

**MC/23/0097**

**Date Received:** 16 January 2023

**Location:** Chatham Maritime Marina Leviathan Way  
Chatham Maritime Chatham

**Proposal:** Realignment of a section of the Bascule Bridge link and interface with sector 15

**Applicant Agent** Countryside Maritime Ltd  
Countryside Partnerships

Ms Janan Clatworthy  
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TN13 1XE

**Ward:** River Ward

**Case Officer:** Amanda Barnes

**Contact Number:** 01634 331700

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**Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 5th April 2023.**

**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 16 January 2023

D11500\_P15-16\_C\_PL\_081 P7 - Proposed site layout

D11500\_P15-16\_C\_PL\_082 P2 - Site Location plan

Received 30 January 2023

D11500\_P15-16\_C\_PL\_005 C11 - Adoptable Road Setting

D11500\_P15-16\_C\_PL\_071 P10 - Adoptable Road Setting overview

D11500\_P15-16\_C\_PL\_073 P11 - External works layout

D11500\_P15-16\_C\_PL\_082 P3 - Bascule bridge location plan

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

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

## **Proposal**

This application proposes to realign a section of the road between the Bascule Bridge link and the interface with sector 15 of the St Mary's Island residential scheme. This road is approx. 36m in length and 5m in width and is moving approx. 4m to the east.

## **Relevant Planning History**

|            |                                                                                                                                                                                                                                                               |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MC/20/2175 | Application for a non-material amendment to planning permission MC/18/1443 - To change the road layout as well as some changes to the car parking layout and the reduction in visitor parking spaces by 5 (total visitor spaces 126).<br>Approved 02.10.2020. |
| MC/18/1443 | Variation of condition 1 to allow for minor material amendment on planning permission MC/13/2210<br>Approved 08.01.2019.                                                                                                                                      |

## **Representations**

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

### **Three letters of objection** relating to:

- What possible good will realignment do as it is not a working bridge anyway and it's been properly maintained every year, because we pay a lot of money for that.
- There's no archaeological reason for the realignment, no flood reason or other natural disaster reasons. The diagram shows the same bridge the same section just a slightly different angle. It's ridiculous when people can barely hear their homes and feed themselves to propose this ridiculous nonsense.
- Application appears to be providing a second entrance onto the Island. One of the unique selling points of the island is that Maritime Way is the only route on and off the island. This means that there is no through traffic.
- There is already a good deal of congestion in what is a pinch point and strange road layout in front of Atlas Place, the adjacent roundabout and access onto Samphire Way/Ripplewaters. This is of particular concern when children are being dropped off and picked up at school times when these roads and other adjacent roads are crammed full of parked cars.
- It may be that this second entrance is to be provided in case of emergencies; in which case some sort of physical barrier (collapsible bollard perhaps) should be installed to prevent access unless in an emergency. If the intention is to provide residents in the last phase of the Azure development (Sector 15/16) with an access that does not require them to drive through the main part of the estate, then I think there needs to be a physical barrier perhaps near the top of Dock 9 which would stop through traffic.

- Questions around the use of the entry and who will be able to use it and if there will be a barrier.
- This section is not designed for through traffic.
- If the bridge is in its up position, cars already queued or heading in that direction will cause congestion with little or no room to turn round and would have a negative impact on the environment and wellbeing of those living in close proximity.

## **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 (NPPF) and are generally considered to conform. Where non-conformity exists, this is addressed in the Planning Appraisal section below.

## **Planning Appraisal**

### *Background and principle*

Outline planning permission was granted in July 1996 (93/0730/GL) by Gillingham Borough Council for “the erection of up to 1700 dwellings together with community, educational and commercial areas and associated open spaces, highway and service infrastructure”. The time period for submitting reserved matters applications under condition 1 of the outline permission expired in 2004. Accordingly, an application was made to extend the time period in condition 1 (MC/2004/1207). This application was granted in 2005. The development is underway and there have been a number of amendments to the proposals since the original grant of permission. The development is being built out under the latest s73 permission MC/18/1443.

Throughout all the permissions, it was always proposed that a secondary access would be provided over the bascule bridge.

During site investigations in relation to Sector 15 a number of underground obstructions associated with when the marina was used as a military base were found. As it was not possible to remove these obstructions amendments were sought to the layout to accommodate them. This resulted in changes to the road layout (as well as some changes to the car parking layout) and this was approved under application MC/20/2175.

As illustrated on the approved drawings it was always intended that a connection would be formed between the secondary street within the site and the existing highways network. It is apparent that there is a need for a minor re-alignment to the highway beyond the site extent to facilitate a minor rerouting to facilitate a connection with the road network delivered within the site. This application does not alter any of the baseline conditions established under the outline permission (93/0730/GL), the reserved matters application or its successors. It simply seeks permission for the minor re-routing of a small section of highway to form a connection to the Bascule Bridge as originally intended.

## *Design*

Paragraphs 126 and 130 of the NPPF emphasises the importance of good design and Policy BNE1 of the Local Plan states that development should be satisfactory in terms of scale and mass and should respect the visual amenity of the surrounding area.

The application is for a re-alignment of a road and as such it is considered that there will be no significant alterations to the overall aesthetics of the scheme and the proposal therefore accords with the provisions of Policy BNE1 of the Local Plan and Paragraphs 126 and 130 of the NPPF.

## *Amenity Considerations*

Paragraph 130f of the NPPF and Policy BNE2 of the Local Plan relate to the protection of neighbour amenities. Due to the nature of the proposal involving only the re-location of the road it is not considered any new issues with regard to loss of outlook, daylight, sunlight or privacy would arise as a result of this application. The proposal is therefore acceptable in amenity terms and complies with Policy BNE2 of the Local Plan and paragraph 130f of the NPPF.

## *Highways*

No objection is raised for the minor rerouting of the road and the application is in compliance with Policies T1, T2, T3 and T13 of the Local Plan or paragraph 111 of the NPPF.

## *Local Finance Considerations*

There are no local finance considerations due to the extent of works proposed.

## **Conclusions and Reasons for Approval**

The proposal is considered acceptable in terms of design, amenity and highway aspects and with regard to all other material planning considerations. The proposal accords with the provisions of policies BNE1, BNE2, T1, T2 and T3, of the Local Plan and paragraphs 111, 126 and 130 of the NPPF and the application is accordingly recommended for approval.

The proposal would normally be determined under officers delegated powers, however due to the number of representations received the case is being referred to the Planning Committee for determination.

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## **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/>