

MC/21/1286

Date Received: 4 May 2021
Location: Land Adjacent to B2097 Maidstone Road
Rochester ME1 3AU
Proposal: Change of use of land for operational depot (sui generis) including erection of building to provide office and welfare facilities, hard surfacing for the parking of vehicles and plant storage, together with construction of new vehicular and pedestrian access onto Maidstone Road and Stoney Lane, other ancillary development including gatehouse, external lighting and landscaping.
Applicant: Medway Council
C/O
Agent: Bailey Partnership
Mrs Jo Widdecombe Lyster Court
2 Craigie Drive
The Millfields
Plymouth
PL1 3JB
Ward: Rochester South & Horsted Ward
Case Officer: Wendy Simpson
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 18th August 2021.

Recommendation - Approval subject to:

- A. The final agreement of Air Quality mitigation measures and ecology mitigation measures.**
- B. The imposition of the following 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: 15099 rev E, 15099/20 C, MOD-BPC-00-00-DR-050 0001_P02, MOD-BPC-00-00-DR-050 0002_P01, MOD-BPC-00-00-DR-050 0003_P03, MOD-BPC-01-00-DR-A-050 101 P02, MOD-BPC-01-01-DR-A-050 102_P02, MOD-BPC-01-RF-DR-A-050 103 P02, MOD-BPC-01-XX

R-A-050 104_P02, MOD-BPC-01-XX-DR-A-050 105 P02, MOD-BPC-01-XX-DR-A-050 110 P02, MOD-BPC-02-XX-DR-A-050 201 P02, received on 4 May 2021, 15099/11 REV L, 15099/14 REV H received on 14 June 2021, 15099_16D (SHEET 1), 15099_16 D (SHEET 2), 5699-LLB-ZZ-DR-L-0001-S4-P02, 050 0003 REV P04, 15099/10 REV U, 15099_11 REV M, 15099_14 REV J received on 27 July 2021.

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

- 3 Notwithstanding the submitted details, no development shall take place until details of earthworks and soil profiling have been submitted to and approved in writing by the Local Planning Authority. Details shall include the soil profile / build-up of landscape proposals (including the quality, sourcing and use of any retained and imported topsoil and subsoils); and proposed grading and profiling of land areas including the levels and contours to be formed, showing the relationship of proposed grading with existing vegetation and surrounding landform. The development shall thereafter be implemented in accordance with the approved details.

Reason: Required prior to commencement of development to ensure that the appearance of the development is satisfactory by virtue of tree/planting without prejudice to conditions of visual amenity in the locality, in accordance with Policies BNE1 and BNE6 of the Medway Local Plan 2003.

- 4 No development shall take place until a scheme showing details of the disposal of surface water, based on sustainable drainage principles, including details of the design, implementation, maintenance and management of the surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. Those details should be submitted in conjunction with the site Landscape Plan, and shall include (if applicable):
- i. a timetable and construction method statement for its implementation (including phased implementation where applicable).
 - ii. appropriate operational, maintenance and access requirements for each sustainable drainage component are adequately considered.
 - iii. proposed arrangements for future adoption by any public body, statutory undertaker or management company.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 169 of National Planning Policy Framework 2021.

- 5 Prior to occupation (or within an agreed implementation schedule) a signed verification report carried out by a qualified drainage engineer (or equivalent) must be submitted to and approved by the Local Planning Authority to confirm that the agreed surface water system has been constructed as per the agreed scheme and plans. The report shall include details and locations of critical drainage infrastructure (such as inlets, outlets and control structures)

including as built drawings, and an operation and maintenance manual for the unadopted parts of the scheme as constructed.

Reason: This condition is sought in accordance with 169 of National Planning Policy Framework 2021 to ensure that suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk onsite or elsewhere.

- 6 No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority in consultation with the LLFA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

The approved CSWMP and shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:

- i. Temporary drainage systems.
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses.
- iii. Measures for managing any on or off-site flood risk associated with the development site and surrounding area.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraphs 183 and 184 and 159 to 169 of National Planning Policy Framework 2021

- 7 No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of hours of construction working; measures to control noise affecting nearby residents; wheel cleaning/chassis cleaning facilities; dust control measures; pollution incident control and site contact details in case of complaints. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

Reason : To ensure protection of amenity for neighbours in the vicinity to accord with Policy BNE2 of the Medway Local Plan 2003.

- 8 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable

which has been submitted to and approved by the Local Planning Authority. Works shall be carried out in accordance with the approved programme.

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

- 9 No development shall commence until a scheme to minimise the transmission of noise from the use of the premises has been submitted to and approved in writing by the Local Planning Authority. Noise from the premises should be controlled, such that the noise rating level (L_{Ar,Tr}) emitted from the development shall be at least 10dB below the background noise level (L_{A90,T}) at the nearest noise sensitive receptor. All measurements shall be defined and derived in accordance with BS4142: 2014. All works which, form part of the approved scheme shall be completed before any part of the development is occupied or the site first brought into use and shall thereafter be maintained in accordance with the approved details.

Reason: To ensure protection of amenity for the area in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 10 No part of the development shall commence until full details of the following highway works have been submitted to and approved in writing by the Local Planning Authority:

- Access arrangements as outlined in drawing 15099/10 Rev R.

The approved details shall thereafter be completed prior to the use hereby approved commencing.

Reason: To ensure the development preserves conditions of highway safety, pedestrian safety and the free flow of traffic, in accordance with Policies T1, T2 and T3 of the Medway Local Plan 2003.

- 11 The use hereby permitted shall not be brought into use until details of the design, location and installation of a horse stile and mobility gate on the Public Right of Way RR13 (bridleway) has been submitted to and agreed in writing with the Local Planning Authority. The horse stile and mobility gate shall be installed in accordance with the agreed details prior to the first use of the site commencing.

Reason: To compensate for the impact of additional traffic on the carriage section of Stoney Lane, which includes the PROW, to comply with Policy BNE2 of the Medway Local Plan 2003.

