

MC/14/2914

Date Received: 30 September, 2014

Location: Rochester Airport, Maidstone Road, Chatham, ME5 9SD

Proposal: Erection of two hangars, erection of new hangar for Medway Aircraft Preservation Society, erection of fencing and gates, formation of associated car parking areas, fuel tank enclosure, ancillary works and a memorial garden (detailed submission)

Applicant: Rochester Airport Ltd

Agent: Ms Bloomfield Bloomfields 77 Commercial Road Paddock Wood Kent TN12 6DS

Ward Rochester South & Horsted

Case Officer Tabitha Knowles

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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 15 March 2017.

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:

206.P / 001 Rev. E Proposed Site Plan;
206.P / 004 Hangar 3 North Elevations;
206.P / 005 Proposed MAPS Hangar; and
206.P / 006 Proposed Hangar 5 And 6.

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

- 3 No development approved by this planning permission shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the local planning authority:

- a A preliminary risk assessment which has identified:
 - i all previous uses;
 - ii potential contaminants associated with those uses;
 - iii a conceptual model of the site indicating sources, pathways and receptors;
 - iv potentially unacceptable risks arising from contamination at the site.
- b A site investigation scheme based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- c The results of the site investigation and detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- d A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To protect the underlying groundwater from the risk of pollution and in accordance with the requirements of Policy BNE23 of the Medway Local Plan 2003 and the National Planning Policy Framework.

- 4 No occupation of any part of the permitted development shall take place until a verification report demonstrating 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. It shall also include a plan (a "long term monitoring and maintenance plan") for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long term monitoring and maintenance plan shall be implemented as approved.

Reason: To protect the underlying groundwater from the risk of pollution and in accordance with the requirements of Policy BNE23 of the Medway Local Plan 2003 and the National Planning Policy Framework.

- 5 If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To protect the underlying groundwater from the risk of pollution and in accordance with the requirements of Policy BNE23 of the Medway Local Plan 2003 and the National Planning Policy Framework.

- 6 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To protect the underlying groundwater from the risk of pollution and in accordance with the requirements of Policy CF12 of the Medway Local Plan 2003 and the National Planning Policy Framework.

- 7 The development hereby permitted shall not be commenced until such time as a scheme to address the issues listed below has been submitted to, and approved in writing by, the local planning authority:
- a pollution prevention at developments in a Source Protection Zone (storage and management of all potentially hazardous or polluting substances or materials); and
 - b surface and foul water drainage.

The approved surface and foul water drainage scheme shall be installed in accordance with the approved details prior to the first use of the development hereby permitted and shall thereafter be retained in accordance with the approved details.

Reason: To protect the underlying groundwater from the risk of pollution and in accordance with the requirements of Policy CF12 of the Medway Local Plan 2003 and the National Planning Policy Framework.

- 8 No works associated with the installation of the aviation fuel tanks shall take place until details of the specification of those tanks, including any below ground pipework and the bunding enclosing the fuel storage area have been submitted to and approved in writing by the local planning authority. The fuel storage tanks and bunding shall be installed in accordance with the approved details and shall thereafter be retained in accordance with approved details

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of safeguarding the water supply in the area in accordance with Policy CF12 of the Medway Local Plan 2003.

- 9 No development above foundation level shall take place until details and samples of materials to be used externally have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved 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.

- 10 No development above foundation level shall take place until a detailed lighting strategy has been submitted to and approved in writing by the local planning authority.

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 Policies BNE1 and BNE5 of the Medway Local Plan 2003.

- 11 Prior to occupation of the development, a scheme for the provision of cycle stands shall be submitted to, and approved in writing by, the local planning authority, and the stands shall be in place prior to occupation.

Reason: To encourage alternative means of travel other than the private car and in accordance with Policy T4 of the Medway Local Plan 2003.

- 12 No development above foundation level shall take place until a scheme of hard and soft landscaping, including boundary treatment/means of enclosure (including details of fencing), car parking layouts, other vehicle and pedestrian access and circulation areas has been submitted to and approved in writing by the local planning authority. This shall include external finishing materials, finished levels and construction details confirming materials, colours, finishes and fixings.

All boundary treatment and hard landscaping shall be implemented in accordance with the approved details before occupation of any part of the development. All planting, seeding and turfing shall be implemented in accordance with the approved details during the first planting season following occupation of the buildings or completion of the development, whichever is the earlier.

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 BNE6 of the Medway Local Plan 2003.

- 13 No development above foundation level shall take place until details of the memorial garden are submitted to, and approved in writing by, the local planning authority. Details shall include the layout and all hard and soft landscaping proposed, including materials, finishes and fixings. The memorial garden shall be implemented in accordance with the approved details before occupation of any part of the development.

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 BNE6 of the Medway Local Plan 2003.

- 14 Prior to the completion of the development hereby approved, details of how the development will enhance biodiversity will be submitted to and approved in

writing by the local planning authority. The approved details will be implemented and thereafter retained.

Reason: To enhance biodiversity, in accordance with Policies BNE1 and BNE6 of the Medway Local Plan 2003.

- 15 No development shall take place (except as may be agreed in writing by the local planning authority) until the developer has secured the implementation of a programme of archaeological work in accordance with a written specification and time table which has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved specification.

Reason: To safeguard the archaeological interest in the site in accordance with Policy BNE21 of the Medway Local Plan 2003.

- 16 No development shall take place until the developer has secured the implementation of a programme of building recording in accordance with a written specification and timetable which has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved programme of building recording.

Reason: To safeguard the archaeological interest in the site in accordance with Policy BNE21 of the Medway Local Plan 2003.

- 17 Prior to the commencement of any works on site, including demolition, details of the specification and position of fencing for the protection of any retained tree from damage before or during the course of development, shall be submitted to, and approved in writing by, the local planning authority. The tree protection measures shall be retained for the duration of the construction works associated with the development hereby permitted.

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 Policy BNE1 and BNE6 of the Medway Local Plan 2003.

- 18 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- a the access to the works site from the public highway;
- b the parking of vehicles of site operatives and visitors;
- c loading and unloading of plant and materials;
- d the hours of the construction works;
- e the erection and maintenance of security hoarding, including decorative displays and facilities for public viewing, where

- appropriate;
- f wheel washing facilities;
- g measures to control the emission of dust and dirt during demolition and construction;
- h measures to control noise and vibration during demolition and construction; and
- i a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of safeguarding residential amenity and the free and safe operation of the public highway in accordance with the provisions of Policies BNE2 and T1 of the Medway Local Plan 2003.

- 19 The development hereby permitted shall incorporate measures to minimise the risk of crime. No development above foundation level shall take place until details of such measures, according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) have been submitted to and approved in writing by the local planning authority. The approved measures shall be implemented before the development is occupied and thereafter retained.

Reason: In the interest of security, crime prevention and community safety and in accordance with Policy BNE8 of the Medway Local Plan 2003 and the guidance within The Kent Design Initiative (KDI) and protocol dated April 2013.

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

Proposal

The current application comprises a much reduced development from that previously submitted under the same planning application number. It should be noted that the application site now falls wholly within the boundary of Medway Council and excludes the part of the airport site within Tonbridge & Malling.

The scope of the planning application was formally amended on 23 December 2016, and the description of development is now:

“Erection of two hangars, erection of new hangar for Medway Aircraft Preservation Society, erection of fencing and gates, formation of associated car parking areas, fuel tank enclosure, ancillary works and a memorial garden (detailed submission)”

Many of the existing temporary buildings and structures immediately to the north of Hangar 3, including those that currently house the Medway Aircraft Preservation Society (MAPS), are to be demolished, with the exception of the control tower building and two portacabins housing the airport office and Skytrek office.

