

MC/21/1186

Date Received: 23 April 2021
Location: Buckland Lake Reserve Buckland Road
Cliffe Rochester
Proposal: Part retrospective application for the change of use of shipping containers to gym/function room; fishery managers caravan to wellness treatment rooms together with proposed change of use of shipping containers to arts and crafts and wildlife courses; existing function room to cafe store and retail of healthy foods; extension to existing cafe; installation of 8 floating glamping cabins together with an addition of 10 kw solar panels
Applicant: Buckland Lake Ltd
Douglas Hilton
Ward: Strood Rural Ward
Case Officer: Amanda Barnes
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 13th October 2021.

Recommendation - Approval with 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:

Received 23 April 2021:

BUC/1/2021 Main Location Plan (Proposed)
BUC/3/2021 Main Car Park Changes and Location of areas 1, 2, 3 and 4
BUC/6/2021 Glamping Cabin Type 1
BUC/7/2021 Glamping Cabin Type 2
BUC/8/2021 Glamping Cabin Type 3
BUC/9/2021 Glamping Cabin Type 4
BUC/10/2021 Original and New Wellness centre plans and views
BUC/11/2021 Proposed Wellness Centre

Received 4 May 2021:

BUC/5/2021A Proposed plan and external elevations of cafe and outside serving area

BUC/12/2021A Gym/function room and arts and crafts

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

- 3 No development above slab level shall take place until details 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.

- 4 The wellness rooms and health food sales hereby permitted shall only operate between the hours of 09:00 to 19:00 Mondays to Sundays inclusive (including Public Holidays).

The function room, gym, arts and crafts and Education facilities hereby permitted shall only operate between the hours of 09:00 to 22:00 Mondays to Sundays inclusive (including Public Holidays).

Reason: To ensure that the development does not prejudice the amenities of neighbouring property in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 5 No materials, plant or equipment shall be stored on the site in the open otherwise than as specifically detailed on the plans hereby approved.

Reason: In the interests of the character and appearance of the site and its rural surroundings including with regard to Policies BNE1, BNE25 and BNE34 of the Medway Local Plan 2003.

- 6 Prior to occupation of the glamping cabins details of the provision of electric vehicle charging points (3 within main parking area) 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 111E of NPPF.

- 7 Other than as hereby approved (or previously granted planning permission) no further buildings, structures, containers, caravans or other means of enclosures, whether permanent or temporary, freestanding or fixed to the ground, shall be brought on to the site.

Reason: In order that any further additions to the site can be fully assessed in the interests of the character and appearance of the site and its rural surroundings including with regard to Policies BNE1, BNE25 and BNE34 of the Medway Local Plan 2003.

- 8 The use of the glamping cabins shall be limited to a maximum of 30 weeks in any calendar year. A log book shall be kept at Buckland Lake Reserve to record the weeks of use and this shall be made available for inspection by the Local Planning Authority during office hours at any time given 24 hours notice. None of the (other) buildings, structures or additions hereby approved shall be used for living and/or overnight sleeping accommodation either by employees or visitors to the site.

Reason: As further/permanent residential accommodation would not usually be permitted in this rural area and to enable monitoring of this, with regard to Policy BNE25 of the Medway Local Plan 2003.

- 9 Prior to first occupation of the glamping cabins the fishing swims shall be permanently removed from the lake and no fishing shall occur at any time.

Reason: To ensure that the proposal does not lead to an increase in disturbance to the lake in accordance with Policies BNE35 and BNE37 of the Medway Local Plan 2003.

- 10 Prior to first occupation/use of the development, details of all lighting to be used on the site in association with the use shall be submitted to and approved by the Local Planning Authority. The details shall follow the recommendations within the Bats and artificial lighting in the UK document produced by the Bat Conservation Trust and Institution of Lighting Professionals <https://cdn.bats.org.uk/pdf/Resources/ilp-guidance-note-8-bats-and-artificial-lighting-compressed.pdf?mtime=20181113114229> and shall include the type and position of the lighting, hours of use of the lighting (including lighting on sensors, turned off over night), together with measures to ensure that there is no light spill and the use of glass within the windows of the glamping cabins which will minimise light spill. The development shall thereafter be implemented in accordance with the approved detail.

