

MC/23/0763

Date Received: 29 March 2023

Location: Land adjoining Terrance Butler Avenue, Off Anthonys Way,
Medway City Estate, Rochester

Proposal: Construction of a drive-thru coffee shop and a separate car
vehicle storage warehouse - Resubmission of MC/22/0332.

Applicant Goldex Investments Ltd
Mr Diljit Brar

Agent Architecture Design Limited
Mr Lee Ironmonger Fitted Rigging House
The Historic Dockyard
Chatham
Kent
ME4 4TZ

Ward: Strood Rural Ward

Case Officer: Sam Pilbeam

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 5th June 2024.

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 30 March 2023:

08/88/03.2 - Proposed External Elevations (Costa)

08/88/03.3 - Proposed External Elevations (Car Storage)

08/88/03.4 - Proposed Southern and Western Elevations

08/88/03.5 - Proposed Floor Plans (Costa)

08/88/03.6 - Proposed Floor Plans (Car Storage)

1511-001 - Drainage Strategy

1511-002 - Overland Flow Routes

226966_PD03 REV D - General Arrangement and Visibility Assessment

226966_AT02 REV B - Swept Path Analysis of Proposed Bay Widening

226966_AT03 REV B - Swept Path Analysis of Refuse Vehicle

226966_AT04 REV B - Swept Path Analysis of 7.5ft Panel Van

226966_AT01 REV C - Swept Path Analysis of Proposed Turning Head/Access and Egress

226966_PD04 - Petrol Filling Station Egress Visibility

Received 17 October 2023:

08/88/04.16 - Proposed Layout Plan

Received 25 January 2024:

08/88/01.1D - Location and Block Plan

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

- 3 Notwithstanding the submitted materials details no development shall commence, 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.

- 4 No development shall take place 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; 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: Required before commencement of development in order to minimise the impact of the construction period on the amenities of local residents, the countryside, wildlife and habitat and with regard to BNE2 of the Medway Local Plan 2003.

- 5 No development shall take place until a scheme for the provision and management of the retained buffer zone alongside Whitewall Creek shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include the following:

- i. Plans showing the extent and layout of the buffer zone.
- ii. Details of the species to be planted/seeded, that must be native and of local provenance, suitable for the Creekside environment.
- iii. Details demonstrating how the buffer zone will be protected during development.
- iv. A management plan detailing how the area will be managed in perpetuity, including litter and vegetation management.
- v. Lighting plans for the development that demonstrate how light-spill towards the watercourse will be minimized so that there will be no significant ecological impact.

The development shall be carried out in accordance with the approved scheme and thereafter maintained.

Reason: In order to minimise the impact on wildlife and habitat with regard to Policies BNE37 and BNE39 of the Medway Local Plan 2003.

- 6 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological and geoarchaeological work in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

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

- 7 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. The scheme shall include:

- i. Details of the design of the scheme (in conjunction with the landscaping plan where applicable).
- ii. A timetable for its implementation (including phased implementation).
- iii. Operational maintenance and management plan including access requirements for each sustainable drainage component.
- iv. Proposed arrangements for future adoption by any public body, statutory undertaker or management company.

The development shall be undertaken in accordance with the agreed scheme.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 165 of NPPF.

- 8 Prior to first occupation of any part of the development (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 in writing 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 paragraph 165 of the NPPF to ensure that suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk onsite or elsewhere.

- 9 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) have been submitted to and agreed in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. 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 offsite flood risk associated with the construction.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 165 of NPPF.

- 10 No development shall commence above foundation/slab level until full details of hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority. Soft landscape details shall include planting plans, written specifications (including cultivation and other operations associated with grass and plant establishment, aftercare and maintenance); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; tree pit details including species, size, root treatment and means of support; implementation programme. All planting, seeding and turfing comprised in the approved scheme of landscaping, shall be implemented in accordance with the timetable approved as part of the agreed details. 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: Pursuant to condition 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Policy BNE1 and BNE6 of the Medway Local Plan 2003.

- 11 No development shall commence above foundation/slab level 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 landscape areas for a minimum period of five years and arrangements for implementation. The development shall thereafter be implemented 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.

- 12 An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, including risks to groundwater, whether or not it originates on the site. The scheme shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination.
- (ii) an assessment of the potential risks to:
 - human health.
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes.
 - adjoining land.
 - groundwaters and surface waters.
 - ecological systems.
 - archaeological sites and ancient monuments.
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Land Contamination Risk Management document (LCRM)'.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 13 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the

Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 14 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of any development (other than development required to enable the remediation process to be implemented) unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given not less than two weeks written notification prior to the commencement of the remediation scheme works.

Following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and submitted to and approved in writing by the Local Planning Authority prior to the bringing into use of the development.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 15 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 13, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 14, which is subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in the approved remediation scheme a verification report providing details of the data that will be collected in order to demonstrate that the works set out in condition 14 are complete and identifying any requirements for longer-term monitoring of pollutant.

linkages, maintenance and arrangements for contingency action must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 14.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 16 The use of the development hereby permitted shall not commence until a Service Delivery Strategy/Plan for both parts of the development has been submitted to and approved in writing by the Local Planning Authority. The Service Delivery Strategy/Plan shall include details of the number, frequency and times of deliveries and collections from the premises. The use of both premises shall operate in accordance with the approved Service Delivery Plan.