The applicant also intends to refurbish elements of the exteriors of Hangars 3 and 4, including new doors and replacement cladding to Hangar 3, however, it is to be noted

these works do not of themselves require planning permission.

The following elements are included within the current application:

- The erection of three hangars;
- Formation of new parking area for staff and visitors to the airport;
- Formation of a fuel tank enclosure as part of a rationalisation of the airport's existing fuel handling arrangements; and
- Various ancillary items, including the erection of fencing and the establishment of a memorial garden.

One of the proposed hangars is to be occupied by the Medway Aircraft Preservation Society (MAPS), replacing its existing accommodation. The other two proposed hangars (numbers 5 and 6) would be sited side by side and would therefore have the appearance of being a single building. The proposed hangars would be of the following dimensions:

Table 1 Proposed Hangar Dimensions

Hangar	Width (m)	Depth (m)	Height to Ridge (m)
Hangar 5	27.82	40.00	8.00
Hangar 6	27.82	40.00	8.00
MAPS Hangar	28.30	15.30	8.00

The proposed new Hangars 5 and 6 will be sited to the east of retained Hangar 3 and the new MAPS Hangar is located to the south west of the existing Hangar AV8.

Changes to the Application Submission:

The previous description of development was for:

“Formation of a lit paved runway with parallel grass runway, formation of grassed bund, re-siting of helipads, erection of two hangars, a hub building with control tower and associated building, erection of fencing and gates, formation of associated car parking areas, fuel tank enclosure, family viewing area and a memorial garden (detailed submission) plus demolition of a range of structures and removal of portable structures.”

This application was considered by Medway Council's Planning Committee on 4 February 2015, where Members resolved to grant planning permission, subject to conditions. However, following a Judicial Review, the decision was quashed by a High Court Consent Order dated 22 December 2015.

The following elements have been removed from the proposals and no longer form part of this planning application:

- the formation of a tarmac paved runway, which would replace the existing 830 metre long grass track runway 02R/20L;
- the formation of grass covered bund, with a maximum height of 1.5 metres running along a more or less north/south axis to the west of the

- proposed hard paved runway;
- a new control tower;
- a 'hub building' to provide office and administrative facilities for the airport and a café; and
- the relocation of the airport's two helipads.

A new application is anticipated for the above elements in the future. These elements are not to be considered as part of the current application.

Environmental Impact Assessment

The Town and Country Planning (EIA) Regulations 2011 (as updated) specify that EIA development:

*“...means development which is either—
 (a) Schedule 1 development; or
 (b) Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its nature, size or location”*

The revised development at Rochester Airport does not fall within any of the categories of development defined within Schedule 1.

The revised development at Rochester Airport comprises approximately 5.6 hectares of land and could be considered to fall within Part 10(e) of Schedule 2 of the updated EIA Regulations. Part 10(e) relates to development at airfields where it involves an extension to a runway or the area of works exceed 1 hectare. As identified above, and in circumstances where a development could be considered to fall within Schedule 2, EIA will be required where significant effects on the environment are considered likely due to the nature, size or location of the development. The decision on whether significant effects are considered likely is the screening process and should be carried out with reference to the various criteria in Schedule 3 of the EIA Regulations.

Further guidance is provided in the Planning Practice Guidance which states that:

“Each case should be considered on its own merits in a balanced way and authorities should retain the evidence to justify their decision.”

The Planning Practice Guidance also provides a set of indicative thresholds and criteria which are intended to aid local planning authorities to determine whether a project is likely to have significant environmental effects. In respect of Part 10(e), the indicative thresholds are identified as:

“New permanent airfields and major works (such as new runways or terminals with a site area of more than 10 hectares) at existing airports. Smaller scale development at existing airports is unlikely to require Environmental Impact Assessment unless it would lead to significant increases in air or road traffic.”

The Planning Practice Guidance also states that the key matters for consideration are those relating to noise, traffic generation and emissions.

The Secretary of State issued a Screening Direction dated 26 May 2016 in relation to the original proposals, concluding that an Environmental Impact Assessment (EIA) should be undertaken, with the main matters to be considered being noise and airborne pollutants, safety and traffic impacts. The Direction confirmed that the key consideration in screening the development was the potential for change in aircraft movements and associated overflying over the AONB and residential areas that directly relate to the runway development.

Due to the significant change in the scope of the application, it is appropriate to review whether the revised proposals will still be EIA development in the context of Regulation 7 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as updated by the Town and Country Planning (Environmental Impact Assessment)(Amendment) Regulations).

The report attached at Appendix 1 undertakes a comprehensive review of the need for an EIA, in terms of the criteria of the 2011 EIA Regulations (as updated), which include having regard to:

- The characteristics of the development;
- The location of development; and
- The characteristics of the potential impact.

As a result of this assessment, the report attached at appendix 1 confirms that an EIA is **not** required for the current proposals.

In relation to the other proposals for the runway and additional works, a request for a Scoping Opinion has been submitted to Medway Council (Ref. MC/16/4534) under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. This is in respect of an Environmental Impact Assessment at Rochester Airport for the formation of a replacement paved lit runway and parallel grass runway (including a landscaped bund), the demolition, replacement and refurbishment of existing buildings and associated works, i.e. all of the additional works that are excluded from the current planning application.

Relevant History

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| MC/16/4534 | Town and Country Planning (Environmental Impact Assessment) Regulations 2011 - request for a Scoping Opinion in respect of an Environmental Impact Assessment at Rochester Airport for the formation of a replacement paved lit runway and parallel grass runway (including a landscaped bund), the demolition, replacement and refurbishment of existing buildings and associated works.
Decision: Confirmed scope of EIA |
| MC/14/2159 | Town and Country Planning Act (Environmental Impact Assessment) (England and Wales) Regulations 2011 - request for a screening opinion as to whether an Environmental Impact Assessment is necessary for the formation of a paved lit runway to replace 02/20 measuring 830 metres in length and 25 metres in width together with a |

new parallel grass runaway for use by historic aircraft and landscaped bund. The refurbishment or replacement of Hangar 3, new control tower, new hub building with MAPS, fuel pump island, vehicle parking and aircraft storage together with additional hangers and buildings with associated parking.

Decision: EIA not required, 18 August 2014

Secretary of State Direction: EIA required, 26 May 2016

MC/14/1178 Town and Country Planning Act (Environmental Impact Assessment) (England and Wales) Regulations 2011 - request for a screening opinion as to whether an Environmental Impact Assessment is necessary for the formation of a paved lit runway to replace 02/20 measuring 830 metres in length and 25 metres in width together with a new parallel grass runaway for use by historic aircraft and landscaped bund. The refurbishment or replacement of Hangar 3, new control tower, new hub building with MAPS hangar, fuel pump island, vehicle parking and aircraft storage together with additional hangars and buildings with associated parking.

Decision: EIA required, 20 May 2014

Representations

When the original planning application was submitted in October 2014, it was advertised in the local press and on site. Consultations were undertaken with statutory and other consultees, including Tonbridge & Malling Borough Council, Maidstone Borough Council, Boxley Parish Council, Aylesford Parish Council, Burham Parish Council, Wouldham Borough Council, Natural England, The Environment Agency, The Highways Agency, The Civil Aviation Authority, The National Air Traffic Service, Southend Airport, Biggin Hill Airport, The North Downs AONB Unit, The Kent Wildlife Trust, The Royal Society for the Protection of Birds, Southern Gas Networks, Southern Water Services, EDF Energy and the Fire Service.

Approximately 7,500 dwellings in the surrounding area and various businesses adjoining the airport were also notified of the application.

During the course of the consideration of the original proposals, re-consultation was undertaken on receipt of amended and/or additional information, with all parties who expressed objection or support for the original submission, together with relevant consultees notified.

