

Supplementary Agenda Advice

Minute 511 Planning application MC/19/2708 – Medway Rugby Football Club, Priestfields, Rochester

To report the reason for refusal agreed as follows:

The proposal to extend the opening hours results in a harm to the amenities of the surrounding residents in terms of noise and disturbance from both the clubhouse itself and from people and vehicles leaving the premises particularly during the early hours of the morning. The proposal is contrary to Policy BNE2 of the Medway Local Plan 2003 and paragraph 127f of the National Planning Policy Framework 2019.

**Page 24 MC/19/2530 Land at Westmoor Farm (North)
Moor Street, Rainham, Gillingham**

Recommendation

Amend the following conditions

Condition 2 to reflect the revised plan received on 9 January 2020.

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

Drawing numbers FS0751-ALA-00-ZZ-DR-L-0002 Rev P05, FS0751-ALA-00-ZZ-DR-L-0004 Rev P02, FS0751-ALA-00-ZZDR-L-0005 Rev P02, FS0751-ALA-00-ZZ-DR-L-0006 Rev P02, FS0751-ALA-00-ZZ-DR-L-0007 Rev P02, FS0751-ALA-00-ZZ-DR-L-0012 Rev P01 and 4185-004-101 Rev P5 received on 24 September 2019; and FS0751-CPM-01-GF-DR-A-2000 P07, FS0751-CPM-01-01-DR-A-2001 P08, FS0751-CPM-01-02-DR-A-2002 P7, FS0751-CPM-01-RL-DR-A-2003 P05, FS0751-CPM-01-EL-DR-A-2004 P10, FS0751-CPM-01-ELDR-A-2005 P09 and FS0751-CPM-01-SX-DR-A-2006 P06 received on 11 November 2019 and 09/01/2020.

Condition 4 to remove prior to commencement restriction

4. The specification of plant equipment and façade materials will be in accordance with the recommendations of the approved Noise Impact Assessment reference 0043201 (dated 17 September 2019). These elements

shall be completed before first use of the school and shall thereafter be maintained in accordance with the approved Noise Impact Assessment.

Reason: Required before the first use of the development in order to minimise the impact of the noise on the amenities of user of the school in accordance with Policy BNE2 of the Medway Local Plan 2003.

Condition 12 to delete paragraph that commences "the approved ecological enhancement....) as this is replicated in the next paragraph.

Condition 23 to delete words "community sports purposes" and replace with "Community uses as approved pursuant to condition 22".

Representation

A pamphlet of the proposed new mixed secondary school has been provided by the applicant.

A copy is appended.

Page 58 MC/19/2404 Avenue Tennis Club, Glebe Road, Gillingham, Medway

Representation

Following re consultation on the revised plans **18 further letters** (including two from one household) have been received objecting on the following grounds:

- over development
- backland development
- insufficient drainage
- insufficient parking and increased parking would be generated on the public highway as overspill from the site
- adverse impact on neighbours amenity through light loss; dominant form of development; and overlooking
- adverse impact on traffic flow and adverse impact on highway safety with poor vision at the point of access onto Second Avenue where on street parking is common occurrence
- Poor emergency vehicle access
- insufficient means for collection of waste
- inadequate sewage management
- insufficient infrastructure for future occupiers in terms of amenities such as GP surgery where they are oversubscribed
- Loss of wildlife
- Loss of green space
- Increase pollution
- Adverse impact on the conservation area
- Increase in flood risk

- The development of the site is garden grabbing and the land is not a brownfield site
- Previous concerns not addressed with changes to footpath only
- Loss of part of the original side projection of no 26 Second Avenue-it is not an extension
- The development of the land has already been dismissed by both the Council and the Planning Inspectorate
- Commencement of site clearance has disregard for the planning process

Natural England draw attention to previous comments and advise that the proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Page 84 MC/19/2626 Unit 1-2 Medway Distribution Centre, Courteney Road, Rainham

Representation

A letter has been received from TBH Real Estate Investment offering clarification on the lease of the premises.

A copy of the letter is appended.