Reason: To ensure that there is no negative impact on the wildlife in accordance with Policies BNE35 and BNE37 of the Medway Local Plan 2003.

- 11 Prior to commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of: how each part of the development will be constructed in order to ensure that there is no detrimental impact with regard to breeding and wintering birds, how dust/particles during the construction period will be controlled; pollution incident control and measures to ensure that surface water associated with the car park does not run straight into the lake. 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: Required prior to commencement of development to ensure no long term detrimental harm to the Thames Estuary and Marshes SPA and Ramsar site and South Thames Estuary and Marshes SSSI in accordance with Policies BNE35 and BNE37 of the Medway Local Plan 2003.

- 12 Prior to works commencing on the glamping cabins a detailed water vole mitigation strategy must be submitted to the Local Planning Authority for written approval. The report must clearly set out what measures will be carried out to avoid impacting water vole during the construction works. The approved measures must thereafter be implemented as detailed unless varied by a Protected Species licence subsequently issued by Natural England.

Reason: Required prior to commencement of works on the glamping cabins to ensure no detrimental impact on the water voles in accordance with Policies BNE35 and BNE37 of the Medway Local Plan 2003 and paragraphs 180 and 181 of the NPPF.

- 13 Prior to works commencing on the glamping cabins the measures set out in the precautionary reptile mitigation detailed within Water Vole Survey and Reptile Habitat Mapping; Bioscan; August 2021 must be implemented and the affected areas must remain suitable for reptiles until works have commenced.

Reason: Required prior to commencement of works on the glamping cabins to ensure no detrimental impact on reptiles in accordance with Policies BNE35 and BNE37 of the Medway Local Plan 2003 and paragraphs 180 and 181 of the NPPF.

- 14 No motorised activities shall take place on the lake other than the use of safety vessels, a maximum of one of which shall be used in connection with the undertaking of water burials at any one time.

Reason: In order to limit the impact of the development on protected/notable species and their habitat and in the interests of amenity, with regard to Policies BNE2, BNE35, BNE37 and BNE39 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 planning permission for the following:

1. Extend the kitchen of the café over existing paving to the north elevation

The kitchen extension is to be constructed by extending towards the car park. It will have a kitchen area with an outside servery and seating area that can be closed off in parts for poor weather use. There will be approximately two car parking spaces lost due to the extension. The opening hours will be the same, as the existing café, which is currently unrestricted.

2. Repurpose the existing function room to food storage for café and health food sales

Repurposing of the existing function room, there are no external changes proposed to the building and no increase in footprint. Opening hours proposed is 9am to 7pm, 7 days a week.

3. Conversion of existing shipping containers to function room and gym (retrospective)

The separated western end shipping container previously granted planning permission for cycle hire has been moved to join the main block to form a row of 8 shipping containers. The western 3 containers have been connected internally and converted to form a new gym/function room. The elevations have been clad in timber and glaze openings to improve the external appearance. Opening hours sought are 7 days a week 9am to 10pm.

4. Conversion of existing shipping containers to Arts and Crafts and Education

The two eastern end shipping containers are proposed to be converted to a classroom for wildlife courses plus arts and crafts. This represents a change of use from general reserve storage. Opening hours sought are 7 days a week 9am to 10pm.

5. Conversion of existing fishery caravan building to wellness rooms (retrospective)

The application seeks the conversion of the fishery managers multifunction caravan into one therapy in nature room. The use will range from conventional counselling, to acupuncture, massage and hydroxy. The change involves internal layout changes with minor external elevational changes. Opening hours sought are 7 days a week 9am to 7pm.

6. Construction of eight floating glamping cabins on previous fishery lakes

It is proposed to locate 8 floating glamping cabins between the Course Lake and the Trout/Specimen Lake. These will be of mixed architectural styles. Each cabin will be connected to the shore with a portable gangway and ropes. These will be for leisure holiday occupation, all year round and moored where fishery swims are presently cut through the reeds. The position of the glamping cabins will vary throughout the year depending on the sun and wind. Each cabin will have a small rowing boat.

