

MC/17/3256

Date Received: 21 September, 2017

Location: Harbourmasters Yard Pier Approach Road Gillingham ME7 1RX

Proposal: Retrospective application for construction of 7No Freight Containers a staff/smoking enclosure and minibus parking.

Applicant: Medway Norse

Agent: Mr Mumby Design Quarter UK Ltd. B6-B7 The Admirals Office
Main Gate Road The Historic Dockyard Chatham ME4 4TZ

Ward Gillingham North

Case Officer Mary Smith

Contact Number 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 14 February 2018.

Recommendation - Approval with Conditions

- 1 The use hereby permitted shall be discontinued and the shelter and containers removed from the site on or before 14 February 2019.

Reason: To ensure that the permitted development does not prejudice proposals for redevelopment of the area and as the structures are temporary in appearance, in accordance with Policy BNE1 of the Medway Local Plan 2003.

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

Drawings 684/PL/01 received 25 October 2017 and 684/PL/02A received 7 December 2017.

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

- 3 The parking on the site shall only be used for the parking of education transport vehicles (school mini-buses) and for their drivers personal vehicles whilst the mini-buses are in use and not for any other purpose.

Reason: In order to limit the intensity of the use of the site in the interests of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 4 The use of the site hereby permitted (including the use of the shelter and the gaining of access to the containers, as well as all vehicle checks and movements) shall only take place between the hours of 0630 to 1800 on Mondays to Fridays inclusive during school term time with no use at all other times including on Saturdays, Sundays and Public Holidays.

Reason: To regulate and control the permitted development in the interests of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 5 No external lighting shall be added to the site unless it is in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the height, position, external appearance, any shielding, light intensity, colour, spillage (such as light contour or lux level plans showing the existing and proposed levels) and hours of use.

Reason: In order to limit the impact of the lighting on nearby residents in accordance with Policies BNE2 and BNE5 of the Medway Local Plan 2003.

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

Proposal

This is a retrospective application for seven freight containers, a staff/smoking enclosure and minibus parking. The containers are used for storage of Medway Council and Norse equipment – it is understood that four are used for election equipment, two for other Council equipment and one by Norse. The shelter is located at the other (southern) end of the site to the containers and was formerly a youth shelter in Halling, its 'graffiti-style' finish illustrating this. The main part of the site has been given a tarmac surface and is used for mini-bus parking, 21 spaces being shown on the submitted plan. The mini-buses are used for Special Educational Needs transport from 6:45am Monday to Friday during term time, but not usually in the evening or at weekends.

Relevant Planning History

The current site is part of the following which included the rest of the western arm to the northeast:

MC/07/2069	Partly retrospective for use of site for boat storage, servicing & sales, in addition to approved marine related uses including stationing of modular offices and boat storage racks and erection of 2.2 metres high palisade fencing Decision Approval with Conditions (temporary for 5 years) Decided 12/02/2008
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Representations

The application has been advertised on site. The Environment Agency and the Lead

Local Flood Authority have also been consulted.

The **Environment Agency** has no objection.

The **Lead Local Flood Authority** has no recommendations.

Eight letters have been received raising the following objections:

- Poor appearance of shipping containers and graffiti covered shelter, make the area look rundown, out of keeping with Chatham Waters and Victory Pier area, does not support redevelopment of the area;
- May discourage other small business investors, harmful to social and economic development;
- Unattractive and out of keeping, overlooked by residents of adjacent flats;
- Noise disturbance from loading/unloading containers and from minibus school runs; and
- Shelter attracts smokers, a bad example for families overlooking the yard.

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan). 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 (the NPPF) and are considered to conform.

Planning Appraisal

Background

The site is part of a larger area given temporary planning permission for marine related development, MC/07/2069 which expired on 12 February 2013.

In respect of the current application the site is being used by Norse as an extension to its main yard to the southwest along Pier Approach Road, aside from the majority of the containers which are used for Council storage following the vacation of the former Strood Civic Centre site last year (the election polling booths and disabled ramps were previously stored in the warehouse at the Civic Centre).

Principle

The Local Plan is somewhat outdated in respect of this area as it does not include reference to the mixed use and residential developments which have been permitted and partially built/occupied at Chatham Waters and Victory Pier. The area is allocated for employment uses by the Local Plan, Policies ED1 and ED9 confirming that Use Classes B1, B2 and B8 and port related development will be permitted in this location. In the current case there is no overriding objection in principle to the use of the land for parking and storage including with regard to paragraph 19 of the NPPF, however the acceptability of the development rests of an assessment of the details of the impact of such use.

Design

The physical development on the site, the shelter and the containers, are temporary style additions. They are not in accordance with the aspirations for this area for high quality development with good design. However in advance of this site coming forward for longer term development it is considered that, for a short term temporary period, their impact is limited when seen against the backdrop of the existing development beyond to the northeast and the currently un-redeveloped parts of the wider Chatham Waters site.

Amenity

The site is in close proximity to recently built apartment blocks, including The Boathouse to the south which directly overlooks the site. It is therefore important that the development does not result in harm to the living conditions of the occupants of these flats.

The mini-buses are used for Special Educational Needs transport from 6:45am Monday to Friday during term time returning from the later, afternoon run by 6pm. They are not generally used in the evening or at weekends or during school holidays. Drivers arrive from approximately 6:30am in the morning to undertake morning checks, which take about 15 minutes. The smoking shelter is not used at other times and it is understood that access to the containers is not needed outside of these hours. Although the early start is not ideal, not all of the minibuses leave at the same time, spreading the activity somewhat. On balance, in this location near the public wharf and some commercial uses, this limited use (term time Monday to Friday only) is considered to be acceptable subject to a condition restricting the hours of use.

Highways

There are no highway safety or capacity objections to the development which is accessed from Pier Approach Road, a no-through road. There are no objections with regard to Policies T1, T2 and T13 of the Local Plan.

Local Finance Considerations

There are no relevant local finance considerations.

Conclusions and Reasons for Approval

There is no overriding objection in principle to the proposed use in this location and in the circumstances, on balance, the visual and amenity impacts are considered acceptable subject to conditions limiting the permission to for a temporary period within restricted house. Temporary approval is therefore recommended including with regard to the advice in Policies ED1, ED9, BNE1, BNE1, T1, T2 and T13 of the Local Plan and paragraphs 17, 19 and 56 of the NPPF.

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/>