

MC/18/2098

Date Received: 13 July 2018

Location: Priestfields Recreation Ground Priestfields Rochester ME1 3AD

Proposal: Variation of condition 4 on planning permission MC/17/4187 to change the opening times of the club to 07:00 to 23:00 Mondays to Thursdays (excluding bank holidays which would be 00:00); 07:00 to 01:00 on Friday and Saturdays and 07:00 to 22:30 on Sundays (excluding bank holiday weekends which would be 00:00)

Applicant Medway Rugby Football Club

Agent Mr Jez Saxby
7 Park Crescent
Chatham
Kent
ME4 6NR

Ward: Rochester West Ward

Case Officer: Tom Stubbs

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 26th September 2018.

Recommendation - Approval with Conditions

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

Drawing numbers: A0.200 Rev B, A0.201 Rev A, A0.300 Rev A and A.0400 Rev B received on 26 January 2018.

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

- 2 The roof materials shall match those on the existing building and the south eastern club house walls shall be finished with the bricks for the proposed extension in accordance with the approved plans under ref:MC/17/4187.

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.

- 3 For a period of 12 months from the date of this decision notice, the hours of operation for the social function room shall be between 07:00 to 23:00 Mondays to Thursdays (excluding public/bank holiday Mondays which would be 00:00); 07:00 to 01:00 on Friday and Saturdays and 07:00 to 22:30 on Sundays (excluding public/bank holiday weekends which would be 00:00). Thereafter, the hours of operation for the social function room shall be between 10:00 to 23:20 Mondays to Fridays inclusive and between the hours of 10:00 to 23:20 on Saturdays and 12:00 to 22:50 on Sundays and, Public/Bank Holidays.

Reason: In the interests of protecting neighbouring amenities in accordance with Policy BNE2 of the Medway Local Plan 2003, and to allow the Council sufficient time to monitor the effect the later closing hours would have on nearby residents.

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

Proposal

This application seeks the variation of condition 4 on planning permission MC/17/4187 to amend the operating hours to: 07:00 to 23:00 Monday to Thursday (excluding public/bank holiday Mondays which would be 00:00); 07:00 to 01:00 on Friday and Saturday and 07:00 to 22:30 on Sunday (excluding bank holiday weekends which would be 00:00)

Condition 4 currently states:-

The social function room shall only operate between the hours of 10:00 to 23:20 Monday to Friday inclusive and between the hours of 10:00 to 23:20 on Saturday and 12:00 to 22:50 on Sunday and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: The extension potentially would intensify the use and capacity of the function room as such it is necessary to regulate and control the development in the interests of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

The application seeks to amend the opening hours of the function room to allow earlier opening at 7am each day of the week, close 20 minutes earlier Sunday to Thursday and open later for 1hour 40 minutes on Friday and Saturday with later opening on Bank Holiday weekends.

Relevant Planning History

MC/17/4187	Construction of single storey extension to the existing clubhouse Decision Approval With Conditions Decided 03/03/2018
MC/06/2241	Construction of part single part two storey extension to clubhouse (Resubmission of MC2005/2365) Decision Approval With Conditions Decided 15/02/2007
MC/16/3397	Construction of part single part two storey extension to clubhouse Decision Withdrawn by Applicant Decided 15/02/2006
ME/96/0161	Continued siting of two security containers Decision Approval with Conditions Decided 24/06/1996

Representation

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

Five letters of objection from four addresses have been received raising the following concerns:-

- Opening hours are excessive and unreasonable being open until 1am every day of the week.
- Noise disturbance from late opening hour from patrons and music.
- Impact of cars on local streets.
- Local neighbours are already impacted on by security lighting, car park and floodlights.

Four of the objections were received when the application originally sought for the change of use of the opening hours from 08:00 to 01:00 Monday to Sunday.

Since the amendment, further notification was undertaken and **two** additional letters of objection were received raising the concerns that the proposed 01:00 closing hour on Friday and Saturday would be harmful to the amenity of neighbouring occupiers from noise disturbance.

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 2018 and are considered to conform.

Planning Appraisal

Principle and Design

The principle of the development has been established. There are no design considerations also for this application.

As this application only seeks amendment to the opening hours, the primary consideration for this application relates to amenity.

Amenity

The application seeks permission to open for additional hours in the morning and later on Friday, Saturday and on Bank Holidays. It also proposes to shut earlier, Monday to Thursdays. The clubhouse is located in proximity to residential areas and there is a concern that later opening hour on Friday, Saturday and bank holidays could result in a detrimental impact on residential occupiers within the area, from the use of the club, music and the associated comings and goings especially at the later closing proposed. It is considered that in order to assess the acceptability of the proposed hours, permission to vary the condition for a temporary period of 12 months could be considered. This would allow the Council sufficient time to assess and monitor the effect the proposed variation of the hours could have on the amenity of nearby residential occupiers in particular to noise and disturbance from the use and extended hours.

The applicant has been informed of this approach and has agreed for a temporary permission for the proposed opening hours. As such, it is recommended that the hours proposed be allowed for a period of 12 months. Subject to temporary condition, it is considered that the application would be acceptable with regards to Policy BNE2 of the Local Plan and Paragraph 127 of the NPPF.

Highways

Concerns have also been raised by residents regarding parking in local streets. This application to vary the hours would not result in a reduction of parking within Priestfields Recreation Ground nor would it result in a significant increase in traffic generation or issues in highway safety in the area. Consequently the proposal is considered to be in accordance with Policies T1 and T13 of the Local Plan and paragraph 102 of the NPPF.

Other matters

A variation of condition application is such that when granted approval, in effect, a new planning permission is granted. It is therefore necessary to re-impose the conditions set out in the original decision notice under MC/17/4187.

Local Finance Considerations

There are no local finance considerations.

Conclusions and Reasons for Approval

It is considered allowing the extended opening hours for a temporary period of 12 months, to monitor the impact on neighbouring amenity the application would be in accordance with Policy BNE2, T1 and T13 of the Local Plan and paragraphs 102 and 127 NPPF.

The application would normally be determined under officer delegated powers but is being reported to the Planning Committee for a decision in view of the number of representations received expressing views contrary to the officer's 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://publicaccess1.medway.gov.uk/online-applications/>