Each glamping cabin will be powered by batteries charged from solar panels attached to each cabin.

7. Addition of 10 kw solar panels

A further 10kw solar array is to be added to the top of the shipping containers in addition to the existing 10kw currently there.

Relevant Planning History

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|------------|---|
| MC/18/3522 | Change of use of various areas of Buckland Lake to include water sports, water sports centre with buildings within a compound, water-based events, camping, archery, cycle hire, bushcraft, forest school, artificial reef (water burial) and island of remembrance
Approved 07 August 2019 |
| MC/15/4373 | Various works at Buckland Lake Reserve consisting of:
New wardens bungalow (with the temporary retention of the siting of the wardens mobile accommodation until completion of this permanent accommodation); Addition of pitched roof to lecture/function room; Erection of two respite care/fishing cabins; Retention of the fisheries complex with alterations including new entry porch, cladding of exteriors with timber boarding and addition of pitched roofs; Retention of the scuba diving complex with alterations/additions including cladding of exteriors with timber boarding and addition of pitched roofs to training/changing and wet seating/tea cabin buildings, the erection of a new toilet block and addition of a sealed cesspool tank; Erection of 'kingfisher' bird hide; Installation of solar panels on top of existing containers in northwest corner of site; and Retention of café kitchen extension
Approved 29 July 2016 |
| MC/12/2195 | Retrospective application for temporary permission for the siting of mobile accommodation for site security purposes
Approved 21 December 2012 |
| MC/12/0157 | Mixed use of site for a fishery, dive centre and nature reserve including provision of new and retention of existing buildings and facilities including classrooms, containers, offices, canteen, |

caravans, scuba and fishing facilities, bird hides, toilet block, bin store and access.

Approved 28 May 2012

- MC/04/1837 Variation of condition 1 of planning application MC2001/1190 (Bank stabilisation; raising the height of bunds) to allow an additional 2 years for completion; Removal of condition 2 of planning permission MC2001/1190 [no materials other than clay, chalk, hardcore and topsoil shall be used in the carrying out of the works hereby approved]; Removal of condition 4 of planning permission MC2001/1190 [Materials to be used on site, including waste and other materials brought onto the site, shall not be deposited directly into water but shall be contained during the period of construction. Details and samples of any materials to be used externally and any means of containment shall be submitted to the Local Planning Authority for written approval before the development is commenced and shall be certified as completed by the authority in accordance with those details before any material is brought onto the site for containment therein]
Approved 20 October 2004
- MC/01/1190 Bank stabilisation; raising the height of the previously approved bunds; construction of islands for wildfowl; and removal of condition 02 of planning permission ME/97/0406 to allow construction works between 1st October and 15th March
Approved 19 March 2003
- 97/0406 Creation of new bund to form four enclosed pools and ancillary works to stabilize exposed face of past extraction to the eastern edge of site
Approved 16 November 1999
- 95/0099 Variation of conditions 5, 9 and 12 of planning permission MC/94/0443
Approved 13 March 1995
- 94/0443 Erection of single storey building for use as lodge, provision of parking areas, extension to jetties approved under reference ME/93/0406 and formation of an enclosed pool
Approved 26 September 1994
- 93/0406 Construction of two jetties
Approved 14 July 1993
- 92/0115 Proposed trout fishery
Approved 19 May 1992

Representations

The application has been advertised on site and in the press and by individual neighbour notification to the owners and occupiers of nearby properties. **Cliffe and Cliffe Woods Parish Council, KCC Biodiversity, Kent Wildlife Trust, Natural England, the RSPB, Southern Gas Networks, EDF Energy, the Environment Agency and Southern Water** have also been consulted.

UK Power Networks have written to advise of their location of electrical lines/equipment.

Southern Water have written to advise The Environment Agency should be consulted directly by the applicant regarding the use of a private wastewater treatment works which disposes of effluent to sub-soil irrigation.