Page 103 MC/19/1875 Land North of Medway Road, Gillingham

Recommendation

Amend Condition 4 to read:

4. The use of the development hereby permitted shall not commence until the highway improvements shown on drawing no: SCP/18539/003 have been completed in full.

Reason: To ensure that the development does not prejudice conditions of amenity and highway safety in accordance with Policy T1 of the Medway Local Plan 2003.

Add Conditions 20 - 21:

20. No development above slab level shall take place until details of ecological enhancement measures have been submitted to and approved in writing by the Local Planning Authority. The approved shall be provided before the building is occupied and shall thereafter be maintained.

Reason: In the interests of ecology and in accordance with the provisions set out under Policies BNE37, BNE38 and BNE39 Medway Local Plan 2003.

21. No development above slab level shall take place until details of a close boarded fence to be erected around the external plant has been submitted to and approved in writing by the local planning authority. The close boarded fence shall have a minimum mass of 10kg/m². The fence shall be completed before the development is brought into use and shall thereafter be maintained in accordance with the approved details.

Reason: To protect nearby noise sensitive receptors from noise arising from the plant and in accordance with Policy BNE2 of the Local Plan.

It is noted that there is Japanese Knotweed present on the site, the disposal of such invasive non-native plant is under the control of the Environment Agency, an informative would be added to inform the applicant of the requirement to consult with the Environment Agency.

Representation

One additional letter of **objection** has been received saying that the proposed store should be located in Chatham not Gillingham.

Twelve further letters have been received making the following comments in **support** of the application:

- Local people would not have to travel to other shopping centres.
- There is a need for Lidl store in Medway.
- Proposal would increase consumer choice.
- The site is an eyesore and need development.
- Site is located on a bus route.

Page 120 MC/19/2364 Land Adjacent to Kaler House, George Summer Close, Medway City Estate, Rochester

Representation

A letter of objection regarding the loss of the footpath and concerns regarding the use of the site has been withdrawn following a meeting between the objector and the applicant.

A copy of the letter retracting the objection is appended.

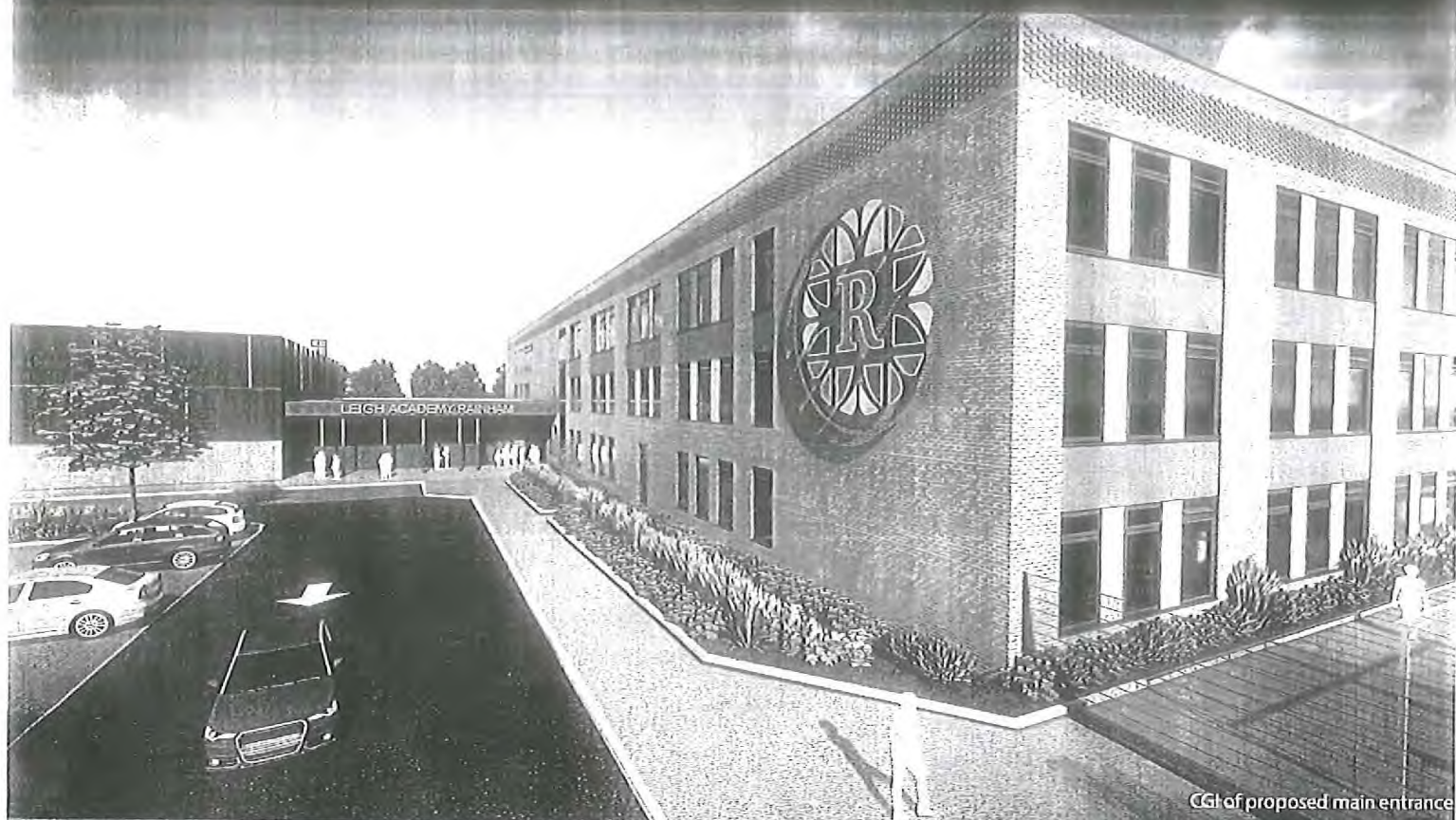
Page 132 MC/19/3008 Holcombe Grammar School, Holcombe, 103 Maidstone Road, Chatham