- 12 Prior to the first use of the development hereby approved the area shown on the submitted layout as vehicle parking space shall be provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) 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 space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking and in accordance with Policy T13 of the Medway Local Plan 200

- 13 Prior to the first use of the development hereby approved details of the provision of the electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the location, charging type (power output and charging speed), associated infrastructure and timetable for installation. The development shall be implemented in accordance with the approved details and shall thereafter be maintained.

Reason: In the interests of sustainability in accordance with paragraph 112E of National Planning Policy Framework 2021.

- 14 No development above slab level of any building shall take place until details and samples of all materials to be used externally have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented 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.

- 15 Notwithstanding the submitted details, no development shall commence above slab level of any building on the site until full details of a hard and soft landscape scheme have been submitted to and agreed in writing with the Local Planning Authority. The landscape scheme should include:

- i. Plans and information providing details of existing and proposed finished ground levels, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas, all paving and external hard surfacing, lighting and services (including drainage), minor artefacts and structures (seating, refuse receptacles etc.). Soft landscape works, including details of planting plans, tree positions, planting build ups (soil profile information), written specifications (including cultivation and other operations associated with grass, tree and planting establishment, aftercare and maintenance); schedules of plants, noting species, plant sizes, root treatments and proposed numbers/densities where appropriate.
- ii. Details for the design and specification of tree and woodland buffer planting to enable healthy establishment at maturity. Information should provide details for the planting environment (including within hard and soft landscape), calculated soil volume, tree support and tie specification, guards and grilles, aeration and irrigation systems, soil build-up information (avoiding the use of tree sand), tree cell systems (to street tree planting environments)

- iii. Detailed information should be provided for the design and specification of green roofs. Including drainage and soil build up, planting plans & plant schedules, all paving and hard surfacing, minor artefacts and structures.
- iv. Detailed information for the design and specification of climbing systems, including planting selection, specification and details of irrigation systems.
- v. A timetable for implementation.

The development shall be implemented in accordance with the approved details and timetable and any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: To ensure a satisfactory external appearance and provision for landscaping in accordance with Policies BNE1 and BNE6 of the Medway Local Plan 2003.

- 16 Notwithstanding the submitted details, no development shall commence above slab level of any building on the site until a Landscape Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include long-term design objectives, management responsibilities and maintenance schedules for all hard and soft landscape areas (including green roofs) for a minimum period of fifteen years, with arrangements for implementation and future review of the management plan. The document shall also include an appendix incorporating product specification sheets for all street furniture, covering installation and maintenance requirements. The development shall thereafter be managed in accordance with the approved details.

Reason: To ensure a satisfactory external appearance and provision for landscaping in accordance with Policies BNE1 and BNE6 of the Medway Local Plan 2003.

- 17 Notwithstanding the submitted details, no development shall commence above slab level of any building on the site until a plan indicating the positions, design, materials and type of boundary treatment to be erected within that phase has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be implemented in accordance with the approved details before the development is brought into use and shall thereafter be retained.

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

- 18 Notwithstanding the submitted details, no development shall commence above slab level of any building on the site until details of any external lighting has been submitted to and approved in writing by the Local Planning Authority. Details shall include 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 together with a report to demonstrate its effect on the landscaping of the site (including an overlay of the proposed lighting onto the site landscaping plans), the rural landscape, bats (including reference to the recommendations of the Bat Conservation Trust)] and of how this effect has been minimised. Any external lighting shall be implemented in accordance with the approved details.

Reason: In order to limit the impact of the lighting on the landscaping of the site, the surrounding landscape and wildlife and with regard to Policies BNE1, BNE2, BNE5, BNE34 and BNE39 of the Medway Local Plan 2003.

- 19 Prior to the installation of a sub-station and any related screening on the site the design of the substation and screening (if applicable) shall be submitted to and agreed in writing by the Local Planning Authority. The substation and screening shall be installed in accordance with the agreed details and maintained as such thereafter.

Reason: To ensure the appearance of the equipment is visually acceptable within its setting in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 20 The development hereby permitted shall be carried out entirely in accordance with the 'noise impact assessment' (Red Twin Ltd, ref: 1363.1 V1, dated 8th July 2021). All measures required for the mitigation of noise shall be completed before any part of the development is brought into use and shall thereafter be maintained in accordance with the approved details.

Reason : To ensure an acceptable amenity by virtue of noise for neighbours in accordance with Policy BNE2 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

The application seeks full planning permission for an extensive development consisting of:

- Change of use of land for operational depot (sui generis)
- Reprofiting of the site to accommodate the proposed development
- Erection of building to provide office and welfare facilities
- Hard surfacing for the parking of vehicles and plant storage
- Construction of new vehicular and pedestrian access onto Maidstone Road and Stoney Lane
- Installation of 12 storage containers
- Gatehouse
- External lighting
- Landscaping

- 2.2m high planted screen fence on the western boundary and at the edge of the upper terrace
- 2.4m high mesh security fencing on the northern, eastern and southern boundaries
- Substation

Access would be gained into the site from Stoney Lane with the exit onto Maidstone Road. The junction of Stoney Lane with Maidstone Road and in the initial section of Stoney Lane are currently undergoing extensive Section 278 remodelling works as the adjacent development (MC/19/2742) is built out. The current proposal relies on the completion of those S278 works.

Under this proposal the site would be terraced in some sections of this long site. At its northern end the working area of the site would be retained as a single, slightly sloping level, whereas moving further south along the site the working area of the site becomes split into three terraced levels. The top two of those levels have a more minor step down between them but the third terrace is about 3.1 metres below the middle terrace level.

A small-plant enclosure will be located at the northern end of the site. The office building would be located at the southern end of the site and would be split level with a single storey on its eastern side and two storeys on the western side. The building would have a pitched roof with a green roof on the slope facing the AONB to the west. The external walls would be of grey brick with grey mortar at the lower ground floor level and cedar vertical cladding at ground floor and fenestration/doors would be grey aluminium finish.