Reason: To ensure that the development does not prejudice conditions of amenity and highway safety in accordance with Policies BNE2 and T1 of the Medway Local Plan 2003.

- 17 From commencement of works (including site clearance), precautionary mitigation measures for reptiles, breeding birds and bats will be followed in accordance with the Ecological Appraisal and Protected Species Report (produced by Tetra Tech Limited) received 30 March 2023 until the completion of the development.

Reason: In order to limit the impact of the proposal upon the existing habitats the support protected species with regard to Policy BNE39 of the Medway Local Plan 2003.

- 18 Within six months of works commencing, an Ecological Enhancement and Management Plan outlining details of how the development will enhance biodiversity shall be submitted to, and approved in writing by, the Local Planning Authority. This will include recommendations in section 4 of the Biodiversity Enhancement Management Plan (produced by Tera Tech Limited) received 30 March 2023 and a timetable for its implementation. The development shall be implemented in accordance with the approved details and thereafter retained.

Reason: In order to minimise the impact on wildlife and habitat with regard to Policies BNE37 and BNE39 of the Medway Local Plan 2003.

- 19 Prior to the first occupation of any part of development hereby approved details of a memorial to be erected on the site, to commemorate the relationship of the site with the adjacent Historic Dockyard, in accordance with the recommendations set out in paragraph 2.7 of the Heritage Statement received 2 November 2023 and its location shall be submitted to and agreed in writing with the Local Planning Authority. The agreed memorial shall be installed within 2 months of the first use of the development and maintained thereafter.

Reason: To address the sense of importance of the relationship between the Historic Dockyard and historic views between the site, to accord with policy BNE12 and BNE14 of the Medway Local Plan 2003.

- 20 No building or use hereby permitted shall be occupied or use commenced until the means of vehicular access have been constructed and completed in accordance with the approved plans. The accesses shall thereafter be retained with any surface water drainage being discharged within the site and not onto the adjacent existing highway.

Reason: To ensure that the vehicular access point is safe and includes adequate drainage, in accordance with Policies T1 and T13 of the Medway Local Plan 2003.

- 21 No building or use hereby permitted shall be occupied or the use commenced until the means of access for pedestrians and/or cyclists have been constructed in accordance with the approved plans and these shall thereafter be retained.

Reason: To ensure that the vehicular access point is safe, in accordance with Policies T1 and T13 of the Medway Local Plan 2003.

- 22 Prior to first occupation, electrical infrastructure for the provision of a minimum of 10% of parking spaces to be Electric Vehicle Charging Points shall be provided. Charging points for 5% of parking spaces shall be provided prior to first occupation of the development. Details of the type and location of the points and the phasing of the remaining 5% provision shall be submitted to and approved by the Local Planning Authority prior to first occupation of the development and implemented as approved.

Reason: In the interests of sustainability in accordance with paragraph 116(e) of National Planning Policy Framework 2023.

- 23 Prior to first occupation the area shown as refuse storage space on drawing number 08.88/04.1E received 17 October 2023 shall be provided in accordance with the details submitted and shall thereafter be retained.

Reason: In the interests of visual amenity and to ensure a satisfactory provision for refuse and recycling in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 24 Prior to first occupation of any part of the development, details of secure private cycle parking provision shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be implemented in accordance with the approved details before any building is occupied and shall thereafter be retained.

Reason: To ensure the provision and permanent retention of bicycle spaces in accordance with Policy T4 of the Medway Local Plan 2003.

- 25 The development herein approved shall not be occupied until the area shown on drawing number 08.88/04.1E received 17 October 2023 as vehicle parking space has been provided, surfaced and drained. 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 is likely to lead to hazardous on-street parking and in accordance with Policies T1 and T13 of the Medway Local Plan 2003.

- 26 Prior to first occupation of any part of the development, a plan indicating the positions, design, materials and type of boundary treatment (including hedgerow planting) to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in

accordance with the approved details before the development is first brought into use and shall thereafter be retained.

Reason: In the interests of amenity protection in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 27 No part of the development shall be brought into use until details of all external lighting proposed within the site and on the buildings, have been submitted to and approved in writing by the Local Planning Authority. All external lighting shall be installed in accordance with the approved details and shall thereafter be retained. No further external lighting shall be installed within the site or on the buildings without the prior approval in writing of the Local Planning Authority.

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

- 28 The areas shown on drawing number 08.88/04.1E (Proposed Layout Plan) received 17th October for soft landscaping shall be kept available as such 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.

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.

- 29 The development shall be implemented in accordance with the measures to address energy efficiency and climate change contained in the Energy Efficiency Statement (produced by Green Build Consult) received 30 March 2023 and prior to first occupation of the development a verification report prepared by a suitably qualified professional shall be submitted to the Local Planning Authority confirming that all the agreed measures have been undertaken and will thereafter be maintained.