Many of the comments received relate to elements that no longer form part of the application, however these are summarised below for completeness. A number of comments were also received after the issuing of the previous (quashed) decision and prior to the revised proposals, and these are also summarised.

A further re-consultation was undertaken following confirmation of the reduced scope of development to be included within the application in December 2016. Again, those parties who previously commented on the application and relevant consultees were re-consulted on the amendments. Comments received on the revised proposals are summarised below.

Consultee Responses – Original Proposals

The **Civil Aviation Authority** advised that it did not need to be consulted, and that the National Air Traffic Service should be consulted.

The **Environment Agency** objected to the proposals as insufficient information had been provided to demonstrate that the risk of pollution to controlled waters is acceptable. Additional information was sought to demonstrate that the risk to controlled waters has been fully understood and can be addressed through appropriate measures.

The **Environment Agency** provided further comments following the receipt of additional information in response to their original objection, in terms of pollution risk with regards to fuel storage, management and control. Conditions are proposed relating to contamination and remediation.

Southern Water drew attention to the location of a public foul sewer and a water trunk main that cross the application site and the potential need for this infrastructure to be diverted. An informative was requested regarding the need to apply for a connection to the public sewer.

Kent Police's Crime Prevention Design Advisor referred to the Kent Design Initiative, and suggested a condition to ensure crime prevention is addressed.

Natural England does not wish to comment on the application proposals having reviewed the submitted details relating to noise and visual impact, and advised that the Kent Downs Area of Outstanding Natural Beauty Partnership should be consulted.

Kent County Council Ecological Advice Service were satisfied with the ecological information submitted, but made a number of comments regarding bats, reptiles, opportunities for ecological enhancements and potential impact arising from potential increases in flight numbers on designated sites.

Southern Gas Networks drew attention to its infrastructure within the vicinity of the airfield and the construction working practices that should be adopted when undertaking works near this infrastructure.

The **National Air Traffic Service** advised that it has examined the proposals from a technical safeguarding aspect and the proposals do not conflict with its safeguarding criteria.

The **Highways Agency** initially issued a direction precluding the granting of planning, which in effect amounted to an objection, pending clarification about the development's traffic generating implications for junction 2 of the M2. Subsequently, following the submission of additional information/clarification, the holding direction was lifted and the Highways Agency confirmed that they had no objection to the application.

The **Kent Downs AONB Unit** objected to the application, advising that any

enhancement of the airport facilities is likely to increase the attractiveness and usage of Rochester Airport as a visitor attraction and as a venue for flying, and it is imperative that such works do not result in an unacceptable increase in noise and visual disturbance to a degree which would have a harmful impact on the noise environment and tranquillity of the Kent Downs. The comments noted that the application has broadly addressed the visual impact, concluding that the works proposed would retain the overall open character and appearance of the airport site. However, the application had not assessed the impact of the proposals on the noise environment and tranquillity of the AONB. The application is therefore contrary to paragraph 123 of the NPPF and the AONB Management Plan 2014-2019.

London Southend Airport has no objection to the application proposals.

The **Kent Wildlife Trust** supported the biodiversity enhancement proposals included with the application proposals, which should be secured through condition. The Trust expressed disappointment at the absence of green and brown roofs. The Trust recommended a condition/ agreement to prevent an increase in the number of flights into and out of the airport in any one year.

Aylesford Parish Council has no objections to the proposals.

Objections – Original Proposals

Up until the previous scheme was considered at Committee on 4 February 2015, a total of **166** representations objecting to the proposals or raising concerns had been received.

Between the Committee date and the current scheme, which was formally amended on 23 December 2016, a further **38** objections were received and additional information provided.

A summary of the main issues raised by the objections in relation to the previous proposals is set out in the table below.

Summary of Main Objections	
1. Direct Impacts on Local Residents	
Air traffic increase	Increased nuisance
Increased noise and disturbance	Detrimental to health
Affected leisure time in garden	Compensation for residents
Affect value of property	Preferable to use the other runway not over residential areas
Human rights taken away	Night time disturbance
Increased pollution	Increased training flights increases circuits
Increased road traffic	Pollution and noise impact of additional road traffic
Smell from fuel	Disturbance during construction period
Activity later in evening/earlier in morning	Balfour Infant School object due to impact on current and future pupils from additional noise, pollution or compromised safety
Noise from helicopters/microlights/gyrocopters	
Not appropriate in residential area	

No restriction on number of flights Opening times should be restricted Loss of privacy Paved runway could support 100,000+ movements Light pollution	Gyrocopters and circuits should be restricted at weekends and bank holidays
2. Safety Issues	
Danger to local residents and school children Increased potential for accident Concentrating all movements on one runway towards densely populated area dangerous Increased risk of accident Insufficient space for runway safety area	Recent incident - window fell from plane Concrete runway dangerous and not CAA compliant No consideration of where a stricken aircraft could set down in event of mechanical failure
3. Insufficient Consultation	
Masterplan - lack of consultation No public consultation prior to application Majority of supporters from outside local area	Views of local residents who will be most affected need to be considered
4. Insufficient Detail Provided	
Environmental Impact Assessment needed Insufficient information submitted relating to noise impacts	Council will be powerless to control daily operational activity Errors in application submission
5. Economic Considerations	
Not needed Economic case has not been made Runway would allow commercial use of larger planes No benefits for local community Council money should be spent elsewhere Rochester Airport no longer a viable site for airport use	All-weather single runway will change the usage characteristics of the airfield Additional hangars to increase home located aircraft, new taxiways and paved aprons evidence a desire to maximise use of the new facility Object to change of use of Rochester Airport
6. Environmental Considerations	
Question need to remove trees Disturbance to Blue Bell Hill Picnic Site, North Downs AONB, North Downs Way, Shoulder of Mutton Wood and Kent Wildlife Reserves Amount of green space reduced	Damage to environment from replacing grass airstrip with man-made surface Paved runway/new buildings will destroy wildlife habitats

Support – Original Proposals

Up until the previous scheme was considered at Committee on 4 February 2015, a total of **375** comments supporting the proposals had been received.

Between the Committee date and the current scheme, which was formally amended on 23 December 2016, a further **113** comments supporting the proposal were received.

The main reasons for supporting the application include:

- Much needed improvement to the facilities and the appearance of the airport.
- Flight movements will be more evenly distributed during the periods when the airport is open.
- Aircraft on take-off will be quieter as they will require less runway length to get airborne and will be at a greater height when crossing the airport's boundary.
- The proposed alterations to the airport will enhance its economic and leisure benefits for the Medway Towns and result in the airport continuing to function as a part of local and regional transport infrastructure.
- The provision of improved facilities for Medway Aircraft Preservation Society (MAPS) will enable this organisation to develop.

Reconsultation – December 2016

Consultee Responses

Southern Gas Networks reiterated the details of its infrastructure within the vicinity of the airfield and the construction working practices that should be adopted when undertaking works near this infrastructure.

The **Environment Agency** raised no further comments, and reiterated their previous requirements still apply.

Kent Police offered no additional comments, and stated previous comments remain valid.

Natural England responded that the proposed amendments are unlikely to have significantly different impacts on the natural environment than the original proposal, and their previous advice still applies.

Highways England offer no objection to the proposals. Highways England state that they would expect to be consulted on any other applications for the site going forward which would impact on the strategic road network either in terms of additional vehicles on the network and/or due to an increase in aircraft using the airfield.

London Southend Airport reiterated that it has no safeguarding objections to the application.

Southern Water's comments remain unchanged from their previous response, and

rely on consultations with the Environment Agency to ensure protection of the public water supply source.

The **National Air Traffic Service** advised that it has examined the proposals from a technical safeguarding aspect and the proposals do not conflict with its safeguarding criteria.