Access to the site will be controlled by a full-time guard (during operational hours) and automated gates. A timber clad gatehouse building is proposed just inside the main exit of the site adjacent to the small plant compound.

The purpose of this proposal is to relocate two Medway managed services: grounds maintenance and the (SEN) school minibs service from their current, temporary location at Deangate Ridge Golf Club.

Relevant Planning History

MC/20/0234 Construction of a new vehicle access onto classified road (B2097 Maidstone Road) including earthworks and landscaping.(Approved 7 January 2021)

MC/08/0968 Outline application for construction of 9,500 to 12,000 square metres of floorspace for B1 use; new vehicular access to the public highway, internal roads and vehicle parking; services and ancillary development (Refused 26 September 2008)

Adjacent site: Land West of Maidstone Road And South Of Stoney Lane, Rochester ME1 3QZ

MC/19/2742 Change of use of land for a transport distribution hub (Use Class B8) together with construction of new vehicular access on Stoney Lane, improvements to both Stoney Lane and Rochester Road/Maidstone Road, levelling and hard surfacing of the site, stationing of a portable building to provide office and employee welfare facilities, and other ancillary development including external lighting (Approved 3 April 2020)

Adjacent site: Land Adjacent Royal Mail Depot, Maidstone Road, Rochester ME1 3AU

MC/20/302 Construction of a part single part 2 storey depot/workshop building with ancillary offices; access, parking, vehicle washing facilities and landscaping. (Under consideration)

Deangate Golf Club, Dux Court Road, Hoo St Werburgh, Rochester ME3 8RZ

MC/19/1911 Temporary change of use (until 31 October 2021) to a grounds maintenance depot involving the parking of vehicles/grounds maintenance equipment and 17 shipping containers for storage, parking for workers and ancillary office use of the first floor of the former clubhouse together with the parking of minibuses. (Approved 20 February 2020)

Representations

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

KCC Archaeology, KCC Biodiversity, Rochester Airport, Tonbridge and Malling Borough Council, EDF Energy, Southern Gas Network, Southern Water, Highway England, Environment Agency, Natural England, Kent Downs AONB Unit, Wouldham Parish Council, and Lead Local Flood Authority have also been consulted.

KCC Archaeology advise that a programme of archaeological works would need to be secured by planning condition. The evaluation informing the need and scope of any further mitigation measures.

Southern Gas Network provided plans showing their infrastructure in the area.

Southern Water advise they have infrastructure on the site and provide plans. (The applicant is in discussion with Southern Water.)

Highway Agency advise that the proposal would not have an unacceptable impact upon the safety, reliability and operation of the SRN (the tests set out in MHCLG NPPF 2019 Paras 108-11 & DfT C2/13 Paras 8 -11) in this location and its vicinity. They also

advise that express permission is required to develop on Highway England land (which affects the access to the site.)

Environment Agency advise that the proposal has a low risk, and they have no comments.

Natural England advise that they have no objection.

Kent Downs AONB Unit object to the proposal. They have provided two sets of comments. Initially they advised that some significant concerns remain over the adverse impacts particularly over urban encroachment into the Nashenden Scarp, and the adverse effects on the landscape character of the adjacent Kent Downs AONB, and on views from the North Downs Way. They subsequently also advised that the latterly realised removal of existing mature hedge along the front boundary of the site with Maidstone Road (as a result of s278 works and vision splays) further decreases screening and filtering of existing commercial buildings on the east side of Maidstone Road in views from the opposite side of the Nashenden Valley in the Kent Downs AONB. The hedgerow helps to reduce the impact of the existing commercial buildings on the ridgeline in views from the AONB.

Lead Local Flood Authority conditions required in relation to a detailed surface water drainage scheme, verification report and Construction Surface Water Management Plan (CSWMP).

Fulcrum Pipelines Ltd advise that they have infrastructure in the area and have provided plans showing locations.

UK Power Networks provided plans showing their infrastructure in the area.

One letter has been received from a member of the public making the following comments:

- The hedge along the front boundary of the site to Maidstone Road should be retained to ensure the character of this part of the road
- Highway mitigation measures to ensure road safety should be considered at the junction of Maidstone Road with Stoney Lane

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 2019 and are considered to conform.

Planning Appraisal

Background

Temporary planning permission for a grounds maintenance depot was granted at the Deangate Golf Course site for a period of 18 months under reference MC/19/1911. Prior to that temporary period being granted, and during the course of the permission running, an extensive search has been undertaken for a permanent site for this depot to be located. The applicant summarises this site search in the following table:

Site	Outcome
George Summers Close (Veolia Depot site)	Unavailable as Veolia do not wish to vacate, lease or sell
Maidstone Road site (North of Proposed)	Unable to purchase site due to title issues. Site now being developed by others
Cuxton HWRC	Used as HWRC; part of KCC cross boundary agreement
Kingsnorth power station	Not available <i>currently</i> – Master planning phase. Could change in the longer term.
Gillingham Business park	Owners not willing to consider Depot facility on the site as it doesn't fit with their aspirations

VOSA site, Hoath Way	Not on ministerial departments disposal list.
Above Diggerland, Strood	Land owner is asking too much. Former landfill site and therefore complex and expensive issues to address. Access difficulties and concerns due to proximity of access to roundabout with A228
Next to Temple Marsh, former landfill site	Prohibitive costs, nature reserve with Nightingales
Chatham Dock (Peel ports)	Unviable – only temporary lease available, makes site uneconomical for needs
Deangate	Not available in longer term due to Local Plan and Hif related issues
Jane's Creek, behind Morrison's, Strood	Footprint not sufficient and in conflict with Temple Marsh development; Not safely accessible, not in line with regeneration plans
Old Plant Nursery, Cozenton Park	Not suitable; Restricted access; site too small for needs
Bloors Wharf	Leased from Port of Sheerness with restrictions
Vacant land to side of MTS, St Anthony's Way	Not available (now developed by MTS)
St Anthony's Way behind McDonalds	Not large enough and rare species
Vacant sites including smaller Veolia yards	Not large enough
Rochester, Marconi Way (Vacant plot Adjacent to Fire Station)	Not large enough
Review of existing Public car parks	Not large enough, loss of income

Historically planning permission has been refused on this site for employment use, under planning reference MC/08/0968, and Medway Council objected to similar development across the boundary to the south in Tonbridge and Malling.