Representation

One additional representation received from Caroline McGrath, Chair of Park Crescent Residents Association, objecting to the proposed temporary use for Sunday, as follows:

- We are not happy with the existing 6 days arrangement so why would we agree to a 7th even on a temporary basis?
- Any temporary permission will be hard to revoke if contracts have been let for its use on a Sunday.
- Did not want the pitch originally and to extend its use makes this worse.
- We were advised that the disruption would be minimal i.e. no noise, no lights, no nuisance from the players etc etc. That has not been the reality and the School and trust have been made aware of over 20 complaints
- We had surveys done re noise, light pollution, special fences put up and special lights put in and none of it has helped us at all.
- The residents will not, under any circumstances, agree to Sunday hours, temporary or permanent.
- The football pitch is clearly run as a business first and a community activity second.
- As one of my neighbours said in their objection, there is perfectly a good recreation ground in Palmerston Road where the children can play football free of charge with the parents/club etc.

NEW MIXED SECONDARY PLANS



CGI of proposed main entrance

Councillor Briefing Note – January 2020

This document provides summary information for Medway Council Planning Committee on the application for a new mixed secondary school in Rainham serving the eastern part of the borough.

In their Committee report officers at Medway Council conclude that on balance, the public benefits of the development would considerably outweigh the minor adverse effect on the highway and heritage significance.

The application being considered has evolved through consultation with key stakeholders and the Rainham community. It will support the Council in meeting forecast demand for secondary places and bring more choice to parents by becoming the only mixed 11-18 secondary in the area.