The Council's technical staff and the relevant authority for land drainage, should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Natural England have written to advise that Further information is required to determine impacts on designated sites:

As the application site is within a European designated site, it therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2017, as amended (the 'Habitats Regulations'). The application site is within the Thames Estuary and Marshes Special Protection Area (SPA) which is a European site.

The site is also listed as Thames Estuary and Marshes Ramsar site¹ and also notified at a national level as South Thames Estuary and Marshes Site of Special Scientific Interest (SSSI).

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of Thames Estuary and Marshes Special Protection Area (SPA) and Ramsar
<https://designatedsites.naturalengland.org.uk/>.
- damage or destroy the interest features for which South Thames Estuary and Marshes Site of Special Scientific Interest (SSSI) has been notified.

Natural England considers that the proposed mitigation measures outlined within the Environmental Assessment. need to be formally checked and confirmed by your Authority within an HRA and that additional information is needed in order to fully assess impacts. Without this information Natural England may need to object to this proposal. Natural

England's further advice on designated sites and advice on other natural environment issues is set out below.

Further advice on mitigation

Within the Environmental Assessment there are a number of potential construction impacts that have been detailed, with associated mitigation measures proposed. As Likely Significant Effect cannot be ruled out, your Authority should move mitigation measure straight to an Appropriate Assessment.

The following construction mitigation measures have been summarised below:

- Careful timing of construction operations to avoid sensitive times and species
- Use of best working practice to minimise risk
- Follow the recommended code of practice for avoiding/containing fuel and oil spills and generation of raised levels of suspended soils in the water column
- Avoid sensitive areas during bird nesting season
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In additional, Natural England agree that the ending of 24 hour public angling within the Course & Specimen/Trout lakes is suitable compensation for the disturbance that will be created from the floating glamping cabins. However, as this is a compensatory measure, this should be considered by your Authority through the HRA.

Recreational Impacts

Since this application will result in a net increase in overnight accommodation, impacts to the coastal Special Protection Area(s) and Ramsar Site(s) may result from increased recreational disturbance. We advise that on the basis of the appropriate financial contributions being secured to the North Kent Bird Wise Scheme, Natural England concurs with your authority's conclusion that this is suitable mitigation, as such the proposed developments will not have an adverse effect on the integrity of the European protected site(s).

Following the receipt of additional supporting Ecology information, the following comments have been received:

Natural England advise that further information required to determine impacts on designated sites

As the application site is within a European designated site, it therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2017, as amended (the 'Habitats Regulations'). The application site is within the Thames Estuary and Marshes Special Protection Area (SPA) which is a European site. The site is also listed as Thames Estuary and Marshes Ramsar site¹ and also notified at a national level as South Thames Estuary and Marshes Site of Special Scientific Interest (SSSI).

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of Thames Estuary and Marshes Special Protection Area (SPA) and Ramsar
- damage or destroy the interest features for which South Thames Estuary and Marshes Site of Special Scientific Interest (SSSI) has been notified.

Natural England considers that the proposed mitigation measures outlined within the Environmental Assessment need to be formally checked and confirmed by your Authority within an HRA and that additional information is needed in order to fully assess impacts.

Without this information Natural England may need to object to this proposal.

Natural England's further advice on designated sites and advice on other natural environment issues is set out below.

Further Information

Natural England has previously responded to this planning application consultation (15th June 2021, Ref No. 352685), requesting that additional mitigation and compensatory measures be included in your Authority's HRA and Appropriate Assessment.

Natural England note that without mitigation measures, the construction phase for the floating glamping pods could damage the interest features of the designated sites, including to waterfowl assemblages and to migratory birds. As Likely Significant Effect cannot be ruled out, your Authority should move mitigation measures straight to an Appropriate Assessment.

