

MC/14/3841

Date Received: 29 December, 2014

Location: Lands Adjacent To Brunel Saw Mill Chatham Historic Dockyard,
Chatham, Kent, ME4 4TE

Proposal: Installation of security gates, boundary fencing, improved street
lighting and the provision of a temporary car park.

Applicant: Chatham Historic Dockyard Trust

Agent: Mr R Eveleigh Artelia UK High Holborn House 52 - 54 High
Holborn House London WC1V 6RL

Ward River

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 29 April, 2015.

Recommendation - Approval with Conditions

- 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:

13 Rev B received on 10 April 2015 and 11 Rev A received on 16 April 2015

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

- 3 The use herein approved shall only be operated between the hours 07:00hrs to 21:00hrs Monday to Friday.

Reason: In the interests of neighbouring amenity in accordance to Policy BNE2 of the Local Plan.

- 4 The temporary car park building hereby permitted shall be removed on or before 04 May 2025 in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

Reason: The Local Planning Authority is only prepared to permit the structure for a limited period in the interests of visual amenity having regard

to its materials and design, in accordance with Policy BNE1 and Policy BNE14 of the Medway Local Plan 2003.

- 5 No development shall take place until details of the type of bodpave surface have been submitted to and approved in writing by the Local Planning Authority and the work shall be carried out in strict accordance with those details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 and BNE14 of the Medway Local Plan 2003.and to avoid any irreversible detrimental impact.

- 6 No development shall take place until details of the Euroguard Fence finishing adjacent to the battered wall of the sawmill have been submitted to and approved in writing by the Local Planning Authority and the work shall be carried out in strict accordance with those details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Medway Local Plan 2003.and to avoid any irreversible impact.

- 7 No development shall take place until details of suitable planting to the southern boundary of the car park site and for the areas of the euroguard fence have been submitted to and approved in writing by the Local Planning Authority and the work shall be carried out in strict accordance with those details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Medway Local Plan 2003 and to avoid any irreversible impact.

- 8 No development shall take place until details of nest boxes for the breeding bird interest within the site have been submitted to and approved in writing by the Local Planning Authority and the work shall be carried out in strict accordance with those details.

Reason: To ensure the retention of breeding bird habitats in accordance with Policy BNE37 of the Medway Local Plan 2003 and to avoid any irreversible impact on ecology.

- 9 Should works commence before September (The beginning of the Breeding Bird Season) there will need to be an ecologist present on site to identify if there are any breeding birds. If there are breeding birds present the work in that area must cease and not continue until all the young have fledged.

Reason: To ensure the retention of breeding bird habitats in accordance with

Policy BNE37 of the Medway Local Plan 2003.

- 10 No development shall take place until a methodology statement of how the new euroguard fencing will be wedded with the trees and vegetation has been submitted to and approved in writing by the Local Planning Authority and the work shall be carried out in strict accordance with those details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 and Policy BNE14 of the Medway Local Plan 2003 and to ensure that work undertaken does not cause irreversible harm.

- 11 Notwithstanding the details submitted in support of the planning application, no development shall commence until there has been submitted to and approved in writing by the Local Planning Authority:

a) An arboricultural impact assessment that evaluates the direct and indirect effects of the proposed design, including the buildability of the scheme in terms of access, adequate working space and provision for storage of materials; and where necessary recommends mitigation.

b) A tree protection plan on a scale drawing, informed by descriptive text where necessary, based upon the finalised proposals, showing trees for retention and illustrating the tree and landscape protection measures.

c) Arboricultural method statements (methodology), appropriate to the proposals, for the implementation of any aspect of development that is within the root protection area, or has the potential to result in loss of or damage to a tree to be retained. The details should incorporate relevant information from other specialists as required. Particular attention should be given to:

1. Removal of existing structures and hard surfacing;
2. Installation of temporary ground protection;
3. Installation of new hard surfacing – materials, design constraints and implications for levels;
4. Preparatory works for new landscaping;

The lighting scheme herein approved shall not be directed towards the vegetated areas of the site.

