

Supplementary Agenda Advice

Page 6 **Minute 434** **Land South of 1 Lyra Close,
Rainham**

With delegated authority, the Head of Planning re-worded condition 15 to read as follows:

- 15 The dwellings hereby approved shall not be occupied until the area shown on the submitted layout as vehicle parking, turning and access has been provided, surfaced and drained. Thereafter this area shall be kept available for such use (Including the car barn which shall be used for vehicle parking only) and no permanent development including works to fill in the sides or add doors to the car barn , whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking and garaging (car barn), turning and access space.

Page 14 **MC/19/2626** **Unit 1-2 Medway Distribution Centre,
Courteney Road, Rainham**

Representations

One letter has been received from a business stating that the unit now has a firm full-price offer for B8 use with terms agreed with the landlord, the business being ready to take occupancy of the unit as soon as possible.

The intended use of the building by this potential occupier is stated as falling within Use Class B8 (warehouse and distribution hub). It is hoped that the change back from builders merchant to Class B8, the original use, would be straightforward.

It is stated that the company is a rapidly growing company, currently based on the Medway City Estate. They state they have outgrown their current units and desperately need to find a larger property urgently. They believe that if they took occupancy of the unit they would contribute to the employment in the area much more so than the indoor karting track. They are currently employing 17 Full Time Equivalents but advise with their rapid growth, currently running at around 7% per month, their detailed forecasts show that by the end of year 1 of occupancy they would be employing 26 FTEs, year 2

38 FTEs and year 3 59 FTEs, approximately double the number of jobs being created by the karting track.

Further to this they say that they have had great difficulty finding an industrial unit of sufficient size in Medway to accommodate their growing business, saying there is a severe lack of suitable units available in Medway. They have stated that if they cannot secure this unit, due to the proposed leisure use, they would have to leave Medway and relocate outside of the area. It is stated that there are suitable units available elsewhere in North Kent and Swale. They advise that such a move would mean them losing the majority of their staff, as all bar one live in Medway. This in turn would mean that the 42 jobs they forecast to create over the next three years would also be outside of Medway.

Page 22 MC/18/2406 Whiffens Avenue Car Park Whiffens Avenue, Chatham

Recommendation

Delegated Authority is sought subject to Planning Committee agreeing the amendments to finalise the precise wording of conditions.

Amend the wording and reason for condition 3 to read as follows:

Notwithstanding the 'Written Scheme of Investigation for Archaeological Excavation' (Wessex Archaeology, Ref: 202061.1, dated November 2019), no excavation or development of the embankment in the northeastern part of the site shall take place until a specific Method Statement/Written Scheme of Investigation and timetable for the excavation and/or development of the embankment has been submitted to and agreed in writing with the Local Planning Authority. The excavation and/or development of the embankment shall be carried out only in accordance with the agreed programme. Development within the site, excluding the embankment in the northeastern part of the site, shall only take place in accordance with the 'Written Scheme of Investigation for Archaeological Excavation' (Wessex Archaeology, Ref: 202061.1, dated November 2019).

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with Policy BNE 21 of the Medway Local Plan 2003.

Amend the wording and reason for condition 17 to read as follows:

No excavation or development (including vegetation removal) of the embankment in the proposed car park area to the northwestern side of the building hereby approved shall take place until a Reptile Method Statement report has been submitted to and been approved in writing by the Local Planning Authority. That report shall include:

- a. a further habitat survey of the area of it's suitability for reptiles, and

- b. a method statement has been submitted detailing mitigation and/or avoidance measures, including timings, so any vegetation clearance in this area does not impact reptiles

The excavation and development in the car park area to the northwestern side of the building hereby approved shall be carried out only in accordance with approved Reptile Method Statement report.

Reason: To prevent harm to any recolonised reptile population in accordance with Policies BNE37 and BNE39 of the Medway Local Plan 2003.

Add new condition 35

No excavation or development of the embankment in the northeastern part of the site shall commence until a plan has been submitted to and agreed in writing with the Local Planning Authority showing a fenced area for the archaeological investigation works of the embankment to take place. The plan shall detail the location and type of the proposed fencing. The agreed fencing shall be erected prior to the excavation or development of the embankment commencing and no works, vehicle movements or storage shall take place within the fenced area other than those connected with the archaeological investigation of the embankment. The fencing shall remain in place as agreed until the archaeological investigation of the embankment has been completed.”

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with Policy BNE21 of the Medway Local Plan 2003.

Representations

Amend representation from KCC Archaeology to read as follows:

KCC Archaeology advise that the previously agreed Written Scheme of Investigation is being followed as the excavation is ongoing in the main car park area. Following the discovery of remains, hand excavation is being undertaken to remove them.

Trial trenched within the embankment to the rear of the site have revealed further burials and walling. A specific Method Statement/Written Scheme of Investigation will be needed for the archaeological investigation of the excavation of the embankment. This can be secured by planning condition but must be agreed prior to the excavation of the embankment.

One additional representation received:

KCC Biodiversity advise that the wildflower planting area in the car park to the north of the building, which was to be retained in the original scheme but is now proposed to be removed, may now have been recolonised by reptiles and further information is required about the suitability of the habitat in the

additional area to be cleared for reptiles and potentially the need to agree further reptile mitigation and avoidance measures prior to the clearance of the embankment and its excavation.

Planning Appraisal

Ecology

Replace third paragraph to read as follows:

There is concern in respect to the loss of the wildflower planting area that was to be retained under the original scheme, in the car park to the north of the building. As the reptile translocation took place some time ago, this area may have recolonised as it had a significant reptile population prior to translocation. A further habitat assessment and potentially additional reptile mitigation measures may be necessary in relation to this area to prevent harm to and recolonised reptile population. This matter can be controlled by a planning condition without preventing the commencement of the building construction. Details of the planting to be reintroduced into this area needs also to be agreed and can be controlled by planning condition.