- Construction mitigation measures have been summarised below:
- Careful timing of construction operations to avoid sensitive times and species
- Use of best working practice to minimise risk
- Follow the recommended code of practice for avoiding/containing fuel and oil spills and generation of raised levels of suspended soils in the water column
- Avoid sensitive areas during bird nesting season

The application has proposed a mitigation measure for any increases in recreational disturbances caused from the floating glamping cabins on site. This involves the ending of 24 hour public angling within the Course & Specimen/Trout lakes. It is not clear in the application whether this measure is for increases in disturbances to designated bird features. Therefore, further information should be submitted to clarify the exact purpose for this measure, before it is considered by your Authority through the HRA.

Recreational Impacts

Since this application will result in a net increase in overnight accommodation, impacts to the coastal Special Protection Area(s) and Ramsar Site(s) may result from increased recreational disturbance. We advise that on the basis of the appropriate financial contributions being secured to the North Kent Bird Wise Scheme, Natural England concurs with your authority's conclusion that this is suitable mitigation, as such the

proposed developments will not have an adverse effect on the integrity of the European protected site(s).

Following the receipt of an Appropriate Assessment Natural England have advised the following:

In order to mitigate these adverse effects and make the development acceptable, the following mitigation options should be secured as outlined within your Appropriate Assessment:

- Financial contribution to the North Kent Bird Wise Scheme
- Implementation of Construction Environmental Management Plan (CEMP) to mitigate for construction impacts to designates sites
- Ending of 24 hour public angling prior to occupation of glamping pods to mitigate for any increase in disturbance to the lake

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Four letters of support have been received to the application.

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 2021 (the NPPF) and are considered to conform.

Planning Appraisal

Background

The mixed use of Buckland Lake Reserve for a fishery, dive centre and nature reserve including provision of new, and retention of various existing buildings and facilities was granted planning permission in 2012. Further works and additions in association with this use were then approved in 2016 and 2018. The current application relates to the addition of the further uses and associated works on this rural recreational site.

The applicants have advised that the Covid-19 pandemic, and aftereffects of the lockdowns have resulted in widespread mental and physical trauma for large numbers of people and from all walks of life and age. This is matched by desperation to get out into the environment. The burden of the lockdowns has fallen disproportionately on leisure and eating facilities and as such the owners of Buckland Lake have been forced to consider the future pattern of events and how their facilities can be most effective at

achieving their aims for people and wildlife to ensure economic survival in very uncertain times. The result is this current 'Wellness in Nature' proposal.

In order to keep as many staff as possible in employment the applicants have advised that they pressed ahead with some of the works and as such parts of the proposal are retrospective.

Principle

Buckland Lake is highly attractive in itself, with reeds, trees, walks around lakes, wildlife and with ongoing and planting established over the past years. It is however set within a robust semi-industrial/urban landscape with Bretts cement and gravel works to the west, a large flooded chalk quarry to north, prominent houses of Cliffe to the east and a farm complex and other houses to the south.

It is the unique circumstance of Buckland Lake being a flooded former chalk quarry and the features of its surrounding location that provide the opportunity for these proposals.

The site is located in a rural area which is designated as a Site of Special Scientific Interest (SSSI), a Special Protection Area (SPA)/RAMSAR site and an Area of Local Landscape Importance (ALLI). It also falls within the area shown for Cliffe Conservation Park on the Local Plan Proposals Map. The Medway Landscape Character Assessment (MLCA) shows the site as being within character area 1 – Cliffe Pools and Pits which is described as marshland fringe with urban/industrial influences, being in moderate condition and of high sensitivity.

The extension to the kitchen of the café, repurposing the existing function room, conversion of the existing shipping containers and fishery caravan and the addition of 10 kw solar panels whilst visible are not expected to have any further visual impact on the character of the local area when set against the bulk of the existing buildings.

Buckland Lake possesses a rare combination of location, size, green gateway facilities, environmental outlook, direct countryside links and complementary activities that make it unique within Medway. The provision of the Gym facilities and open areas (now that fishing generally will cease) means the lake can provide sports and the sciences of meditation, tai chi, yoga and martial arts training both outside and inside.

The addition of further recreational uses within existing buildings on the site is considered acceptable in principle. The uses will be enjoyed as part of the 'Wellness in Nature' ethos that has been put forward by the applicant utilising the wonderful countryside location to enhance the mental and physical wellbeing of its users.