However, more recently, Tonbridge and Malling have approved employment uses on the land to the south within their district and, as a result of that creating changed circumstances and visual context, planning permission has also been granted by

Medway Council of land on the south side of Stoney Lane, adjacent to the application site, for a transport distribution hub (MC/19/2742).

Most recently, on the application site, has been an approval for a new access from Maidstone Road (MC/20/0234) but without any change of the land use. (So effectively serving an agricultural field.)

Principle of the development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan).

The application site is currently an agricultural field (fallow) with trees and shrubs on the western slope of the site and hedgerow around its eastern and southern boundaries. The site has not been in use for agriculture for some time. The northern boundary is open to the field area to the north. (It should be noted that current s278 construction works at Stoney Lane has removed hedge from the eastern side of the application, within the highway verge.)

'Agricultural land' is excluded from the definition of 'previously developed land' in the Annex 2 of the National Planning Policy Framework and as such the site is a greenfield site. The site is located within the countryside and within the 'Nashenden Valley Area' Area of Local Landscape Importance (ALLI). The site lies opposite the Kent Downs Area of Outstanding Natural Beauty (AONB).

The site also lies opposite the Laker Road Industrial Estate, which is an existing employment area (Local Plan Policy ED1) within the urban area. The application site abuts the urban boundary.

Policy S1 of the Local Plan ('Development Strategy') seeks for development to be located in the urban area with land use and transport being closely integrated. It states that "*Outward peripheral expansion onto fresh land,will be severely restricted.*"

Policy S1 also states that "*In recognition of their particular quality and character, long-term protection will be afforded to: (i) areas of international, national or other strategic importance for nature conservation and landscape;*"

Policy S2 relates to the implementation of Policy S1 and in part requires a sustainable approach to location and:

"...(iii) the adoption of a sequential approach to the location of major people and traffic attracting forms of development, including retailing, leisure, educational and health facilities."

Policy BNE25 of the Local Plan states that development in the countryside will only be permitted if:

(i) it maintains, and wherever possible enhances, the character, amenity and functioning of the countryside, including the river environment of the Medway and Thames, it offers a realistic chance of access by a range of transport modes; and is either;

(ii) on a site allocated for that use; or

(iii) development essentially demanding a countryside location (such as agriculture, forestry, outdoor or informal recreation); or...

(vii) a public or institutional use for which the countryside location is justified and which does not result in volumes of traffic that would damage rural amenity."

Policy BNE34 relates to development within an Area of Local Landscape Importance and states that "development will only be permitted if:

- (i) it does not materially harm the landscape or function of the area, or*
- (ii) **the economic and social benefits are so important that they outweigh the local priority to conserve the area's landscape.***

Development within an Area of Local Landscape importance should be sited, designed and landscaped to minimise harm to the area's landscape character and function."

In this case the proposed scheme falls outside the urban boundary and in the countryside. The site is not allocated for employment or any redevelopment within the Local Plan. The proposed use under this application falls outside the categories of land use that are normally acceptable in the countryside, as set out in Local Plan Policy BNE25.

The applicant has however provided an explanation of the exceptional circumstances that have led to the submission of this planning application. This is very relevant in relation to the Policy S2 and sequential testing and Policy BNE34 (ALLI) and the exception that "*the economic and social benefits are so important that they outweigh the local priority to conserve the area's landscape.*"

The applicant (Medway Council) recognises that siting the proposed depot in the rural area is not ideal and is contrary to policy BNE25. However, they have exhaustively tried to find a site within the urban area but have been unsuccessful. A summary of the sites considered has been provided together with the reasons these are not available for this development. Sequentially, whilst not within the urban area the application site abuts the urban area and is adjacent to other commercial development, including within the rural area. The site is well located for access to the regional motorway network and town centres and there is some existing public

transport within the adjacent urban vicinity. The nature of the depot is to serve a statutory function of the council and as such to not provide this depot within Medway is not an option. (The development proposed for this site is currently sited on a temporary basis at Deangate Golf Course and at Gillingham Pier.)

Notwithstanding the location within the countryside and ALLI, there is history of approved employment development to the south of the proposal site, (Wren kitchens are currently constructing a transport distribution hub immediately adjacent to the application site) and the Royal Mail depot further to the north. As such the character of this area is seen to be changing. There is also further current application for employment use on the site immediately to the north of the application site albeit that this is undetermined.

As well as being located within the ALLI, there are also landscape sensitivities for any development on this site due to the close setting of the AONB on the opposite site of the Medway valley, and its sloped nature. This needs to be carefully considered and is discussed in the report below.

Highway matters are also key in consideration given the high frequency of movements that would come with this development and its location close to busy local road network junctions at Bridgewood roundabout and Junction 3 of the M2. Air Quality and noise matters are also particularly relevant, being consequential of the high volume of traffic movements.

Overall, the proposal is considered to meet the test for exceptional development within the ALLI under Policy BNE34 and sequential testing requirements of policy S2. So therefore, whilst contrary to policies S1 and BNE25 of the Local Plan, in the light of no suitable urban site being available for this statutory function, on balance, the proposal is considered to be acceptable in principle.

However, consideration remains to be made most particularly in relation to landscape and visual impacts under Policy BNE34, which requires development in the ALLI to be sited, designed and landscaped to minimise harm to the area's landscape character and function and also on the Kent Downs AONB under paragraph 176 of the NPPF 2021.