Kent County Council Ecological Advice Service commented that the previously submitted preliminary ecological appraisal should be updated to take account of any changes on site, especially in relation to an updated bat scoping/emergence surveys. Following receipt of updated ecological information submitted in support of the planning application, they are satisfied that sufficient information has been provided. A condition was proposed to enhance biodiversity.

Tonbridge & Malling Borough Council advised that Medway Council must be satisfied:

- That the proposed development accords with all relevant requirements of the National Planning Policy Framework with regard to a high standard of design, responding to the character of the local area and using appropriate materials;
- That the traffic impacts on the local highway network would not be assessed as severe;
- That this proposal would not have a detrimental impact on the natural beauty or tranquil qualities of the adjacent AONB – with particular attention paid to any external lighting schemes proposed to serve the built development;
- That the proposals would not have an unacceptable harmful impact on local air quality levels.

Objections

An additional **42** comments objecting to the scheme have been received since the amendments were made. In addition to the comments summarised above, the following concerns were raised specifically in relation to the reduced scope of the application:

A number of similar/duplicate objections specifically commented on the requirement for an EIA in relation to the works proposed under the current application, stating:

- That because the area within the red line to which the applicant seeks approval is greater than 1 hectare that “*the amendment against the Town and Country Planning Act EIA section 3 criteria*” dictates an EIA is required;
- That the increase in hangars, aircraft standing, fuelling efficiencies, parking, roads, contained within the red line schematic land area are already identified as potential contributors to increase noise forming part of the Secretary of State Direction for an EIA study;
- The LPA and applicant will be acting contrary to the EIA Direction if it permits any increase in infrastructure, fuelling efficiencies, aircraft standing or any material change identified in the original proposal which has the potential to or aid increased flights from the site until a public safety and full noise assessment is completed as part of the EIA;

- The area within the red line will be subject to a full land contaminant study within the EIA which may necessitate cleaning of the site. The LPA and applicant will be acting contrary to the EIA Direction if it approves and permits any construction of buildings or paved area in advance of the EIA submission;
- The airport operation may already exceed GA noise limits and threaten public safety and there should be no material changes to the airport until there has been a full EIA study completed to safeguard and protect local residents;
- No planning grounds or PPG criteria have been provided for the amendment to the published plans which are already subject to an EIA submission;
- The building of hangars 5 and 6 or anything in the immediate OLS safeguarding or safety area of runway 16/34 may compromise future options for the airfield configuration in advance of a full EIA.

Other objections make these points:

- Applicants taking a piecemeal approach to secure permission;
- Insufficient information/clarity provided on the proposals;
- Any alterations that have the potential to aid increase in flights should not be permitted until a public safety and full noise assessment completed;
- The use of public money for the buildings is contrary to Medway Council's business case for SELEP funding;
- The application puts a permanent block on use of runway 16/34;
- No benefit to local business or employment;
- Desire for more hangars indicates more aircraft using the airport;
- "Future development" area shown but not what is proposed;
- Public money should be used for benefit of many, not just a few; and
- Medway Council and Tonbridge & Malling Borough Council should have equal rights to approving any airport development as impact will affect both authorities.

Support

An additional **20** comments supporting the proposals have been received since the amendments were made. In addition to the comments summarised above the following issues were raised specifically in relation to the reduced scope of the application:

- Will allow a priceless and irreplaceable asset to survive and thrive, risk of losing airport without investment;
- Benefit to Medway, Tonbridge & Malling and surrounding area;
- Replaces existing facilities with safer, more modern facilities;
- Preserves heritage;
- No impact on local traffic;
- Renovations essential - potential health and safety hazards of existing facilities;
- Support for public viewing area and improved visitor attraction;
- Loss of one runway without the installation of paved will limit the number of movements to current level;
- Increased revenue and employment;
- Maintains an open space in increasingly urbanised area; and
- Help retain local companies and attract new companies involved in small aircraft

industry sector.

Development Plan and National Policy

The Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan, unless material considerations indicate otherwise. The development plan consists of the saved policies of the Medway Local Plan 2003. The draft Medway Council Local Plan Development Options document is a material consideration, but at the early stage of preparation of the new Local Plan, only very limited weight can be attached at this stage.

The Rochester Airport Masterplan (2014) has been adopted by the Council, and provides a framework for the evolution of development proposals at the Airport. The Masterplan is a material consideration but does not constitute an adopted Supplementary Planning Document.

The National Planning Policy Framework (NPPF) constitutes a material consideration but does not change this approach i.e. the starting point for determining a planning application is always the development plan. That said, the NPPF (para. 14) is also clear that:

“at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development For decision-taking this means:

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted.”*

In the context of this application the Council's development plan is neither absent nor silent and relevant policies are not out of date, and consequently the application should therefore be approved without delay if it accords with the development plan, unless of course other material considerations indicate otherwise.

National Policy and Guidance:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Aviation Policy Framework (2013)

Medway Local Plan (2003) – Saved Policies

- S1: Development Strategy
- S2: Strategic Principles
- S4: Landscape and Urban Design Guidance

- BNE1: General Principles for Built Development
- BNE2: Amenity Protection
- BNE3: Noise Standards
- BNE4: Energy Efficiency
- BNE5: Lighting
- BNE6: Landscape Design
- BNE7: Access for All
- BNE8: Security and Personal Safety
- BNE21: Archaeological Sites
- BNE23: Contaminated Land
- BNE24: Air Quality
- BNE32: Areas of Outstanding Natural Beauty
- T1: Impact of Development
- T2: Access to the Highway
- T3: Provision for Pedestrians
- T4: Cycle Facilities
- T13: Vehicle Parking Standards
- T22: Provision For People With Disabilities
- T23: Aviation Related Development
- CF12: Water Supply

The policy specifically relating to Rochester Airport within the adopted Local Plan (S11) has not been saved, although saved Policy ED5 'Proposed Employment Areas' lists Rochester Airfield (25 ha) as being allocated for business (Class B1), general industry (Class B2) and storage and distribution (Class B8) development. Policy T23 'Aviation Related Development' also specifically relates to development at Rochester Airport.

Medway Council Local Plan Development Options (Draft January 2017) as emerging policy:

- Policy Approach: Economic Development
- Policy Approach: Securing Strong Green Infrastructure
- Policy Approach: Landscape
- Policy Approach: Flood Risk
- Policy Approach: Air Quality
- Policy Approach: Design
- Policy Approach: Infrastructure
- Policy Approach: Utilities
- Policy Approach: Implementation and Delivery
- Policy Approach: Aviation
- Policy Approach: Vehicle Parking
- Policy Approach: Cycle Parking

Other Guidance

- Rochester Airport Masterplan (2014)
- Medway Council Parking Standards (2004)

Although the site is wholly contained within the boundary of Medway Council, the site immediately adjoins Tonbridge & Malling Council, and regard has also been had to Tonbridge & Malling development plan policies, where relevant.

Planning Appraisal

The reduced scope of the planning application, particularly the exclusion of the paved runway, has had the effect of removing some of the areas that were previously key considerations. The proposals that are currently under consideration solely relate to the erection of the three new hangars and ancillary works.

The applicant has stated that the reason for the development is to modernise the buildings to serve the needs of existing occupants and users of the airport. The modernisation is required quickly due to the stated dilapidated nature of the buildings and the revised application will facilitate the potential to secure government funding for the provision of the modernisation.

Although the proposed hangars will increase the potential capacity in terms of numbers of aircraft stored at the airport, they will not and cannot in themselves result in an increase in the number of aircraft movements, as activity will still be restricted by the grass runway, which prevents usage in certain weather conditions.

The issues that are relevant to the proposals solely relate to the impact of the elements currently under consideration, and not the more expansive, future plans for the airport, which will be subject to a separate application and scrutiny at a later date.