The development would not prejudice the implementation of the proposed conservation park near Cliffe which is the subject of Policy BNE40 of the Local Plan and there are no objections with regard to Policy L2 of this Plan. The NPPF in paragraph 84(c) supports

sustainable rural tourism and leisure developments which respect the character of the countryside which the development is intended to do.

The new proposals are designed to provide a wide range of educational activities with physical involvement across all ages and many skills, including finding out what the outside world has to offer. The applicants will be providing facilities and delivering complementary educational fields that mainline schools are generally not equipped to supply themselves, with many 'key stage' requirements being met including:

- (a) Environmental education
- (b) Forest school (learning in the environment) for the pre-school and upwards
- (c) Bushcraft (survival in the wild) for all ages
- (d) Water sports of different kinds
- (e) Design, construction and use of various different forms of watercraft
- (f) Personal safety, personal reliance, responsibility and group participation
- (g) Scuba diving training and experiences
- (h) Martial arts training plus meditation
- (i) Arts and crafts
- (j) Good food appreciation, how to source it and cook
- (k) Creative invention and teamwork in fun environmental conditions
- (l) Understanding end of life situations with underwater reef ecology and design

The proposal is therefore in accordance with Policies CF6 and CF7 of the Local Plan and paragraphs 84(c) and 93 of the NPPF, which seeks to promote tourism, protect countryside, and healthy communities.

As part of the application new solar panels are proposed. These will double the existing renewable energy 10kW solar panel system for the use of the main reserve. In addition, each floating glamping cabin will be self-contained with solar panels. This will lead to an increasing reduction in the reliance on the main electrical grid and the exporting of more renewable energy to the grid at times of low site usage in accordance with Policy CF11 of the Local Plan and paragraphs 152 and 158 of the NPPF.

It is proposed to locate 8 floating glamping cabins between the Course Lake and the Trout/Specimen Lake. These will be for leisure holiday occupation, all year round and moored where fishery swims presently cut through the reeds. The lakes are currently used for year-round public day ticket angling with many people bringing their families and using tents on the bank for both day and night fishing including cooking and barbeques. There are currently 31 fishing swims on the Course Lake and 27 on the Specimen/Trout Lake. The Trout Lake shoreline is also accessible in many other places, meaning 58 anglers at times on these two lakes with at least 2 rods each. It is proposed in mitigation to close these two lakes to public angling other than occasional children's fishing and possibly from the glamping cabins. There will no longer be a fishery's manager or office with tackle sales.

The provision of the glamping cabins is considered acceptable in principle with regard to Policy BNE25 of the Local Plan. It would also be in accordance with the advice in Policies ED12, ED15 and ED16 of the Local Plan which are supportive of such tourist type facilities. Paragraph 84(c) of the NPPF is similarly supportive, although a condition is recommended to confirm that the glamping is used for visitors rather than creating permanent living accommodation on the site.

Design, Visual Impact and Effect on the Landscape

The site is located within an ALLI. Policy BNE34 of the Local Plan says that within such areas development will only be permitted if it does not materially harm the landscape character and function of the area or that the economic and social benefits are so important that they outweigh the local priority to conserve the area's landscape. The site is also located within the Cliffe Pits and Pools character area in the MLCA, as described above. Policy BNE1 of the Local Plan refers to the design of development and Policy BNE25 says that development in the countryside should maintain, and wherever possible enhance, the character, amenity and functioning of the countryside. The NPPF makes several references to the need for good design and to respect the character of the countryside and valued landscapes including in paragraphs 84, 130 and 174. The design, visual impact and effect on the landscape of the proposed development therefore requires consideration with regard to this advice.

Extension to the kitchen of the café over existing paving to the north elevation - The kitchen extension is to be constructed by extending the existing kitchen towards the car park. It will have a kitchen area with an outside servery and seating area that can be closed off in parts for poor weather use. Whilst visible is not expected to have any further visual impact when set against the bulk of the existing buildings

Repurpose the existing function room to food storage for café and health food sales - The application seeks a change of use of the existing function room, there are no external changes to this existing building. No change in footprint of the building, as such there will be no adverse visual affect due to the fact they are for a change of use with minimal external alterations.