Design/Landscaping

Local Plan Policy BNE1 'General Principles for Built Development' requires the design of development to be appropriate in relation to the character, appearance and functioning of the built and natural environment. The Government attaches great importance to the design of the built environment. Paragraph 130 of the NPPF 2021 is key to the achieving well designed places.

Policy BNE6 of the Local Plan directs that in relation to major development, important existing landscape features, including trees and hedgerows, should be retained and structural landscaping schemes should enhance the character of the locality. Policy BNE43 relates to trees within development sites. Paragraph 131 of the NPPF 2021 refers to the importance of trees and requires that trees are incorporated into

development and existing trees are retained where possible. Paragraph 180 of the NPPF 2021 seeks to improve biodiversity for development and around the site.

Pertinent to the consideration of the design of this site is its sloped nature as part of the valley escarpment down to the River Medway. The site is visually very exposed particularly to the western side and is easily seen from the opposite side of the Medway valley. To the eastern side of the site, along the boundary with Maidstone Road Rochester, is an existing mature hedgerow. However part of this hedgerow has recently been removed or reduced to allow for the developer of the adjacent site to undertake Section 278 works at the junction of Stoney Lane with Maidstone Road. This is also the case with the existing hedgerow bounding the southern side of the site and is also to be removed. This application relies on the ongoing S278 works for its access.

The vision splays for the exit from the site itself onto Maidstone Road will also involve the removal or reduction of more of this mature hedgerow. In addition there is Southern Water infrastructure running through the eastern part of the site, close to the site boundary with the highway verge, and through the highway verge. This infrastructure has an 'asset protection zone' within which only limited and small-scale planting may be undertaken, if any at all.

The eastern fence line (to Maidstone Road) would be positioned on the edge of the asset protection zone area and provide a minimum 1m planting zone between the fence line and visibility splay line at its narrowest point, averaging between 1.3m and 2.8m along the north part of the Maidstone Road boundary.

Towards the Stoney Lane end of the eastern boundary (subject to the adjoining site works) the applicant advises that additional space is available inside the proposed fence line to allow for additional tree planting. The intention being to allow for a re-provision of hedgerow along this eastern boundary over time.

In regard to fencing along this eastern boundary, there is proposed to be 2.2m high fencing on this eastern boundary (Maidstone Road) as well as on the southern boundary (Stoney Lane) and northern boundary (open field). Along the western boundary is proposed 2.2m high palisade fencing.

Turning to the proposed layout within this context, the proposal site layout has been carefully designed to minimise the scale and height of buildings and built form on the site. The gatehouse building would be finished with vertical timber cladding (Cedar). The office building would have vertical Cedar cladding at ground floor level and grey brick with grey mortar at the lower ground floor level. The roof would include cladding at a pitched roof with a green roof on the slope facing the AONB to the west. Within this rural setting the minimally scale of the buildings and external palette are considered to be acceptable for this site.

The additional built form on this site however would be extensive due to the nature of the proposed use as a depot. The layout shows large areas of open hardsurface (asphalt) across two levels, a retaining wall across the middle of the site, and associated infrastructure such as lamp columns, sub-station, electric vehicle charging points and boundary fencing. In addition, 12 storage containers will be installed on the site and plant stored and vehicles of various sizes and designs (not HGVs) will be parked on the site. By its functional nature this development is visually harsh.

Being a sloped site and visually exposed, particularly to the west and clearly seen from the Kent Downs AONB, the proposal includes a very extensive planting scheme. Within the reprofiled western part of the site, which is at the lowest elevation, is proposed a tree-filled escarpment which would mature over time and soften and to some extent screen views of lower aspects of the on-site development.

To mitigate views of the vehicles and infrastructure is proposed a line of pre-grown fence of 2.2m high ('Mobilane Green Screen' system) along the western boundary and on the edge of the upper terrace. At the bottom of the central retaining wall is proposed a 3m wide planting bed to support further tree planting and a native hedge and 76 climbers (on a climbing support system) to provide screening for the retaining wall.

In respect to the large tree planting areas on the site, the growth of these trees in this environment is considered to be challenging. The site itself does not enjoy good soils for new planting but will rely on the importing of good soil and planting medium. The regrading of the land to accommodate this development will involve areas of cut and fill and the overall profile of the site can be seen to change along the length of the site. Some of the cut-and-fill area gradients are unusually steep which may compromise plant establishment. Further details are required in regard to fill material to support delivery of the landscape proposals. In addition, while the planting of some standard trees and tree whips are proposed it is considered that the exposed nature of the site and some of the gradients proposed do not favour standard tree establishment and full whip planting is favoured. It is therefore considered that some adjustments and details to the proposed landscaping scheme are required, which can be controlled by planning condition.

In respect to lighting on the site, which will impact on the countryside and the ALLI in which the site is located and views of the site from the AONB, an external lighting scheme has been submitted and whilst not finally agreed, which can be the subject of a planning condition, the applicant confirms that all external lighting shall also be controlled via a photocell & time-switch arrangement which will signal luminaires "ON" at dusk, then override them "OFF" through the dead of night hours, in line with the operational hours. At this time non operation hours are anticipated to be around 18-19:00 until 05-06:00hours, but final agreement can be by planning condition. External lighting will therefore rarely be on during the summer months.

Overall, setting aside matters of visual impact on and from the surrounding and wider area, which is discussed in the section below, within the site itself and its immediate

vicinity, subject to suitably worded planning conditions, the proposal is considered to comply with Policy BNE1, BNE6 and BNE43 of the Local Plan in relation to its design and appearance and the character, appearance and functioning of the built and environment.

Landscape/Impact on the countryside/ALLI/AONB

The 'Principal' section of this report recognises that the proposal on this site is contrary to Policies BNE25 (countryside) and S1 (strategic planning) of the Local Plan but allowed on balance under Policy S2 on a sequential basis due to the need for the development to serve a statutory function of the council.