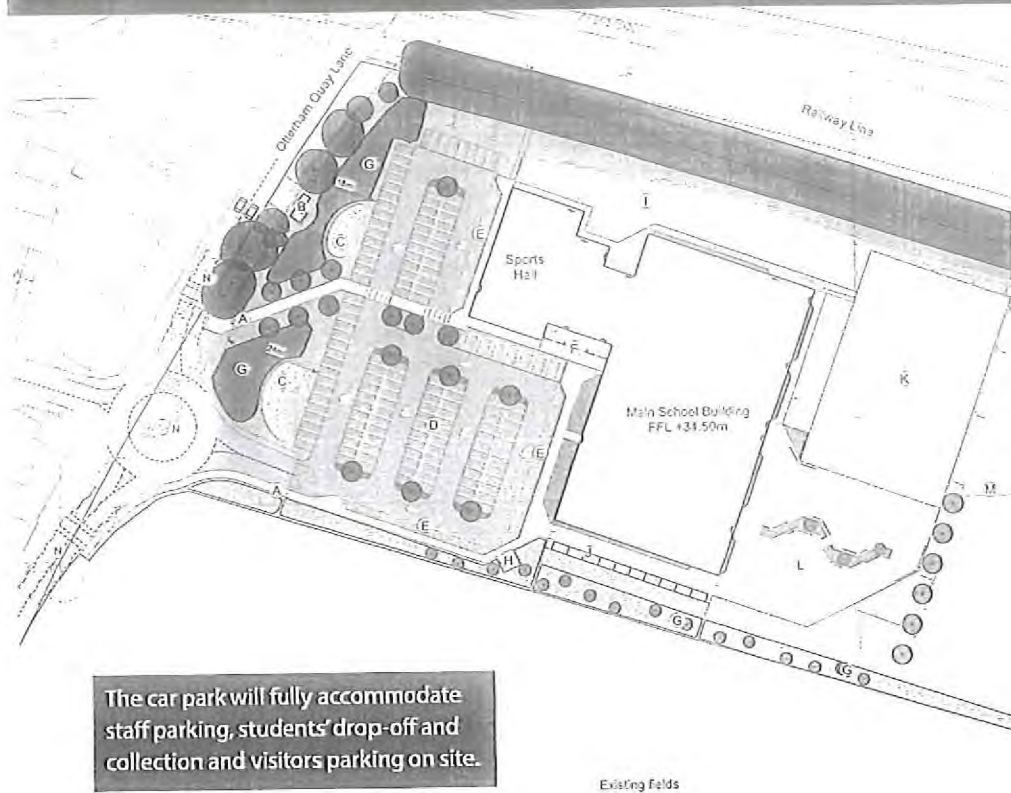
If planning permission is granted Leigh Academy Rainham would open with 180 Year 7 students in September 2021. It would reach capacity in September 2027. It is expected that 80% of pupils will live within a 3km radius of the school, 50% will arrive by foot, 37% by bus (public and school), 11% by car and 3% by bicycle.





Site layout and landscape design

The Leigh Academy Rainham site layout includes; buffer planting to south, east and west boundaries of varying widths from 12-24m, generous external social and play areas, building positioned to minimize impact on green vistas and opportunities for outdoor learning through enhanced habitat areas.



- A - Pedestrian access to main entrance
- B - Substation and electric isolation enclosure (fenced with metal lowered screening fencing and significantly screened with native shrub planting)
- C - Dry attenuation basin
- D - Car park - 145no. spaces, including 7no. accessible bays
- E - Pick up/drop off bays (17no. additional parking spaces within pick up/drop off bays)
- F - Entrance Plaza (includes 4no. visitor cycle parking spaces)
- G - Native shrub planting buffer
- H - Bin store
- I - Potential space for outdoor lessons
- J - 80no. Covered cycle parking spaces and covered spaces for motorcycle parking
- K - 3 Court MUGA (55.5 x 37m)
- L - Hard play area with central feature seating and planting (potential for outdoor lesson uses)
- M - Playing Fields - 2no. Full size football pitches with reduced run offs (68 x 104m) and 1no. U15/U16 pitch with reduced run off (59 x 95m) OR 1no. Full size rugby pitch (74 x 134m) and 1no. U15/U16 pitch with reduced run off (59 x 95m)
- N - Proposed roundabout and pedestrian crossings to Otterham Quay Lane. To be implemented under S27B works.

The car park will fully accommodate staff parking, students' drop-off and collection and visitors parking on site.

Existing fields

Proposed site layout



CGI of pedestrian route from Otterham Quay Lane



Community use

The new school plans represent a significant investment in the area entirely funded by the Department for Education. The governing body will develop partnerships with local community groups to support their activities and provide access to the new school facilities for wider public benefit. This will include the sports hall, grass pitches, classrooms, ICT facilities, dining room and activity studio.



