Peninsula

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**Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 12 March, 2014.**

**Recommendation - Approval with Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the following drawing numbers 1950/P/10B, ICA/ENQ/813/010/B, ICA/ENQ/813/02/P, 9362/100/T1, 9362/102/T1, 1350/04, 1350/06, 1350/07, 1350/02 rev C and external materials schedule received 12 December 2011 and drawing number ICA/1300/05/G received on 30 October 2013.

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

- 2 Notwithstanding the submitted drawing ICA/ENQ/813/010/B received on 12 December 2011, no caravans or mobile homes shall be located within the site (as defined by site location plan number 1950/P/10B received 12 December 2011) whether permitted by The Town and Country Planning (General Permitted Development) Order 1995 (as amended) or not.

Reason: In the interests of protecting visual and residential amenity in accordance with Policies BNE1 and BNE2 of the Medway Local Plan 2003.

- 3 The security arrangements as shown on drawing titled S/L Sentry Gate 3.5m wide opening sliding gates and drawing number 2132/P/200 received on 19 June 2012 and approved under reference MC/12/1432 shall be retained in accordance with the approved details.

Reason: To ensure adequate security and access arrangements in accordance with Policies BNE8 and T2 of the Medway Local Plan 2003.

**For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.**

## **Proposal**

This is an application for a variation of condition 1 to allow for a minor material amendment to planning permission MC/11/2579 to alter the elevations of the buildings with the insertion of additional openings and the extension of the hardstanding area to the southwestern end of the buildings.

## **Relevant Planning History**

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|------------|---|
| MC/13/2742 | Application to remove condition 14 (hours of operation) of planning permission MC/08/1121.<br>Currently under consideration.  |
| MC/13/2740 | The change of use and creation of an area of hardstanding to provide for the stationing and storage of 6 caravans for agricultural workers, the change of use and the creation of an area of hardstanding for storage of apple bins and the parking of vehicles including HGVs and the erection of two smoking shelters<br>Currently under consideration. |
| MC/13/2664 | Variation of conditions 1,4 and 7 of planning permission MC/11/2579 for approval of reserved matters (layout, scale, appearance, access & landscaping) pursuant to outline permission MC/08/1121 for construction of a fruit processing & storage facility with associated access.<br>Withdrawn, 29 October 2013  |
| MC/12/1542 | Application for Prior Notification under Part 6 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) for the construction of a reservoir.<br>No application required, 25 July 2012  |
| MC/12/0179 | Application for Prior Notification under Schedule 2 Part 6 & 7 of the Town & Country Planning (General Permitted Development) Order 1995, as amended for formation of a reservoir and banking.<br>Refusal, 17 February 2012   |
| MC/11/2579 | Application for approval of reserved matters (layout, scale, appearance, access & landscaping) pursuant to outline permission MC/08/1121 for construction of a fruit processing & storage facility with associated access<br>Approved, 25 April 2012  |

- MC/08/1121 Outline application for the construction of a fruit processing and storage facility with associated parking  
Approval, 19 January 2011
- MC/07/0200 Outline application for the construction of a fruit processing and storage facility with associated parking  
Refusal, 24 July 2007

## **Representations**

The application has been advertised on site and in the press and by individual neighbour notification to the owners and occupiers of neighbouring properties.

High Halstow Parish Council and Hoo St Werburgh Parish Council have also been consulted.

**5 letters** have been received raising the following objections:

- Visual impact on rural and residential landscape
- Disturbance
- The development can be seen from a number of highways/footpaths/public land – Peninsula Way, Ropers Lane, Sharnal Street, Footpath RS46, Christmas Lane and Dux Court Road.

Other objections have been raised with regard to the two other planning applications currently under consideration. They are not listed here as they are not relevant to this application but will be considered as part of the processing of those applications.

**Hoo St Werburgh Parish Council** have written raising the following objections:

- Altering the elevations by the insertion of additional of openings will compromise the original planning permission.

**High Halstow Parish Council** have written supporting objections raised by Hoo Parish Council and local residents. High Halstow Parish Council have requested the application be determined by Planning Committee.

## **Development Plan Policies**

The Development Plan for the area comprises the Medway Local Plan 2003. The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework, 2012 and are considered to conform.

## **Planning Appraisal**

### *Background*

Outline planning permission was granted for the construction of a fruit processing and storage facility with associated parking (MC/08/1121) in 2011 and the

subsequent reserved matters application for the detailed elevations of the buildings was granted planning permission (MC/11/2579) in April 2012.

During a site visit, it was noticed the elevations had not been built in accordance with the drawings approved under MC/11/2579 and that the area of hardstanding to the southwest of the buildings was greater than the area approved under the same reference. This application has been submitted to regularise the situation.

### *Planning Issues*

As part of the assessment of this application it is necessary to consider the development as a whole again. In this respect application MC/11/2579 was a reserved matters application for the layout, scale, appearance, access and landscaping of a fruit storage and processing development. The determining issues and policy background has not fundamentally changed since the grant of that permission. While the application itself was submitted before the NPPF the actual decision was made after the NPPF was introduced and considered the implications of the new National Policy Framework. As such the considerations for the current application are whether the alterations undertaken to the approved development would have impacted on the decision on that original reserved matters approval.

The changes to the elevations involve the insertion of additional openings in the elevations of both buildings. The building closest to the Ratcliffe Highway is the packhouse with the building located to the northwest of that being the storage building.

The southwestern elevations of both buildings include the insertion of one additional opening each with the openings being large enough for the loading of vehicles. In relation to the packhouse, there are two large circular vents that protrude from the southwestern elevation at first floor level.

The southeastern elevation of the packhouse shows the same number of windows at first floor level but in a different arrangement and an additional small vent.

The hardstanding area to the southwest has been extended from being approx. 4m when measured from the southwestern elevation of the packhouse to approx. 19m.

The changes to the buildings are considered minimal in terms of the impact on the design of the buildings. As such, no objection is raised and the development is still considered to be in accordance with Policy BNE1 of the Medway Local Plan 2003. Furthermore, given the control imposed by way of condition on the original planning permission in relation to hours of operation and therefore the activity within the site and due to the location of the additional openings and the extended hardstanding it is considered that the changes do not result in any detrimental impact in relation to residential amenity for the occupiers of surrounding existing residential properties. The proposal is therefore considered to remain in compliance with Policy BNE2 of the Medway Local Plan 2003.

### *Other Matters*

All other matters considered as part of the reserved matters application (MC/11/2579) are still relevant and the conditions relating to such elements are considered necessary to continue to make the scheme acceptable but have been redrafted in light of details submitted pursuant and approved in relation to certain conditions.

### **Conclusions and Reasons for Recommendation**

The amendments proposed do not change the overall design approach to the development of the site. The proposal is considered not to result in detrimental harm to the amenities of surrounding residents and will remain in accordance with Policies S4, BNE1, BNE2, BNE6, BNE34, T2 and T13 of the Medway Local Plan 2003.

The application would normally be determined under delegated powers but is being referred to Committee due to the extent of the representations received expressing a view contrary to the recommendation.

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### **Background Papers**

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://planning.medway.gov.uk/donline/AcolNetCGI.gov>