Conversion of existing shipping containers to function room and gym - The separated western end shipping container previously granted planning permission for cycle hire has been moved to join the main block to form a row of 8 shipping containers. The western 3 containers have been joined internally and converted to form a new gym/function room. The elevations have been clad in timber and glazing to improve the external appearance. There is no adverse visual affect due to the fact the shipping container has been moved to join the main block and is seen against the backdrop of the other containers on site.

Conversion of existing shipping containers to Arts and Crafts and Education - The two eastern end shipping containers are proposed to be converted to a classroom for wildlife courses plus arts and crafts. It is considered that there will be no adverse visual affect

due to the fact the changes amount to the change of use of an existing structure with minimal external alterations.

Conversion of existing fishery caravan building to wellness rooms - The application seeks the conversion of the fishery managers multifunction caravan into one therapy in nature room. It is considered that there will be no adverse visual affect due to the fact they are for a change of use with minimal external alterations.

Construction of eight floating glamping cabins on previous fishery lakes - It is proposed to locate 8 floating glamping cabins between the Course Lake and the Trout/Specimen Lake. These cabins are proposed to be of mixed architectural style. Each cabin will be connected to the shore with a portable gangway and ropes. The position of the glamping cabins will vary throughout the year depending on the sun and wind. Each cabin will have a small rowing boat.

The glamping cabins are at water level and therefore significantly below the surrounding land level. They are small in relation to the size of the lakes and are not expected to have other than a marginal visual effect.

Addition of 10 kw solar panels - A further 10kw solar array is to be added to the top of the shipping containers in addition to the existing 10kw currently there as such it is considered there will be minimal adverse impact.

In summary subject to a condition regarding external materials, the proposals are considered visually acceptable in this rural area which is designated as an ALLI including with regard to Policies BNE1, BNE25 and BNE34 the Local Plan and paragraphs 84, 130 and 174 of the NPPF.

Ecology

The proposed development is within the Thames Estuary and Marshes SPA and Ramsar site and South Thames Estuary and Marshes SSSI and limited information has been submitted assessing how the proposed development will impact the designated sites and the reasons for which they have been designated.

The submitted information states that currently the site has a high footfall from visitors and anglers and that the proposal to remove fishing as part of this application is likely to reduce the number of people within the site overnight and the proposed gym/arts/wellbeing areas are restricted to an area where an existing café is present. Therefore, it has been accepted that the main impact from the proposals is likely to be from the construction process. Nevertheless, a condition is recommended on any approval to ensure that the fishing is removed from the lake.

The submitted information has detailed that the only lighting will be erected on the cabins and no lighting is proposed for the footpaths. There are no plans to provide lighting on the tracks to the glamping cabins. On the access paths to the existing fixed cabins there

are low-voltage (12v) external lights on the existing cabins, which are permanently wired to a timer, switching off after a period of 5 minutes. These lights are downward-pointing and positioned at around knee height on the wall of the cabin, so that they illuminate only the footway around the cabin, at a low intensity.

The proposed development is within an SPA, Ramsar and SSSI and birds associated with the designated sites are likely to be present within the lakes not the bankside vegetation and therefore any lighting associated with the proposal may impact the features that the designated sites have been designated for.

It is accepted that as the site is currently used as a fishing lake the artificial lighting on the site may not significantly change or increase as a result of the proposed development. However regardless of that point due to its ecological interest the site should be making efforts to reduce light spill. The report states that black out curtains will be included within the buildings to minimise light spill however it's likely that due to the location visitors will not close the curtains and therefore it is suggested that the lighting on the site be controlled through the use of an appropriately worded condition.

A condition is recommended on any approval to ensure that the implementation of best practice measures via a construction environmental management plan (CEMP) is achieved to amongst other things control dust/particles during the construction period; pollution incident control and measures to ensure that surface water associated with the car park does not run straight into the lake.