As noted above, a number of objectors to the revised application stated that an EIA is required for the current proposals. These comments are covered in more detail in the attached screening report at Appendix 1, which concludes that *“there is no justification for seeking an EIA for the current development due to its relationship to future aspirations at the airport.”*

The main issues for consideration are:

- principle of the proposed development;
- design and appearance;
- noise and air quality;
- ecology;
- contamination;
- highways; and
- heritage and archaeology.

As part of the current application, it is not a requirement to consider the potential impacts of the number of aircraft movements, as these will not increase as a result of these proposals.

Intrinsic to the assessment of these issues is whether the proposal complies with local and national policy.

Principle of the Proposed Development

The application proposals seek to support the airport's existing and future operation by providing additional storage facilities, improved working conditions for the engineers who maintain the aircraft that are based at the airfield, provide suitable accommodation for MAPS and create a clear demarcation between the airport's airside and non-airside activities.

Paragraph 33 of the NPPF states that:

“When planning for ports, airports and airfields that are not subject to a separate national policy statement, plans should take account of their growth and role in serving business, leisure, training and emergency service needs. Plans should take account of this Framework as well as the principles set out in the relevant national policy statements and the Government Framework for UK Aviation.”

Although the policy S11 within the adopted Medway Local Plan (2003) specifically relating to Rochester Airport has not been saved, Policy T23 deals with aviation related development, and states that development at Rochester Airport will be considered against the following criteria:

1. compatibility with existing or potential aviation operations;
2. the scale and nature of the proposed development, taking account of the existing amount of activity on the site;
3. the economic and employment benefits of the development;
4. the proposals for a science and technology park at Rochester Airport in policies [S11 and] ED5;
5. the impact upon residential and other noise sensitive properties;
6. traffic generation;
7. other environmental and social impacts; and
8. accessibility from the urban area of Medway.

The Medway Council Local Plan Development Options (Draft January 2017) identifies that Rochester Airport requires investment to secure its medium to long-term future, and states that the Council supports the retention of Rochester Airport, providing an enhanced aviation facility supporting business, public service, training, heritage and leisure uses. The policy approach to aviation states:

“Rochester Airport will be safeguarded to provide an enhanced aviation facility for business, public service, training, heritage and leisure uses, and support the development of a strategic gateway and an economic hub. Proposals will need to demonstrate how any impacts will be mitigated.”

Rochester Airport is a long established aviation site, and it is clear that the Council's stated policy position and intention is that this should be maintained and enhanced as an important facility. Airport related improvements at Rochester Airport are therefore supported in principle, provided that impacts can be mitigated.

The development will not alter the character of the airport's general operations. It is considered that the provision of additional hangar space will not alter the size and type

of aircraft using the airport. A number of delipated structures will be removed from the site including the existing MAPS building. The two new hangars (5 and 6) will provide indoor storage for aircraft that are already stored outside at the airport. It is therefore considered that the general principle of the proposed development is acceptable.

Design and Appearance

The development is located in close proximity to the North Kent Downs Area of Natural Beauty (AONB). The nature and form of the proposals that are the subject of this planning application are confined to development within the boundary of the existing Rochester Airport. The Airport is well screened and the construction and operation of the upgraded and new hangar buildings and associated buildings is capable of being brought forward without giving rise to significant environmental effects on the AONB, or on landscape quality and views locally.

The proposed hangars would be of a functional design and appearance, and typical of buildings to be found within a GA airport. These comparatively large structures will generally be screened from public vantage points from outside the airport either by the presence of the adjoining Innovation Centre buildings or the trees along the perimeter of the airport at its southern end.

Having regard to the siting and scale of the proposed buildings and the comparatively modest scale of the parking and refuelling facilities it is considered that their design and appearance is acceptable and that there is therefore no conflict with the provisions of Policy BNE1 of the Local Plan or the NPPF's promotion of high quality development.

The proposed new hangar buildings will allow for the demolition and removal of a number of the existing temporary buildings and structures that are in a poor state of repair. Overall, this will lead to an improvement in the appearance of the airport.

While it is likely that external lighting would need to be installed in association with this development, it is likely that it would be of a scale that would not be visually intrusive. This is a matter that can be controlled by the imposition of a planning condition, to ensure that it does not conflict with policies BNE1 and BNE5 of the Medway Local Plan.

Conditions are also proposed relating to hard and soft landscaping, and in relation to the details of the memorial garden, to ensure that the visual appearance of the development is satisfactory, in accordance with Policy BNE1 of the Medway Local Plan.

Noise and Air Quality

Hangars 5 and 6 and the MAPS Hangar would provide additional covered aircraft storage and maintenance space, however as stated above, the presence of these buildings in themselves would not facilitate additional flying activity at the airport. As the development of itself will not generate additional aircraft movements in the area, it is considered that there will be no adverse effect on the AONB's tranquillity.

The upgrading of the facility at the airport provides opportunities for improved acoustic insulation to ensure that there is unlikely to be any significant increase in noise pollution as a result of the development. The location of the proposed new buildings, at the southern end of the airport site, are distant from any residential properties.

Rochester Airport is not located within an Air Quality Management Area. As the presence of the additional hangars will not affect aircraft movements, it is considered that this development will have no adverse effect on the area's air quality and as such there will be no conflict with Policy BNE24 of the Local Plan.

A condition is proposed requiring a Construction Method Statement to ensure that measures are in place to control the emission of dust and dirt, and noise and vibration during demolition and construction.

Policy BNE2 of the Local Plan seeks to ensure that the occupiers of properties that adjoin new development do not experience unacceptable noise disturbance. Paragraph 123 of the NPPF indicates that planning decisions '*... should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development ...*'. For the reasons given above it is considered that there will be no conflict with Policy BNE2 of the Local Plan and paragraph 123 of the NPPF.

Ecology

The comments initially received by Kent County Council's Ecological Service (KCCES) in relation to the revised application stated that the previously submitted preliminary ecological appraisal should be updated to take account of any changes on site, especially in relation to an updated bat scoping/emergence surveys. Following receipt of updated ecological information submitted in support of the planning application, they are satisfied that sufficient information has now been provided.

KCCES has advised that there is no requirement to undertake any further surveys for the presence of protected species. The development provides opportunities to incorporate wildlife enhancement features into its design, such as native species planting or the installation of bird nest boxes. KCCES recommended that such enhancements should be secured by the imposition of a planning condition in accordance with paragraph 118 of the NPPF.

The proposed development therefore raises no issues relating to protected species and there is no conflict with the provisions of Policies BNE37 or BNE39 of the Local Plan.

The applicant has confirmed that no trees are being removed as part of the current application proposals. In order to safeguard the well-being of trees to be retained within the vicinity of the works site, a condition requiring the implementation of tree protection measures is recommended.

Contamination

The Environment Agency identified that the site overlies a principal aquifer and is within the Source Protection Zone (SPZ) for a public water supply abstraction point.

The NPPF (para. 109) states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. The EA therefore suggested a number of conditions in order to protect the underlying groundwater from the risk of pollution, to accord with Policy BNE23 of the Medway Local Plan and NPPF requirements.

The application site because of its historic use, on the basis of preliminary investigations undertaken on the applicant's behalf, has been identified as having the potential to be contaminated. Given the potential for ground contamination to be present, there is a requirement for the applicant to undertake on-site investigations in association with the proposed development. Planning conditions to address this work are recommended. With the imposition of appropriate conditions the proposed development is unobjectionable under the provisions of Policy BNE23 of the Medway Local Plan.