As previously stated, the site is greenfield, located within the countryside and within the 'Nashenden Valley Area' Area of Local Landscape Importance (ALLI). The site lies opposite the Kent Downs Area of Outstanding Natural Beauty (AONB).

Notwithstanding the proposed planting the proposal cannot be considered compliant with Policy BNE25 (countryside) of the Local Plan as it fails to '*maintains, and wherever possible enhances, the character, amenity and functioning*'.

Policy BNE34 (ALLI) is considered to be met in part due to the exceptional need for the depot but the development needs "*to be sited, designed and landscaped to minimise harm to the area's landscape character and function*".

The application site sits within the Nashenden Scarp, which forms a distinctive green setting and gateway to the Medway urban area that defines the boundary of the existing Medway conurbation. The scarp's sensitivity to development is high, and the recommendations in Medway Council's Landscape Character Area appraisal (adopted 2011), is to conserve and restore the landscape.

This very functional urban development is relying on its extensive landscaping scheme to minimise its visual harm to the countryside, the ALLI and views from the Kent Downs AONB.

The character of the site when viewed from Maidstone Road and Stoney Lane is expected to be very altered from the existing situation. Contrary to statements in the submission package, the reduced and constrained planting area along the eastern boundary of the site is not considered to allow for a replacement of the existing mature hedgerow, although it is considered that the applicant is seeking to undertake as much planting as they can along this boundary within the existing constraints. The high mesh fencing and views into the site with all the development, infrastructure and parked vehicles will be very apparent, although become a more filtered view over time.

As detailed in the report above there remain some details of the landscaping scheme to be finally agreed, through the use of planning conditions, to ensure the substantial planting is successful on this site.

Paragraph 176 of the NPPF 2021 guides that “*Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.*”...” *The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.*”

The Kent Downs AONB Unit object to the proposal in respect to the adverse impact the degradation of the views out of the AONB that will result through this proposal.

In respect to the rest of the site, the Kent Downs AONB Unit advise that the mitigation measures, proposed to address both short and long term effects of the landscape and visual impacts of the proposals, whilst well thought out and with an emphasis to reduce impacts of the development on the Kent Downs AONB, will take some considerable time to become effective in mitigating impacts from the AONB. They consider that the CGI images provided are optimistic in the estimation of establishment of the landscaping measures. They consider that even with the mitigation measures proposed, both long term landscape and visual impacts on the Kent Downs AONB will result in moderately adverse visual impacts from viewpoints along the North Downs Way within the AONB, and notes the LVIA advises : ‘*Some significant concerns remain over the adverse impacts of the proposed Medway Depot, particularly over urban encroachment into the Nashenden Scarp, and the adverse effects on the landscape character of the adjacent Kent Downs AONB, and on views from the North Downs Way*’ . The matter of the cumulative impact of new development on the scarp needs also to be considered.

In respect to this last point, following submission of revised details accounting for the Maidstone Road highway works, they further highlighted that the LVIA does not account for the removal of the existing mature hedge along the front boundary of the site with Maidstone Road, which currently provides a degree of screening and filtering of existing commercial buildings on the east side of Maidstone Road in views from the opposite side of the Nashenden Valley in the Kent Downs AONB. At this time, they also are not confident that the space remaining for replanting on this edge will replace the mature hedgerow that is to be lost under this proposal (and the S278 works). The CGI’s that have been submitted as part of this application also do not account for this. As such the assessed level of harm is likely to be increased over and above that predicted in the LVIA Report.

Therefore, on balance, the proposal is considered to be contrary to Policy BNE25 (countryside) of the Local Plan and will result in significant harm to the countryside. In relation to Policy BNE34 (ALLI) the policy requires exceptionally justified development to be “*sited, designed and landscaped to minimise harm to the area’s landscape character and function*”. Whilst the siting for such an urban development on an

escarpment cannot be agreed to be an appropriate siting by virtue of its prominence, in the light of the exceptional justification and that considerable steps are being proposed within this application to minimise visual harm the proposal would result in moderate harm to the ALLI.

In relation to the Kent Downs AONB and paragraph 176 of the NPPF 2021, even with mitigation the proposal would result in moderate harm to the interest of the Kent Downs AONB.

The existence of the development to the south, approved by Tonbridge and Malling Council impacts on the setting of the AONB and the proposed development will also be seen in the context of that.

Amenity

Policy BNE2 relates to the protection of the amenities of future occupiers of the development and of neighbours in terms of privacy, daylight, sunlight, noise, vibration, heat, smell, airborne emissions. Paragraph 130 of the NPPF 2021 requires that development functions well over its lifetime and provides a high standard of amenity for neighbours.

In this case a noise assessment and construction environmental management plan (CEMP) have been submitted with the application.

Whilst the noise impact review aspect of the assessment is acceptable the assessment requires revision to ensure that the assessment is in accordance with BS4142:2014, includes all noise sources and operations on site that are covered by the scope of the British Standard. This can be controlled by planning condition.

The CEMP controls matters related to hours of working, suppression of dust, wheel washing etc to protect the amenities of neighbours during construction. The submitted CEMP is considered acceptable for this development and can be secured by planning condition.

Subject to the recommended conditions the proposal is considered to be in accordance with regard to Policy BNE2 and the matter of noise and amenity impacts to surrounding neighbours.

Air Quality

Policy BNE24 of the Local Plan relates to air quality and states that '*Development will not be permitted when it is considered that unacceptable effects will be imposed on the health, amenity or natural environment of the surrounding area, taking into account the cumulative effects of other proposed or existing sources of air pollution in the vicinity*'. Paragraph 187 of the NPPF 2021 relates to air quality and that planning decisions should take account of improving air quality and mitigating identified impacts.

In this case details submitted to date do not wholly acceptably address this matter, including in line with the council's Air Quality Planning Guidance, but discussions are ongoing and final details are to be imminently submitted.