Reason: In the interests of habitats of foraging bats in accordance with Policy BNE37 of the Local Plan and to ensure no irreversible harm to ecology.

- 12 There shall be no demarcation for parking spaces on the temporary bodpave car surface herein approved.

Reason: In the interests of visual amenity in accordance with Policy BNE1 and BNE14 of the Local Plan.

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

Proposal

This application is for the installation of security gates, boundary fencing, street lighting and the provision of a temporary car park at land adjacent to the Brunel Saw Mill in the Chatham Historic Dockyard. There are two particular aspects as part of the development proposals and can be described as:

Temporary Car Park Area:

Located immediately west of the Saw Mill in an area characterised by a mixture of managed grass, shrubbery, overgrown vegetation and derelict garages. A temporary car park is proposed in this location. The existing garage sheds will be demolished and existing shrub and the rubble to the north and west edges will be removed. A bodpave surface with grass will form the surface. To the southern boundary of the site, a hit and miss timber fence (1.8 metres in height approx.) was proposed however due to impacts on the Conservation Area, this was considered unacceptable and accordingly removed from the proposal. An access barrier will be constructed and timber bollards will be positioned along the eastern boundary.

Boundary Fence and Security Gates:

A new Euroguard Fence (approximately 2.0 metres in height is proposed), this will extend from immediately north of the old timber-seasoning store to the main entrance (Pembroke Rise) where a new controlled vehicular access gate is proposed. The fence will be colour coated green and will blend into the existing foliage enclosing the site. This type of fencing will be continued along a smaller section east of the Saw Mill, adjacent to the boundary with Dock Road and will include a small pedestrian gate.

In addition, new street lighting is proposed in the immediate vicinity of the car park.

Relevant Planning History

MC/13/0989

Construction of new building to provide entrance to Chatham Historic Dockyard including alterations to existing Mast House and Wheelwright's buildings on either side; part change of use of boiler house to A1 with external alterations; new landscaping and public amenity space associated with entrance to new building, including new children's play area; new landscaping and public amenity space associated with uncovering and interpreting existing Scheduled Ancient Monuments and areas of archaeology currently below ground; restoration works to existing North Mast Pond, installation of pontoon to provide new public access; upgrading and resurfacing of existing car parking to east of existing Mast Ponds; improved access to and upgrading of existing car parking provision within Covered Slip No. 5

Approval With Conditions 07/08/2013

MC/00/1833

Formal layout of area as car and coach park, ancillary access roads, provision of security office and associated barriers.

Approval with Conditions 06/03/2001

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.

Kent County Council Ecology have also been consulted

Three letters of representation have been received raising the following objections:

- Site serves multiple purposes, most importantly wild green space and a habitat for bird life, including nesting birds, and bat roosts.
- A mating pair of Tawny Owls may be on site which are protected by the Wildlife and Countryside Act
- Other wildlife use the area including bats, badgers, and foxes, all of which is important for the local environment and protected species and are protected by legislation and should be a material consideration in assessing applications.
- Works will result in the destruction of this habitat
- Impacts on the visual amenity of the Conservation Area; both the Euroguard Fence and Hit and Miss Fence and gate car park will not be in keeping with the natural beauty of the area
- Site has important trees and bushes, which have recreational value
- Impacts on the integrity of the Brunel Saw Mill (Listed building and Ancient Monument)
- Loss of natural light to residents
- Loss of the space for recreational purposes by people in the Dockyard, and will put pressure on remaining space.
- Impacts on resident's quality of life.
- General impacts on amenity including noise disturbance including traffic noise, and light pollution from street lights impacts and unnecessary disturbance
- Concerns over influx of commercial vehicles.
- Security risks exacerbated by car park and disagree that security is a valid reason for development
- Alternative and potential car parking areas have been suggested.
- Lessening of the separation between the residential area and the general activities of the dockyard
- Traffic safety hazards due to the increase of cars accessing the site

All other matters raised not listed above are non-material

Development Plan

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

Main Issues

The key issues in this case are impacts on the conservation area, potential impacts on ecology and neighboring amenity.