Insert additional section, 'Archaeology'

Archaeological excavation has commenced within the car park, in accordance with the previously agreed Written Scheme of Investigation. To date about 35 burials have been encountered and this number is expected to rise as the stripping of the car park continues. The burials are being hand excavated and removed. Following examination and recording the burials will be reinterred in the cemetery at Maidstone Road, Chatham. Trial trenches have been undertaken in the embankment to the rear of the site, which reveal intact burials as well as walling (including the former cemetery wall and possibly the remains of a small mortuary/chapel building). The bank itself appears in part to comprise redeposited soils within which there are disarticulated human remains. At this time, the origin of these redeposited soils is not definite but may belong to the former cemetery or may be due to the creation of the car park in the 1960s. A specific Method Statement/Written Scheme of Investigation will be needed for the archaeological investigation during the excavation of the embankment, which will include the need to thorough sieving and careful sifting through of the soils to extract disarticulated bone, either by archaeologists or specialist exhumation contractor. The excavation of the embankment is not relied on for works to commence on the construction of the building and as such, a two phased archaeological investigation approach can take place. Phase 1 of the car park area, which will then allow for the construction of the building to commence, and phase 2 of the embankment whilst construction works on the main site are ongoing. This matter can be achieved by planning condition.

Recommendation

Replace condition 8 and reason with the following wording:

- 8 No flat herein approved shall be occupied until a Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Parking Management Plan shall contain details of how the parking for future residents will be managed including deterring on-street parking. The Parking Management Plan shall be implemented in accordance with the approved details prior to the first occupation of the development and shall thereafter be retained.

Reason: to ensure satisfactory off-street parking in accordance with Policy T13 of the Medway Local Plan 2003

Planning Appraisal

Amenity

Occupier Amenity

Replace reference to DCLG's Housing Optional Technical Standard with Technical Housing Standard – Nationally Described Space Standard

Page 54 MC/19/2692 104 A, B and C Poplar Road, Strood

Description

Amend description to read as follows:

Construction of a terrace of four dwellings (three 4-bedroom dwellings and one 3-bedroom dwelling) and a detached 4-bedroom dwelling (demolition of existing bungalows)

Proposal

Amend first bullet point to read as follows:

- a terrace of four dwellings (one 3-bed and three 4-bed)

Page 66 MC/19/2708

**Medway Rugby Football Club,
Priestfields, Rochester**

Representations

Email from Applicant in response to a representation letter received on 16 December 2019.

The email clarifies the application is not sought to change the licencing hours where alcohol can be served and consumed. He claims that the club has not received email complaining of noise from resident and is not aware of instances of screaming and shouting by drunk people but invited residents to inform so they can be investigated. The email indicates that the club have been subject to vandalism and that there have been incidences in the summer when trespassers have gained access to the veranda of the club and listened to music and caused disturbances.

The email also responds to a comment about the building having no soundproofing. The Applicant states that the building has incorporated sound deadening panels within the ceiling and walls.

The letter indicates during the rugby season the club utilises the Priestfields car park and provides overspill onto the grass. It also indicates that Priestfields is a public open space and the surrounding roads are public highways. Therefore all parking in local areas is not necessary related to the parking associated with the Rugby Club.

The letter concludes by inviting residents to visit the club to talk through problems which they believe can be resolved and indicate that the club is run for the good of the community.

Planning Appraisal

Amenity

Add paragraph as follows:

The Medway Rugby Club currently only has a licence to sell alcohol between 10:00 to 23:00 Monday to Saturday and 12:00 to 22:30 on Sundays. Should they wish to vary their existing licence for the sale of alcohol and other licensable activities into the extended hours, they will need to make a separate licensing application. This application would be subject to consultation with Responsible Authorities and the public in accordance with the Licensing Act 2003. The application would be advertised in the local press and on or near the premises where it is clearly visible from the public highway. Should valid representations be received objecting to the granting of the licence the application will be placed before the Licensing Hearing Panel and all parties would be invited to attend to state their case. For a representation to be valid, it must be linked to the premises and relate to the licensing objectives and what effect the granting of the variation would have on the individual.

Page 72 MC/19/2187

**80 Beechwood Avenue, Darland,
Chatham**

Recommendation

Delete (A) regarding the payment of £245.56 as this has now been paid.

Amend condition 11 to read as follows:

- 11 The windows on the north side elevation of house 1 shall be fitted with obscure glass and apart from any top-hung light, that has a cill height of not less than 1.7 metres above the internal finished floor level of the room it serves, shall be non-opening. This work shall be completed prior to the first occupation of house 1 and shall be retained thereafter.

Page 84
Commercial Park

MC/19/2757

Plot 1B London Medway

Recommendation

Delete conditions 6-9 (inclusive) and 18

Add following conditions

6. Prior to first occupation of the development, details of the chemical analysis confirming suitability for re-use will need to be submitted to and approved in writing by the Local Planning Authority for any material which is imported onto the site for use in soft landscaping areas. The development shall be undertaken in accordance with the approved details

Reason: To avoid any irreversible detrimental impact on human health and/or water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in the approved remediation scheme a verification report providing details of the data that will be collected in order to demonstrate that the works are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To avoid any irreversible detrimental impact on human health and/or water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

Re-number remaining conditions

Representations

KCC ecology have advised that the scheme is acceptable in ecological terms