This matter is not able to be conditioned as it is required to be agreed prior to the determination of the application and as such any resolution to grant of planning permission must be subject to acceptable Air Quality mitigation details, which can then be secured by planning condition to comply with Policy BNE24 of the Local Plan.

Contamination

Policy BNE23 of the Local Plan requires that proposals for development of land likely to be contaminated be accompanied by the findings of a site examination, which identifies contaminants. Policy BNE23 of the Local Plan and paragraphs 183 and 184 of the NPPF 2021 require that decisions should ensure that new development is appropriate for its location and takes account of the likely effects of pollution on health, living conditions and the natural environment.

A preliminary Desk Study has been submitted in support of the application and a Ground Investigation Report. These conclude that contamination is not an issue with this site, which is agreed.

The proposal complies with Policy BNE23 of the Local Plan.

Flood Risk

Paragraphs 159 to 164, 163 and 169 of the NPPF 2021 relate to flood risk and that new development should be both directed away from the areas at highest risk of flooding and should not increase flood risk elsewhere.

In support of the application has been submitted a Flood Risk Assessment.

The application site comprises land which is situated within Flood Zone 1 in accordance with Environment Agency mapping. It is also noted that the Environment Agency Flood Map highlights a small area on Stoney Lane is subject to a low risk of surface water flooding,

As highlighted within the Statement, the British Geological Mapping indicates the presence of Lewes Nodular Chalk and Seaford Chalk. Details within the submitted documents highlight that there will be the use of infiltration through the use of deep bore soakaways. The Environment Agency do not object to the use of deep bore soakaways in this case.

The proposal seeks the use of attenuation tanks and permeable paving. It is recognised that the pollution hazard level for the permeable paving is high and

therefore managing the water quality for the site is required. Further infiltration testing is also required at the detailed design stage.

Subject to the recommended conditions in relation to a detailed drainage design, verification of its installation and a Construction Surface Water Management Plan (CSWMP), no objection is raised to the proposal under the relevant paragraphs of the NPPF 2021.

Ecology

Policy BNE37 of the Local Plan states that development will not be permitted unless: there is an overriding need for the development that outweighs the importance of these wildlife resources; and the development is designed to minimise the loss; and appropriate compensatory measures are provided.

Consistent with the statutory duties Policy BNE39 of the Local Plan states that "Development will not be permitted if statutorily protected species and/or their habitats will be harmed" and requires conditions or obligations to be attached to permissions to "ensure that protected species and/or their habitats are safely guarded and maintained".

Paragraph 180 of the NPPF 2021 states that 'd) ... opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity...'

A Preliminary Ecology Report has been submitted but following revised plans which account for the loss of existing hedgerow and revised planting plans and the submission of Biodiversity Net Gain calculations final comments from KCC Biodiversity remain outstanding.

This matter therefore has not yet been fully assessed and as such any resolution to grant of planning permission must be subject compliance with Policies BNE37 and BNE39 of the Local Plan related to ecology and paragraph 180 of the NPPF 2021.

Archaeology

Policy BNE21 of the Local Plan seeks to account for and protect/mitigate from harm/record findings at archaeological sites, from and during development, as do paragraphs 189 and 192 of the NPPF.

A desk-based assessment and Written Scheme of Investigation (WSI) has been submitted in support of this application. It is considered that a programme of archaeological works is required comprising archaeological evaluation (by means of machine-cut trial trench) in the first instance, with the results of the evaluation informing the need and scope of any further mitigation measures. This can be secured by planning condition.

Subject to the recommended condition the proposal is considered to comply with Policy BNE21 of the Local Plan.

Highways

Saved policy T1 of the Local Plan relates to the highways impact of new development.

Saved policy T13 relates to the council's adopted vehicle parking standards.

Paragraph 130 of the National Planning Policy Framework requires that new development functions well within the area in which it is situated.

Paragraph 111 of the NPPF clarifies that development should only be prevented or refused on highways grounds if: there would be an unacceptable impact on highway safety; or the residual cumulative impacts on the road network would be severe.

In support of the application a Transport Assessment and Travel Plan have been submitted with the application.

The site is located on the southern edge of Rochester along the B2097 Maidstone Road, which connects to the south to M2 Junction 3. In terms of sustainable modes of transport, the site is currently poorly located not being close to a railway station and with limited public transport. Defined cycle networks/facilities are also limited.

The access into the site would be via the Stoney Lane using the new right turn lane currently being constructed along Maidstone Road. Vehicles would exit onto Maidstone Road via a new bellmouth. The application has been subject to an independent Safety Audit which subject to minor amendments raised no substantive issues with the access arrangements.

In terms of parking provision this can be broken down as follows:

- 46 Minibus parking spaces
- 34 Car parking spaces
- 10 small van parking spaces
- 30 Small truck parking spaces
- 24 Medium van parking spaces
- 20 Medium van and trailer parking spaces
- 20 motorcycle spaces

The applicants have outlined that there would be 30 staff based in the office on site. It estimated that this would generate a parking demand for 21 spaces. The site overall would have 190 groundsmen and transport staff working on site. The applicant has outlined that it is likely that 70% would drive to site with those staff parking in the van/minibuses spaces once they have left for the day.

It should be noted that the NPPF 2019 has put sustainable development as a central core and Paragraph 112E outlines that development should provide electric charging facilities. A condition is recommended to fulfil this objective for the commercial development.

In terms of cycle parking, only two spaces have been outlined, however given the size of the site, there is sufficient space to expand the provision when demand dictates. In terms of the impact on the highway network the proposed development comprises the relocation of the existing operation from Deangate Golf Course. The applicants have used the existing trip generation from the current depot to determine the likely vehicle movements. For the purpose of these assessments the applicants have treated all the trips as new to the network and therefore the assessment is considered robust.

It is estimated that the site would generate a total of 92 two-way car trips in the AM peak and on a weekday, whilst it is considered that given the type of operation of this depot, any trips are likely to be minimal in the pm peak.