With respect to the storage of fuel, the applicant has confirmed that all fuels would be stored within three above ground tanks, which would be enclosed by bunds in line with best industry practice relating to keeping fuel. The handling of fuel on site additionally comes within the control of the petroleum licence issued by the Council and the Civil Aviation Authority's (The CAA) licensing of the airport and it is a requirement of the CAA that the applicant has an emergency plan for addressing any fuel leaks, a plan which is subject to auditing by the CAA. It is therefore considered that there are appropriate management controls in place, administered under other legislation, for the proposed development not to raise unmanageable pollution risks for the controlled waters within the vicinity of the application site. A condition is recommended requiring the submission of details in respect of the proposed storage arrangements for aviation fuel on site. It is therefore considered that there would be no conflict with the provisions of Policy CF12 of the Medway Local Plan.

Highways

The stated objective of the development is to provide upgraded facilities for existing users of the airport. The majority of the new building space would allow aircraft to be stored more efficiently under cover. The construction of the new MAPS hangar is not of itself expected to be a significant traffic generator, consolidating its current operation into a single, more efficient building, with the majority of visits to the MAPS facility being made by aircraft enthusiasts.

It is therefore reasonable to assume that the proposed development will not generate any significant additional traffic movements to and from the airport, and the transport impact associated with the development will not be significantly greater than current movements. Vehicles associated with the demolition and construction of the proposed development are capable of being managed through normal traffic management procedures and are unlikely to be unusual in their number or type.

Highways England confirmed that they have no objections to the current proposals, but they would expect to be consulted on any other applications for the site going forward which would impact on the strategic road network either in terms of additional

vehicles on the network and/or due to an increase in aircraft using the airfield.

Given the nature of the application proposals it is considered that the proposed development would not be a significant traffic generator, with the result that there would be no adverse effects for the operation of the local highway network. The application proposals are therefore considered to accord with the provisions of Policy T1 of the Medway Local Plan.

A condition is recommended seeking the provision of secure cycle parking facilities within the development site, for use by staff and visitors to the airport, in accordance with Policy T4 of the Medway Local Plan.

Heritage and Archaeology

Rochester Airport has some interest associated with its previous use, particularly during the Second World War. The retention and the upgrading of built facilities to assist in the communication of this previous use will be positive. However the site is not located within a Conservation area and contains no designated heritage features.

The application is accompanied by an archaeological desk based assessment. The application site lies in an area where there is some evidence of prehistoric and Romano-British activity and the airfield itself is of some historic interest dating back to the early 1930s and then into the WW2 period. The applicant's archaeological study recommends that historic building recording and archaeological monitoring and investigation are undertaken and appropriate conditions are recommended to cover these matters. With the imposition of such conditions it is considered that the application proposals accord with the provisions of Policy BNE21 of the Local Plan.

Other Matters

The airport is in the ownership of Medway Council and is leased to the applicant, however, this is not a material planning consideration. There are no local finance considerations applicable to the proposal.

South East Local Enterprise Partnership funding is potentially available for some of the works proposed by the applicant. The availability of that funding is, however, not material to the determination of this planning application.

Safety concerns have been raised in relation to the implications of constructing the additional hangars and the new refuelling facilities and the alterations to the airport's parking arrangements. The issue of operational aviation safety for licensed airfields is a matter for the CAA and the built development associated with the submitted application will require consent through the licensing regime administered by the CAA. In that respect any safety implications for the airport's operation are for the CAA's consideration rather than for Medway Council as the local planning authority.

Tonbridge & Malling Borough Council have additionally produced a delegated officer report commenting on the development, and this is reproduced below, for information:

“The application is a consultation by Medway Council for development which although not located within Tonbridge and Malling Borough may have some impact on this borough that require consideration. As the runway changes have been deleted from this application it is not necessary to give a detailed assessment of the potential impact of such works. TMBC are therefore only required to make representations as to the scheme now proposed (as described in Section 1 of this report) and in terms of the potential implications for this Borough.

This is an established airport site that has been in this location for over 80 years. Some of the buildings and structures at the site are now in need of upgrade or replacement. It is understood that the main hangar is now over 75 years old, clad in asbestos and is now brittle. The roof and sides are no longer in an acceptable state of repair and are prone to suffer from

It is considered that the above works are those expected in association with the upgrade of this established site given the age and condition of the existing structures. Equally, given the established nature of the use and the buildings currently in situ, there is no objection to the principle of this development.

I am satisfied that the nature and scale of the development combined with the detailed design now proposed by this application (as amended) would not cause any harm to the visual amenities of the Borough, particularly in terms of the views from the adjacent AONB. In drawing this conclusion, I am mindful of the duty incumbent on LPAs to have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty (Section 85 of the Countryside and Rights of Way Act 2000) and to consider the purposes of AONB designation in their decision making. Section 82 reaffirms the primary purpose of AONBs as being to conserve and enhance natural beauty. Notwithstanding this appreciation, of course, it must be recognised that in this case, TMBC are not the determining planning authority making the decision.

Given the limited scale of the works now proposed, the specific nature of the development when balanced against what currently exists on the site in terms of built form (and when viewed alongside the nature of the historic use of the site in wider terms) it is clear that the scheme as amended seeks to make improvements to existing facilities within the site. In my view, this is unlikely to cause any adverse impact to this Borough in terms of increased activity and associated impacts to residents or the highway network of the Borough for instance. These matters would need to be the subject of careful scrutiny by the determining authority in the knowledge of the advice received from various statutory consultees.

I appreciate that it would be legitimate to imagine that the applicant may not seek to invest in the site through the upgrading and replacement of these facilities as proposed by the current planning application without having in mind a wider aspiration to increase capacity for flights and activity across the site in much broader terms. Indeed, this aspiration has been publically advanced through the planning application for the paved runway etc. which remains undetermined by this Council at this time.

However, despite what those wider aspirations for the site might be, the application currently under consideration by Medway Council solely relates to the development of the hangers etc. and any wider plans for the future of the site in broader terms – and the consequential impacts of any such development – would need to be the subject of separate, detailed assessment.”

Conclusions and Recommendation

For the reasons stated above, it is considered that the proposed development is acceptable in all regards and accords with local and national policy. The application is therefore recommended for approval.

The application would normally be determined under delegated powers but is being referred to Planning Committee for determination due to the sensitivity of the applications site, the number of representations received and the planning history in particular relating to the Judicial Review and the Secretary of States decision on the EIA.

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/>

Appendix 1

Recommendation

Environmental Impact Assessment is not required

Proposal

Erection of two hangars, erection of new hangar for Medway Aircraft Preservation Society, erection of fencing and gates, formation of associated car parking areas, fuel tank enclosure, ancillary works and a memorial garden (detailed planning application) – consideration of need for Environmental Impact Assessment pursuant to Regulation 7 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as updated by the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015

Relevant Planning History

- MC/16/4534 Town and Country Planning (Environmental Impact Assessment) Regulations 2011 - request for a Scoping Opinion in respect of an Environmental Impact Assessment at Rochester Airport for the formation of a replacement paved lit runway and parallel grass runway (including a landscaped bund), the demolition, replacement and refurbishment of existing buildings and associated works
Decision: Scoping decision issued
- MC/14/3270 Consultation under article 16 of the Town and Country Planning (Development Management Procedure) - Consultation under article 16 of the Town and Country Planning (Development Management Procedure) Order 2010 for the formation of a lit paved runway with parallel grass, formation of grassed bund, re-siting of helipad's, erection of two hangars, a hub building with control tower and associated buildings, erection of fencing and gates, formation of associated car parking areas, fuel tank enclosure, family viewing area and a memorial garden (detailed submission) plus demolition of a range of structures (identified on plan) and removal of portable structures.
Decision: Raise No Objection
- MC/14/2159 Town and Country Planning Act (Environmental Impact Assessment) (England and Wales) Regulations 2011 - request for a screening opinion as to whether an Environmental Impact Assessment is necessary for the formation of a paved lit runway to replace 02/20 measuring 830 metres in length and 25 metres in width together with a new parallel grass runaway for use by historic aircraft and landscaped bund. The refurbishment or replacement of hangar 3, new control tower, new hub building with MAPS hanger, fuel pump island, vehicle parking and aircraft storage together with additional hangars and buildings with associated parking
Decision: EIA Required (issued on direction from the Secretary of

State dated 26 May 2016)

MC/14/1178 Town and Country Planning Act (Environmental Impact Assessment) (England and Wales) Regulations 2011 - request for a screening opinion as to whether an Environmental Impact Assessment is necessary for the formation of a paved lit runway to replace 02/20 measuring 830 metres in length and 25 metres in width together with a new parallel grass runaway for use by historic aircraft and landscaped bund. The refurbishment or replacement of hangar 3, new control tower, new hub building with MAPS hanger, fuel pump island, vehicle parking and aircraft storage together with additional hangers and buildings with associated parking.
Decision: EIA Required

Representations

Given the provisions of the Regulations and nature of the proposals there is no requirement to undertake consultation in respect of the screening process. However, the Planning Practice Guidance (Environmental Impact Assessment) identifies the need to consult with certain public bodies to establish the development's likely effects on sensitive areas.