Principle

The key policy considerations for this application are:

Policy S9 - Chatham Historic Dockyard

Policy L3 - Protection of Open Space

The Interface Land, Chatham, Supplementary Planning Guidance 2010

The application site is located within the Chatham Historic Dockyard, on land adjacent to the Brunel Saw Mill, in the Pembroke Rise area of the Dockyard. Policy S9 of the Local Plan states that at the Historic Dockyard, as defined on the proposals map, development that respects the historic character of the site will be permitted. The standard of urban design must be of the highest order.

The land in question is an area of informal open space located in the Pembroke Rise area of the Dockyard. The site is characterised by maintained grass, with an area of over ground shrub and disposed concrete/ construction materials to the northwest section of the site. This area of vegetation continues along the northern boundary of the site extending from land north of the timber-seasoning store to the entrance road, which forms the eastern boundary of the site. Two mature trees are located on site, as are some disused sheds, which are now substantially overgrown with vegetation.

A number of aspects need to be considered. The euroguard fencing and gate is a somewhat hostile design, particularly when viewed as a stand-alone feature. However, the position of the fencing is to be located along the northern boundary of the application site within the dense shrub and vegetation. The objective is to ensure that the fence is knitted within the existing foliage, that encloses the site and will be colour coated green to allow more sympathetic integration. With the exception of the gate access provision, and a small amount of the fencing on the eastern bank north of the saw mill, the impacts of the fence will largely be mitigated by its positioning within the existing foliage. Therefore it is considered that this is largely acceptable.

A hit and miss timber fence was proposed along the southern boundary of the car park area. However, this was considered to create a considerably dead and closed frontage that would significantly reduce the openness of the site, resulting in a considerable loss of visual amenity, negatively impacting on the conservation area. The proposals have been revised to remove this aspect. Suitable planting at this location is to be secured by condition.

2 no dated concrete light posts are to be replaced with 3no. new street lights of

similar design to those located in the vicinity (neighbouring streets adjacent to residential properties). This is considered a largely acceptable approach. The creation of a bodpave surface with grass underneath in principle enables a level of reversibility as per the temporary nature of the permission, and is also considered satisfactory. The removal of the disused sheds will have a beneficial impact, removing derelict structures that have no purpose or architectural features of any significant merit. The bollards proposed, although different from those on the southern boundary of the site, are broadly consistent with the others in the remainder of the dockyard, and is therefore acceptable.

Broadly speaking, considering the removal of the hit and miss fence and the knitted euroguard/ foliage composition the proposals are broadly acceptable to Policy S9 of the Local Plan.

A key consideration is the Interface Land Chatham Supplementary Planning Guidance. This SPD was prepared in accordance with Policies S8 and S9 of the Local Plan and was developed to establish a sustainable development trajectory that provides an opportunity to link Chatham Maritime with the Dockyard while retaining the site's particular heritage sensitivities. It does acknowledge that no specific policies have been identified for the land within the dockyard that would prevent development. However, its conservation area status and heritage assets are key considerations. The SPD divides the interface land into distinct zoned areas. The application site is located within the Pembroke Rise area, which is identified as being part of the Historic Dockyard, which was closely linked to the age of sail and the introduction of new technologies. Now largely vacant the land offers the opportunity for re-use and the introduction of new forms of development, which utilize the raised land and vistas.

Key to this is to retain a level of flexibility and responsive policies are included to enable economic and site-specific circumstances to be fully taken into account. It also states that parking needs to be carefully located within the development and tightly controlled and that consideration needs to be carefully given to define public and private land. It is envisaged that the Pembroke Rise area will predominantly be developed for residential. No specific use has been identified for the proposal site however it is presumed to have existing development opportunity.

There is a concern that an over concentration of vehicle parking can become dominant features in the street scene, a theme that needs to be considered in both urban and rural locations. However, it is important to note the temporary and seasonal nature of the car park. The proposals allow a level of flexibility, that can enable site-specific suitable development in the future, that would not be compromised by a granting of temporary permission. It equally provides a relatively sympathetic boundary treatment that provides an important boundary. Therefore the proposals are generally acceptable to the objectives of the SPD. However, conditions on the use of the car park to specific times to reduce the impacts further are required.