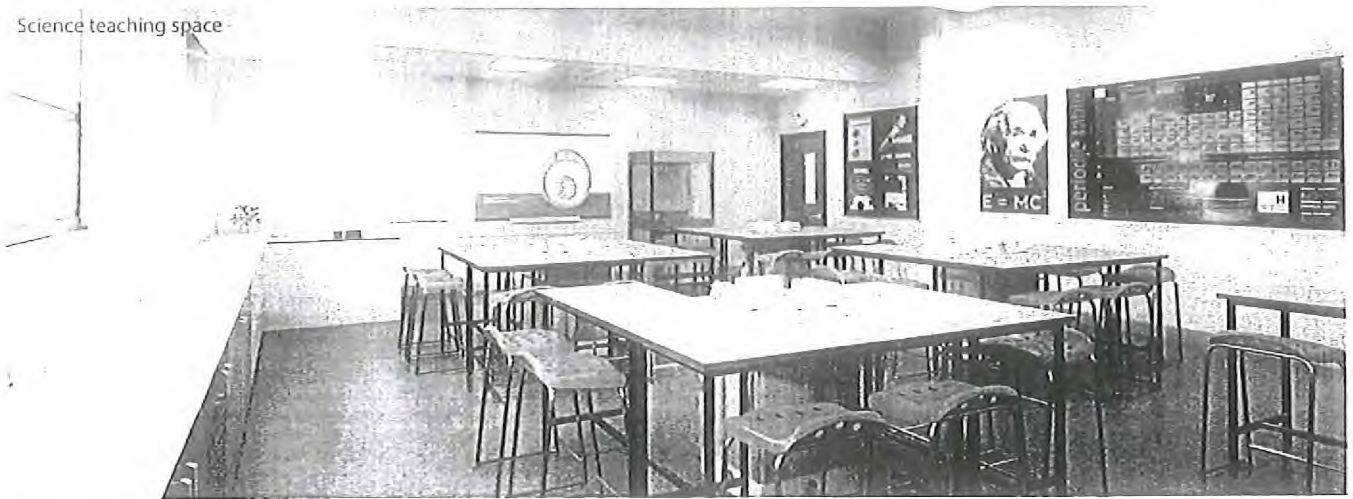
Design

Matching the aspirations of Leigh Academies Trust and directly supporting their values; we care, we have boundless ambition, we work together and we keep getting better; CPMG architects have followed a comprehensive set of design principles in order to deliver a high quality and sustainable place to teach and learn, including;

- Calm sophisticated environment
- School within school philosophy
- Focus on achieving robust and low maintenance environments
- Simple and legible circulation
- Excellent passive supervision
- Effective zoning for out-of-hours community use
- Importance of external landscape areas

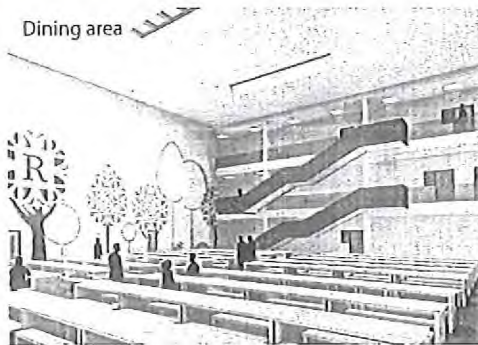
The choice of materials follows pre-application discussions with Medway Council where a design approach that complements the neighbouring conservation area was agreed. The black stained timber of the sports hall reflect the agricultural heritage of the area. Carefully detailed brickwork is used for the main teaching block to give a sense of permanence, quality and tradition. Elements of colourful playfulness throughout add a modern and optimistic aesthetic.

Science teaching space



The internal layout provides the setting for a modern, flexible, ICT rich curriculum. It has been developed through a rigorous engagement process with Leigh Academies Trust.