The current screening is being undertaken following revisions to the form of development originally submitted pursuant to application ref: MC/14/2914. Following submission of the revisions, additional consultation has been undertaken in respect of the application and the representations received have been considered as part of this updated screening process.

Highways England offers no objection to the application

Natural England state that the proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal

The **Environment Agency** refer back to comments made on 12 December 2014 which established a series of planning conditions that should be included on any planning decision to ensure that the development does not have an unacceptable impact on the environment. The conditions related to ground contamination, groundwater and drainage.

NATS (En Route) Public Limited Company has no safeguarding objection to the proposal

Kent County Council's Ecological Advice Service note that the ecological appraisal was undertaken in July 2014 and is now outdated; it should be updated to take account of changes on site, especially in relation to an updated bat scoping/emergence survey.

Southern Water note that the proposed development would lie within a Source Protection Zone around one of Southern Water's public water supply sources as

defined under the Environment Agency's Groundwater Protection Policy. Southern Water rely on consultation with the Environment Agency to ensure the protection of the public water supply source.

Neighbouring **Tonbridge and Malling Borough Council** state that Medway Council should be satisfied on traffic impacts, design, the impact on the adjacent AONB associated with lighting and on air quality prior to determination of the application. A number of representations have been received to the application from local interested parties both in support and opposed to the development that is the subject of the application. Whilst there is no requirement to undertake consultations with local interested parties in respect of the screening process, a summary of those matters raised which refer to the EIA process are summarised below for completeness:

A number of similar/duplicate representations have been received asserting the following views in relation to the EIA process:-

- That because the area within the red line to which the applicant seeks approval is greater than 1 hectare that the amendment against the Town and Country Planning Act EIA section 3 criteria dictates an EIA is required;
- That the increase in hangars, aircraft standing, fueling efficiencies, parking, roads, contained within the red line schematic land area are already identified as potential contributors to increase noise forming part of the Secretary of State Direction for an EIA study;
- The LPA and applicant will be acting contrary to the EIA Direction if it permits any increase in infrastructure, fueling efficiencies, aircraft standing or any material change identified in the original proposal which has the potential to or aid increased flights from the site until a public safety and full noise assessment is completed as part of the EIA; The area within the red line will be subject to a full land contaminant study within the EIA which may necessitate cleaning of the site. The LPA and applicant will be acting contrary to the EIA Direction if it approves and permits any construction of buildings or paved area in advance of the EIA submission;
- The airport operation may already exceed GA noise limits and threaten public safety and no material changes to the airport until there has been a full EIA study completed to safeguard and protect local residents;
- No planning grounds or NPPG criteria have been provided for the amendment to the published plans which are already subject to an EIA submission;
- The building of hangars 5 and 6 or anything in the immediate OLS safeguarding or safety area of 16/34 may compromise future options for the airfield configuration in advance of a full EIA.

Other representations note that:-

- A comprehensive socio-economic impact assessment should be carried out as part of a full Public Safety study;
- Any infrastructure or efficiencies to the airport which will result in more activity from the site should not be approved before a baseline is established for the current operation

- within the EIA;
- That the information provided in respect of the revised proposals is confusing and clarification is required;
- That an increase in capacity will occur that would result in more noise pollution and a higher risk of accidents;
- That the application has been deliberately adjusted to enable planning permission to be granted more easily and that an EIA is still required for the reduced site area;
- That the current hangars are dilapidated and their refurbishment would have a positive impact on jobs and the promotion of local history

Other comments made relate to the planning decision making process and or funding mechanisms are not relevant to the EIA screening process.

Appraisal

Background

Application Ref: MC/14/2914 was originally submitted in 2014 for a larger development at Rochester Airport comprising:-

“Formation of a lit paved runway with parallel grass runway, formation of grassed bund, resiting of helipads, erection of two hangars, a hub building with control tower and associated building, erection of fencing and gates, formation of associated car parking areas, fuel tank enclosure, family viewing area and a memorial garden (detailed submission) plus demolition of a range of structures and removal of portable structures and identification of future development site (outline submission)”

This development was the subject of a Screening Direction (referred to above) dated 26 May 2016 which indicated that the scheme is an EIA development. The screening was undertaken with reference to the criteria set out in Schedule 3 of the Town and Country Planning (EIA) Regulations 2011 (as amended) and in the light of the main matters to be considered being noise and airborne pollutants, safety and traffic impacts. The matters were identified on the assumption that various restrictions, including a yearly cap on the numbers of aircraft movements and regulated hours of operation, would be put in place through planning conditions.

The Direction concludes that:-

“Overall, the development will result in changes to how the airport operates; a steadier flow of aircraft movements, including over winter, but particularly of recreational flying with a significant difference during the summer/at weekends. The increasing use of a single runway and loss of respite periods from incidences of noise are potentially significant and would tend to coincide with the summer period, or better weather when nearby residents would make more full recreational use of their gardens and / or tend to prefer to leave windows open Finally, there is also no clear understanding of the aforementioned changes alongside incidences of noise impact associated with autogyro activity. This has clearly been an issue for the airport and the information on this aspect of the noise issues is not evidenced to a level where a conclusion on the

impacts can be satisfactorily assessed, albeit in the context of restrictions to be imposed specifically on this activity as party of any resulting planning permissions subsequently granted.

The Secretary of State has taken into account the fact that no environmental impact assessment has been conducted during the period since the site has been used as an airport. Therefore, it cannot be said that a baseline from which impacts from existing operations has been produced against which the impacts of the proposed changes to the operation can be assessed. However, no substantial additional impact is considered likely due to the potential for cumulative effects with other proposals and existing land uses in the vicinity. Similarly, no other significant effects have been identified as likely amongst the main matters considered (pollution, safety and traffic impacts).

This is therefore, a finely balanced judgment, based largely in considering the noise issue. This is due in part to the uncertainty over the impact of an increase in movements likely to occur and in the context of beneficial impact of the runway improvements and restrictions anticipated. Due to the lack of clear evidence on noise and uncertainty relating to the noise implications of these proposals, the Secretary of State considers there is similar uncertainty in relation to any likely noise impacts from the wider project, including on the nearest sensitive receptors, and on the AONB area. As a result of this uncertainty, it is not possible for him to reasonably conclude that there is no likelihood of significant effects in relation to noise. EIA is therefore required.”

On 23 December 2016, the applicant submitted a request for an amendment to the application to remove from the proposal the lit paved runway with parallel grass runway, the formation of a grassed bund, the re-siting of helipads, the development of a hub building with control tower and associated building and a family viewing area. The application site boundary was reduced and the description of development redefined to include only the erection of hangar buildings, the erection of fencing and gates, car parking, a fuel tank enclosure and a memorial garden. The stated reason for the development is to modernise the buildings to serve the needs of existing occupants. The modernisation is required quickly due to the stated dilapidated nature of the buildings and it is stated that the revised application will facilitate the potential to secure government funding for the provision of the modernisation.