The land may be considered to provide a level of informal open space, although not designated in the local plan. However, in accordance with Policy L3 of the Local Plan, this loss of open space will be permitted, should provision be provided

elsewhere in the catchment area. The Trusts Command of the Oceans Projects has provided 12ha of Open Space, which is accessible to the public. It is reiterated again that the proposal is temporary in nature, and the reversibility to open space in principle is identified. The proposals are acceptable to Policy L3 of the Local Plan.

Design

The application site is located in the Chatham Historic Dockyard, and as discussed in the above section, the level of impact is considerably mitigated by the removal of the hit and misses fencing, and the intertwining of the existing vegetation with the euroguard fence along the northern boundary of the site. Planting should be proposed at points where the euroguard has no existing vegetation. Therefore the application is acceptable to Policy BNE1 and BNE14 of the Local Plan.

Amenity

The car park, although temporary in nature will increase the level of traffic to this section of the Dockyard. Although, a level of car parking currently exists along Marc Brunel Way, this will increase the influx of cars further. This has the potential to increase disturbance to neighbouring properties, particularly along Marc Brunel Way. This will include traffic generated noise, further lighting impacts including those from car light glare.

The applicants have identified that the parking will be primarily seasonal in nature and used sporadically. However, to protect amenity the hours of operation of the car park will be limited to weekdays within certain hours. Subject to this condition the application is acceptable to Policy BNE2 of the Local Plan.

Highways

The amount of car parking identified to be provided is informal and is to be used only by Dockyard Staff and the seasonal workers within the Dockyard. The use of the car parking will be somewhat limited, while there exists vehicle movements in this section. The development is a temporary car park and it is not considered that it would generate significant increases in traffic that would result in the endangerment of those using the highway. The proposals are acceptable to Policy T1 of the Local Plan.

Ecology

Surveys were required to confirm the presence of any protected species habitat prior to any development being undertaken. An extended Phase 1 Habitat Survey was undertaken on 26th of February 2015 to ascertain the potential for protected habitat species to be present within the site. Concerns included the disruption to roosts, breeding and nesting birds and impacts on the habitats of protected species generally.

The site generally is of low ecological value characterised by improved grassland, scrub and a small number of scattered trees. The buildings and trees assessed on site are considered to have low and negligible potential respectively, while foraging and commuting habitat is considered as low potential. The site has negligible

potential generally for habitats for all surveyed species. There is however significant alternative suitable habitat in the surrounding area, and therefore the site has medium potential for nesting birds. Concerns relative to this can be addressed by providing nesting bird boxes, restrictions on development during bird breeding season and a proliferation of native plant species where required.

Therefore the proposal is acceptable subject to conditions, to Policy BNE37 of the Local Plan.

Trees

There are two sycamore trees located on site adjacent to the eastern boundary. There are also number of trees surrounding the northern and western boundary of the site scattered amongst the vegetation. The applicant's planning statement suggests that the low and overhanging branches to the existing trees will be cut back and the mature trees crown cut by some 30% for maintenance and the self grown samplings removed. It is also the intention that the surrounding euroguard fence is to be intertwined with this vegetation line to shield its impact and the approved plans indicate that the trees on the northern and western boundaries will be retained. With this being the case, it is considered that the impacts on these trees is acceptable. Accordingly, no objection is raised to policy BNE43 of the local plan.

Local Finance Considerations

None relevant to this application

Conclusions and Reasons for Approval

The proposal seeks a temporary car park that is reversible by nature of the temporary permission. The proposed fencing, bollards and street lighting is deemed appropriate for the conservation area subject to conditions, while no detrimental impacts on protected species or wildlife generally are considered significant to warrant a refusal on ecology grounds. The application satisfies Policies L3, S9, BNE1, BNE14, BNE37 and T1 of the Local Plan.

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

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://publicaccess.medway.gov.uk/online-applications/>