As the development is not associated with the management of the SPA or Ramsar site there is a need for a Habitat Regulations Assessment to be carried out. This has been carried out and Natural England have advised that they have no objection subject to appropriate mitigation measures being secured.

In summary subject to conditions the impact of the development on nature conservation and biodiversity, including the special features of the SSSI, SPA and RAMSAR sites, is considered acceptable including with regard to Policies BNE35 and BNE39 of the Local Plan and the objectives of paragraph 174 of the NPPF.

Amenity

The site is located in a rural area and does not immediately adjoin any residential properties. By its nature, a lake in a former chalk quarry, it is fairly self-contained. The proposed additions and alterations would not have any direct physical impact on the amenities of neighbours with regard to light or privacy. They would be likely to increase the levels of activity at the site however due to this setting it is not considered that this would result in harmful noise and disturbance within the vicinity. In these circumstances the impact of the development on amenity, including the residential amenity of local people, is considered acceptable with regard to Policy BNE2 of the Local Plan and paragraph 130 of the NPPF.

Highways

The site has three main vehicular access and parking areas. The main access is from Salt Lane towards the east of the site, providing direct access to the main parking area by the café and associated facilities. There is a second access to the west from Salt Lane, specifically serving the diving centre which has a small car park. The third access is from Buckland Road and there is additional parking in this area, mainly to the south of the trout lake, just to the east of the proposed water sports hub.

It is noted that the proposal looks to upgrade the existing facilities, whilst introducing “Glamping” stays. It is not considered that the resulting development would have any detrimental impact on highway safety or its function.

It should be noted that the NPPF has put sustainable development as a central core and paragraph 112(e) outlines that development should provide electric charging facilities, therefore a suitably worded condition has been attached to fulfil this objective.

Therefore, the proposal would conform with Policies T1 and T13 of Local Plan and paragraph 111 and 112(e) of the NPPF.

Bird Mitigation

As the application site is within 6km of the North Kent Marshes SPA/Ramsar Sites, the proposed development is likely to have a significant effect, either alone or in-combination, on the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites from recreational disturbance on the over-wintering bird interest. Natural England has advised that an appropriate tariff of £250.39 per dwelling (excluding legal and monitoring officer’s costs, which separately total £550) should be collected to fund strategic measures across the Thames, Medway and Swale Estuaries. The strategic measures are in the process of being developed, but are likely to be in accordance with the Category A measures identified in the Thames, Medway & Swale Estuaries Strategic Access Management and Monitoring Strategy (SAMM) produced by Footprint Ecology in July 2014. The interim tariff stated above should be collected for new dwellings, either as new builds or conversions (which includes HMOs and student accommodation), in anticipation of:

- An administrative body being identified to manage the strategic tariff collected by the local authorities;
- A memorandum of understanding or legal agreement between the local authorities and administrative body to underpin the strategic approach;
- Ensure that a delivery mechanism for the agreed SAMM measures is secured and the SAMM strategy is being implemented from the first occupation of the dwellings, proportionate to the level of the housing development.

The applicants paid this tariff. No objection is therefore raised under Paragraphs 180 and 181 of the NPPF and Policies S6 and BNE35 of the Local Plan.

Local Finance Considerations

None relevant to this application

Conclusions and Reasons for Approval

In summary there are no objections in principle to the proposed development which will provide tourist accommodation as well as enhancing the recreation and leisure facilities at Buckland Lake Reserve. Subject to conditions the design and impact on the character of this rural area is considered acceptable and there are no significant ecology, amenity, highway or other concerns. Approval is therefore recommended including with regard to Policies BNE1, BNE2, BNE25, BNE34, BNE39, S6, T1, T13, ED12 and ED15 of the Medway Local Plan 2003 and paragraphs 84(c), 93, 111, 112(e), 130, 174, 152, 158, 180 and 181 of the NPPF.

This application would normally be determined under delegated powers however in this instance the proposal has been referred to be determined at Planning Committee due to the nature of the proposal with new tourist facilities in designated ecological sites.

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/>