Due to the significant change in the scope of the application, it is considered appropriate to review whether the revised proposals will still be EIA development in the context of the 2011

EIA Regulations (as updated).

Legislative Background

The Town and Country Planning (EIA) Regulations 2011 (as updated) specify that EIA development:-

“...means development which is either—

(a) Schedule 1 development; or

(b) Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its nature, size or location;”

The revised development at Rochester Airport does not fall within any of the categories of development defined within Schedule 1.

The revised development at Rochester Airport comprises approximately 5.6 hectares of land and could be considered to fall within Part 10(e) of Schedule 2 of the updated EIA Regulations. Part 10(e) relates to development at airfields where it involves an extension to a runway or the area of works exceed 1 hectare. As identified above, and in circumstances where a development could be considered to fall within Schedule 2, EIA will be required where significant effects on the environment are considered likely due to the nature, size or location of the development. The decision on whether significant effects are considered likely is the screening process and should be carried out with reference to the various selection criteria in Schedule 3 of the EIA Regulations.

Further guidance is provided in the Planning Practice Guidance which states that:-

“Each case should be considered on its own merits in a balanced way and authorities should retain the evidence to justify their decision.”

The Planning Practice Guidance also provides a set of indicative thresholds and criteria which are intended to aid local planning authorities to determine whether a project is likely to have significant environmental effects. In respect of Part 10(e), the indicative thresholds are identified as: -

“New permanent airfields and major works (such as new runways or terminals with a site area of more than 10 hectares) at existing airports. Smaller scale development at existing airports is unlikely to require Environmental Impact Assessment unless it would lead to significant increases in air or road traffic.”

The Planning Practice Guidance also states that the key matters for consideration are those relating to noise, traffic generation and emissions.

The Council is aware of the current intended publication of new EIA Regulations in May 2017 by the UK Government with a draft of the Regulations having been published for consultation in December 2016. This is not relevant to the screening of this application given that the application was submitted to Medway Council prior to the anticipated publication of the new EIA Regulations. This screening has therefore been carried out pursuant to the 2011 EIA Regulations (as updated).

Review of Proposed Development

As stated above, the 2011 EIA Regulations (as updated) establish a series of criteria

under Schedule 3 that must be taken into account in determining whether a scheme, which falls within Schedule 2, is likely to have significant effects. The criteria comprise:-

- Characteristics of the Development;
- Location of Development; and;
- Characteristics of the potential impact.

Each is considered in turn with regard to the amended proposals at Rochester Airport.

1. Characteristics of the development

As stated by the applicants, the development comprises the refurbishment and erection of new hanger buildings (and associated works) and is intended to provide modernised facilities for existing occupants and users of the airport. The site area is 5.6 hectares with the area of built development occupying only part of the overall site; much of which is already occupied by built development. The use of the buildings will not alter from that for which it is currently used and, from the information provided by the applicant, no intensification of the use is considered likely.

As stated above, the Planning Practice Guidance, as identified above, identifies that EIA is more likely where new runways or terminals are proposed on site areas of over 10 hectares. The area of proposed development which is the subject of this application falls well below this threshold.

It is also relevant to consider whether the development forms part of a larger development for which planning permission is not currently sought and whether this relationship gives rise to a need for EIA.

The applicant has stated their intention to proceed with the proposed development of a lit paved runway with parallel grass runway, the formation of a grassed bund, the re-siting of helpads, the development of a hub building with control tower and associated building and a family viewing area and that a planning application will be submitted in due course. The applicant has stated their intention to submit an Environmental Statement with the subsequent application and a separate request for an EIA Scoping Opinion is under consideration by the Council in this regard. The Screening Direction (referred to above) dated 26 May 2016 considers both the uses that are the subject of this screening process, as well as the runway development (and associated uses), as a single consolidated development. Considered together, the Direction nonetheless confirms that the key consideration in screening the development was the potential for change in aircraft movements and associated overflying over the AONB and residential areas that directly relate to the runway development.

The characteristics of the development of the hangar buildings and associated uses that are the subject of this screening process do not give rise to significant environmental effects that would give rise to a need for EIA in their own right. The development is capable of being brought forward through the planning process in isolation and is not reliant on the wider runway proposals for its success. The potential

for significant environmental effects arising from the wider runway proposals will be subject to EIA in due course. There is no justification for seeking an EIA for the current development due to its relationship to future aspirations of the airport.

2. Location of the development

The development is not located within a sensitive area as defined by the 2011 EIA Regulations (as updated) but is located in proximity to the North Kent Downs Area of Natural

Beauty (AONB) which would be defined as a sensitive area. The nature and form of the proposals that are the subject of this screening process are confined to development within the boundary of the existing Rochester Airport. The Airport is well screened and the construction and operation of the upgraded and new hangar buildings and associated

buildings is capable of being brought forward without giving rise to any environmental effects on the AONB.

3. Characteristics of the potential impact

The characteristics of the potential impact are assessed below:-

Transport

The stated objective of the development is to provide upgraded facilities for existing users of the airport. It is therefore reasonable to assume that the transport impact associated with the development will not be significantly greater than current movements. Vehicles associated with the demolition and construction of the proposed development are capable of being managed through normal traffic management procedures and are unlikely to be unusual in their number or type. There is no potential for significant environmental effects giving rise to a need for EIA associated with transportation.

Noise and Vibration

It is reasonable to assume that the upgrading of the facilities at the airport will include provision for improved acoustic insulation that will ensure that there is unlikely to be any significant increase in noise pollution as a result of the development. Any noise and vibration associated with the demolition and construction of the proposed development is capable of being managed through normal management and legislative regimes. There is no potential for significant environmental effects giving rise to a need for EIA associated with noise and vibration.

Air Quality and Pollution

Rochester Airport is not located within an Air Quality Management Area. Demolition and construction of the development is capable of being managed through normal management, planning and legislative regimes as is the subsequent operation of the buildings. There is no potential for significant environmental effects giving rise to a need for EIA associated with air quality and pollution.

Ecology

Comments have been received by Kent CC Ecology department seeking submission of an updated ecological assessment; this document was submitted by the applicant on 9 February 2017. On 10 February 2016, Kent CC Ecology confirmed that on review of the updated document that it requires no further information. Recommendations to implement ecological enhancements as part of the development are capable of being brought forward through the usual planning process. There is no potential for significant environmental effects associated with ecology giving rise to a need for EIA.

Landscape and Views

The development site is contained within the heavily treed boundaries of Rochester Airport and there is no potential for significant environmental effects on landscape quality or on views giving rise to a need for EIA.

Flood Risk

The site is located within Flood Zone 1. No significant effects on flooding or drainage are anticipated giving rise to a need for EIA.

Heritage and Archaeology

Rochester Airport has some interest associated with its previous use, particularly during the Second World War. The retention and the upgrading of built facilities to assist in the communication of this previous use will be positive. However the site is not located within a Conservation area and contains no designated heritage features. The protection and/or investigations of any features of heritage interest are capable of being addressed through the usual planning/heritage process. There is no potential for significant environmental effects giving rise to a need for EIA.

Socio-Economics

The stated objective of the current proposal is the upgrading of current facilities for existing users. The improvement of the facilities will be of benefit economically in retaining existing users in the area. However it is not considered likely that the effect will be significant giving rise to a need for EIA.

In Combination Effects

Whilst the development may give rise to a number of non-significant environmental effects, these are not expected to result in an additional significant in-combination effect giving rise to a need for EIA.

Cumulative Effects

Considered above.

Conclusions and Reasons for determination: EIA is not required

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/>