Dining area



Typical classroom



Safe access

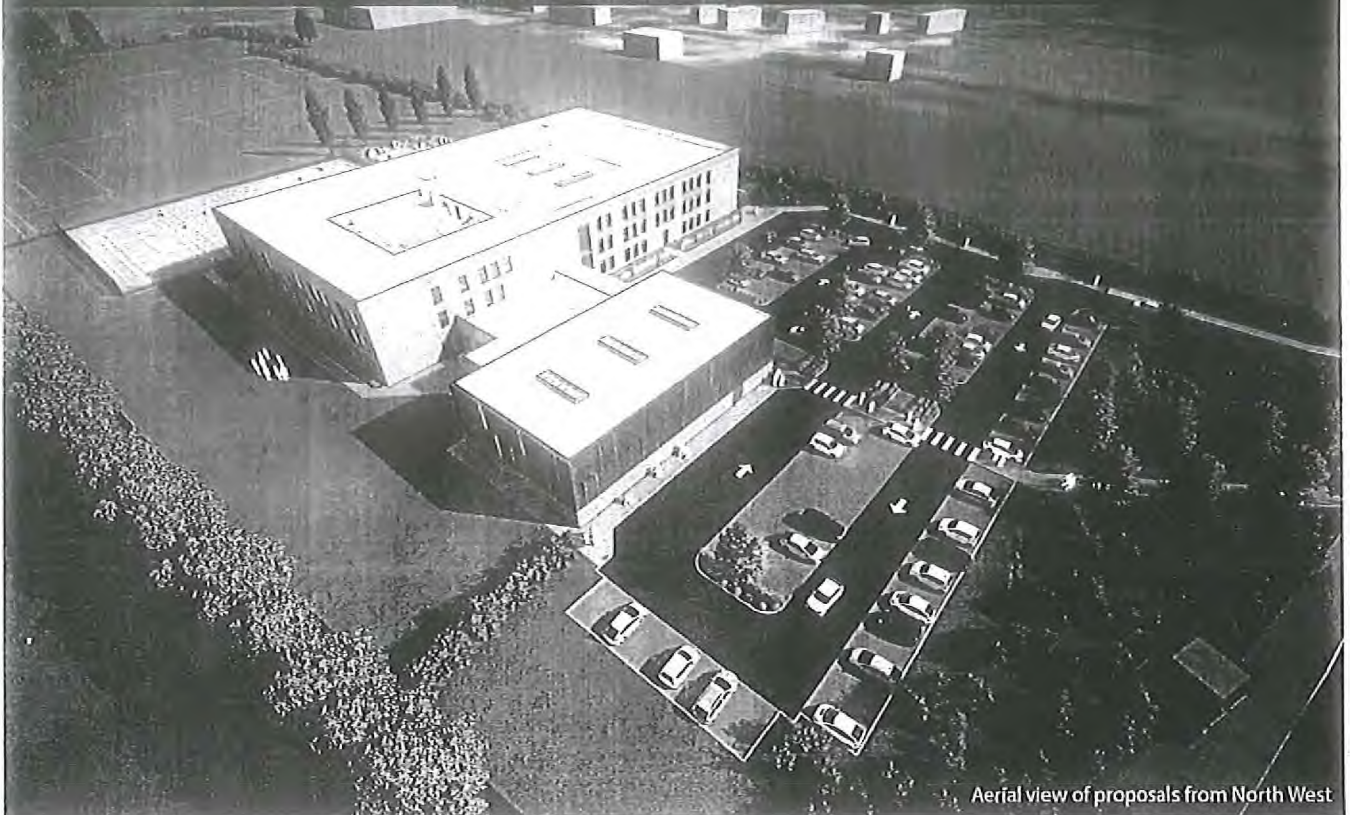
The following highways measures have been included to provide safe access to Leigh Academy Rainham;

- speed mitigation and new footway on Otterham Quay Lane
- one main vehicular access point in the form of a roundabout
- two new zebra crossings leading to segregated pedestrian access
- car park with sufficient capacity preventing overspill on local streets
- four dedicated school buses that will drop off and collect within the site.