Highway England have confirmed they do not consider the proposal would unacceptably impact upon the safety, reliability and operation of the Strategic Road Network, particularly with regard to the M2 motorway.

In terms of bus service provision, the nearest bus stop to the site, for Route 142, is c.350m north of the site access on the B2097 Maidstone Road which caters for southbound services. (There are further bus stops located c.850m northeast of the site on Orion Road, for Route 145.) Route 142 runs between Chatham Waterfront Bus Station and Kit's Coty, via Rochester city centre. This service operates at a frequency of approximately one bus an hour throughout the middle of the day Monday to Saturday, in each direction. In addition, there is one early morning service from Chatham towards the site and two afternoon / early evening services from the site to Chatham.

In regard to pedestrian movements, a footway connection and new pedestrian crossing are proposed which would link the site to the existing footway directly north of Lancaster Parker Road to provide a walking route to the bus stop for the 142 service.

In respect to Electric Vehicle Parking the applicant advises that the proposal will provide a number of 'day one' charging points and future provisions to address the increasing demand for EV charging points within both the private administrative parking and the operational fleet parking areas.

The proposals assume a 10% (3No) provision of active charging stations for the administrative (private vehicle) parking area, together with a further 22 No fully wired passive charging points on the lower level outside the welfare building ready for the commencement of electrification of the operational fleet. The proposed system will carry out automatic load balancing / load limiting to balance the charging demand against available supply during each 24-hour period.

The electrification of the operational fleet will most likely commence with the smaller car-derived vans and medium sized vans. The passive charging points can be activated easily as the deployment of EVs on the fleet takes place. Typically, the replacement cycle for fleet vehicles would be 3-5 years, with circa 20% of the fleet each year up for replacement.

The operational fleets are limited both by the technical viability of EVs for these types of vehicles, especially the larger minibuses and small trucks, and also the planned replacement cycle for the fleet. Mandating replacement of the fleet early to meet any arbitrary EV targets would run counter to a realistic sustainability strategy, making perfectly serviceable vehicles redundant and be economically onerous on the applicant (Medway Council). The provision of excess charging points early on will not actually accelerate the deployment of EVs in the operational fleets.

The proposals also include space, and seek permission, for the location of an onsite substation which will allow the expansion of charging points and capacity at a suitable point in the near to medium future as technology within the larger vehicles improves.

Therefore, subject to conditions related to the s278 works, the provision of the parking areas and electric vehicle charging points it is considered that the proposal complies with Policies T1, T2, T4 and T13 of the Local Plan and the objectives of paragraphs 111, 112E and 130 (f) of the NPPF 2021.

Other matters

Public Right of Way (bridleway) RR13 runs west along Stoney Lane and then across fields. The PROW within the carriageway is to be demarked as part of the S278 works for the development to the south of the application site. It is recognised that the increased traffic using Stoney Lane under this proposal will, in combination with the adjacent development, result in some conflict with the use of Stoney Lane by pedestrians and horses.

As some compensation for this impact, it is requested that the developer provide betterment at the start to the field access by the provision of a horse stile and mobility gate, under Policy BNE2 of the Local Plan.

Climate Change

Within the DAS are proposed measures in order to achieve an energy efficiency within the buildings. The following measures are envisaged:

- External lighting using LED fittings and controlled via a Photocell dusk until dawn sensor which will 'switch on' lighting level of 70 lux and 'switch off' lighting level of 105 lux
- All external lighting will be controlled and be turned off during the night and be fitted with PIR sensors
- Internal lighting will be LED in excess of Building Regulations Part L2A
- Fitting of low use appliances (e.g., spray taps/shower heads, flow control taps)

- Low volume water fittings (e.g., low volume cisterns to toilets)
- Timer controlled taps and showers and dual flush toilets
- Building construction to Part L of Building Regulations
- Construction materials will achieve BRE Green Guide rating no lower than B and A+ for as much as is possible
- SUDS systems – large soakaways below parking areas
- Air source heat pumps for heating and hot water generation
- Central time control for heating, weather compensation control, local temperature control

Local Finance Considerations

No local finance considerations.

Conclusions and Reasons for Resolution to Approve

This proposal must be considered on balance. Any harm must be weighed against and 'exceptional need' that has been demonstrated for the development.

In relation to balance, the proposal is considered to be contrary to Policy BNE25 (countryside) of the Local Plan and will result in significant harm to the countryside.

Under Policy S2 (sequential testing) the location on the edge of the urban area and close to sites of a similar nature is preferable to a more remote location. Sequentially the proposed location scores highly.

Under policy BNE34 (ALLI) there is an exception in principle for development within the ALLI where "i) *the economic and social benefits are so important that they outweigh the local priority to conserve the area's landscape.*" In this case that exception can be considered to have been triggered.

However, the development of such an urban type and appearance being situated within this part of the Nashendean Escarpment ALLI, and on a site of this visual exposure, even with a fully successful landscape mitigation package would result in moderate harm to the ALLI.

In relation to the Kent Downs AONB and paragraph 176 of the NPPF 2021, even with mitigation the proposal would result in moderate harm to the interest of the Kent Downs AONB, albeit that the harm would reduce in time.

Subject to the recommended conditions the proposed development would not have a detrimental impact on neighbouring amenity and would not have a detrimental impact in respect to contamination, flood risk and surface water management, noise or highways safety.

Matters related to Air Quality and Ecology are still to be finally assessed.

Subject to the matters of air quality and ecology being fully resolved as complying with the relevant policies of the Local Plan the balance of the proposal is considered to be that, notwithstanding the recognized harm that would arise from the development, very significant benefit would arise from the development.

The economic and social benefits of the development are so important in regard to fulfilling this statutory function, with no other sites being available following an exhaustive search within the urban area, that they outweigh the harm in this case and the proposal is therefore recommended for a Resolution to Approve.

The application would normally be determined under delegated powers but is being referred for Committee determination due to the applicant for this major development being Medway Council, the significance of the proposal and the need to balance the issues and policy considerations.

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/>