Support for the Leigh Academy Rainham plans

There have been no objections to the planning application for the school proposals from statutory consultees including;

- ✔ Sport England
- ✔ KCC Archaeology
- ✔ KCC Ecology
- ✔ Southern Gas
- ✔ UK Power Networks
- ✔ Environment Agency
- ✔ Southern Water
- ✔ Network Rail
- ✔ Natural England
- ✔ Kent Police
- ✔ Highways England



Aerial view of proposals from North West

"Our brand new and purpose built Academy will provide a positive learning environment where students will acquire the essential knowledge, problem solving and critical skills needed to succeed and lead in tomorrow's world. We will have a real focus on progress and attainment, yet ensuring students develop their cultural awareness which will help transform the community. I genuinely care about the life chances of all young people, and as the Principal of Leigh Academy Rainham, I find the prospect of being instrumental in raising aspirations and attainment in this community enormously exciting."

Carl Guerin-Hassett, Principal, Leigh Academy Rainham





Dave Harris
Planning Service
Medway Council
Gun Wharf
Dock Road
Chatham
ME4 4TR



13 January 2020

Dear Dave,

Application MC/19/2626: Units 1 and 2, Medway Distribution Centre, Courteney Road, Rainham

Further to our meeting last week, I have seen the agenda for the Planning Committee on 15th January when this application will be coming back for determination.

I note that in the representations section of the report a letter is now reproduced from an unnamed business stating that they have a firm, full-price offer for B8 use of these units with terms agreed with the landlord. My assumption is that the letter is from a business named Must Have Ideas Ltd. The information is incorrect and was so at the date of 18th December, 2019, Planning Committee meeting. Must Have Ideas Ltd had made an approach to our marketing agents, Watson Day, in early December 2019 and due diligence was carried out on them to see if they could offer a sufficiently strong covenant to be considered a potential tenant.

Directors of the applicant company, including myself, met a representative of Must Have Ideas Ltd on 16th December and informed him that his company's covenant was not strong enough for them to be offered a lease. The reasons for this decision by the applicant were then relayed to Must Have Ideas Ltd in a letter from Watson Day on 17th December, 2019. A copy of that letter is attached.

Should this planning application be refused, then the applicant would not be offering a lease of the units to Must Have Ideas Ltd for the reasons set out in the Watson Day letter.

Yours sincerely,



On behalf of TBH Real Estates Investments Ltd

cc [Redacted]

**TBH Real Estate Investments Limited part of
Terance Butler Holdings Limited**

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[REDACTED] instance Street
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By email and post

Our Ref: KDD/KH
Date: 17th December 2019

Dear Rob,

RE: 1-2 MEDWAY DISTRIBUTION CENTRE, COURTENAY ROAD, GILLINGHAM, ME8 0RT SUBJECT TO CONTRACT

Following our recent discussions on your proposal in relation to the above property and your subsequent direct meeting with the client yesterday, I received confirmation last night that the client cannot proceed with a letting to your company due to: -

- After further financial due diligence, your covenant strength is insufficient for them to consider your Company as a prospective tenant for this property.
- They have undertaken an Experian credit report which states your current credit limit is only £5,500 which takes into account your 18 month credit history.
- The total Property Costs for this unit would be significantly greater than you are paying for the much smaller units you are currently occupying.
- The client is therefore not convinced that you would be able to meet all the property cost commitments and cannot therefore entertain your proposal further.
- The position will not alter even if the leisure application is refused.

Kind regards

Yours faithfully

[REDACTED]
[REDACTED]
[REDACTED] Dempster MRICS

Chartered Surveyor

Email: kevindempster@watsonday.com
Web: www.watsonday.com

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]



CLIFFE CONTRACTORS LIMITED

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Telephone: 01634 290310 Facsimile: 01634 290851

Website: www.cliffecontractors.co.uk

Our Ref: DAF/ch/0110

Your Ref: MC/19/2364

Head of Planning
Medway Council
Gun Wharf
Dock Road
Chatham
Kent. ME4 4TR

For the attention of: D. Harris Esq

18th December 2019

Dear Sir,

Re: Application for Planning Approval ref MC/19/2364

I write in relation to my letter dated 29th October 2019 regarding the above planning application.

A meeting with the Client was held recently at our head office and all issues were resolved.

I would therefore like to retract my objection.

Should you have any queries, please do not hesitate to contact me.

Yours faithfully,

[Redacted signature]

Managing Director