Reason: In the interests of sustainability and to positively address concerns regarding climate change in accordance with paragraph 159 the National Planning Policy Framework 2023.

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

Proposal

This application seeks planning permission for the construction of a drive-thru coffee shop and car vehicle storage facility, alongside associated access, parking, landscaping throughout the development site and an ecological buffer zone to the north and eastern perimeter.

The proposed coffee shop would be located centrally within the site, measuring approx. 12m in width and 18m in depth, supporting a mono-pitched roof with an apex of 8.3m in height and eaves of 7.5m. With the external detailing of the shop being reflective of the branding associated with costa coffee. Internally, the shop would be over two storeys, supporting a range of customer seating and circulation space, alongside till areas, storage and toilet facilities.

The car storage facility would be located towards the northwestern corner of the plot, measuring approx. 42m in depth and 26m in width, supporting a flat roof measuring approx. 8.3m in height. It should however be noted that the proposal is not a purely rectangular build but resembles a feint reverse 'L'-shape. Internally, the proposal would be comprised of a car show room and storage area at ground floor and additional showroom at first floor.

In addition to the proposed structures, the drive-thru would support circulation space around the perimeter of the structure and a car park extending along the southern return of the site. With the car storage facility benefiting from a service yard and car parking arrangement projecting off the block to the west, joining onto Terrance Butler Avenue.

Between the two block areas will be soft landscaping in order to reduce the overall bulk and quantity of hard surfacing; with additional soft landscaping and ecological buffer zone proposed along the northern and eastern perimeters of the site.

Relevant Planning History

MC/22/0332 Construction of a drive-thru coffee shop and a separate car vehicle storage warehouse.
Decision: Refusal
Decided: 7 June 2022

Adjacent site

MC/19/1748 Construction of 8no. units for Class B2/B8 use (with ancillary trade counter(s)) and sui generis use(s) within the specified categories: ((i) Storage, distribution of sales of tiles, floor coverings, bathroom and kitchen furniture and fittings and other building materials; (ii) Machinery, tool and plant hire; (iii) Auto Centre for fitting and associated sale of tyres and car parts (including MOT); and (iv) Plumbers and Building Merchants) totalling 12,300 sqm, together with the creation of new access and parking.
Decision: Approval with Conditions
Decided: 20 December 2019

Representations

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

Frindsbury Extra Parish Council object to the proposal in respect to:

- The area floods on a regular basis.
- Infilling the area will have a significant risk of flooding.
- The stream is a valued site in the parish.
- The creek is home to a lot of wildlife.
- Is a winter roost for wading birds and various other species as is close to the RAMSAR site?
- The scrub area around the creek acts as a screen for wildlife and reduces disturbance related to human activity.
- There are existing issues with the Anthony's Way traffic/road network.
- Businesses on Terrence Butler Way already generate significant traffic and the proposed development will exacerbate this.

Marine Management Organisation advise that public authorities must make decisions in accordance with the Marine and Coastal Access Act and the UK Marine Policy Statement and if it takes a decision that is against these policies it must state its reasons. Proposals should conform with all relevant policies, taking account of economic, environmental and social considerations. Marine plans are a statutory consideration for public authorities with decision making functions.

Historic England do not offer specific advice in this case.

Gravesham BC have no comments.

Tonbridge and Malling BC raise no objections.

Southern Water confirm they are satisfied the proposal would not constitute a significant risk to operations at Whitewall Creek WwTW with regard to odour as the proposal is for lower sensitivity land uses located upwind of prevailing conditions in an area where there is no currently established odour issue. Agree with the methods of assessing odour undertaken and agree that the risk to future effects of users of the development is likely to be low.

Natural England raise no objections subject to appropriate mitigation being secured in the form of: SuDs; retention of an effective ecological buffer zone; and implementation of a lighting scheme.

KCC Biodiversity state that after review of the applicants supporting documentation, they are content that a good review of the site has been produced. Nevertheless, concerns were raised as to the proposed landscaping and retention of the ecology buffer. Furthermore, they were content with the mitigation proposals put forward by the applicant's Ecological appraisal in ensuring that the development included precautionary measures to prevent disturbance against foraging bats, reptiles and breeding birds and requiring this to be conditioned. Lastly, in terms of lighting they

state this must be designed to ensure a minimised spill into the creek and that the LPA should be satisfied with the level of lux and that any potential overspill has been minimised.

Following receipt of additional/amended information, re-consultation was undertaken, and the following additional letters of representation have been received.

Gravesham BC raised no objections.

Marine Management Organisation raised the same initial considerations.

Natural England referred to their previous statement.

Southern Water also referred to their previous representation.

Environment Agency object to the proposal in respect to a proposed inadequate buffer zone between the site and the Medway and that inadequate mitigation for biodiversity loss has been provided. To overcome their objections there should be a 16m buffer zone to the tidal Medway and the applicant should submit an Ecological Enhancement and Management Plan (EEMP). They also advise that they do not agree with the applicants FRA.

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 December 2023 (NPPF) and are generally considered to conform. Where non-conformity exists, this is addressed in the Planning Appraisal section below.

Planning Appraisal

Background

This site forms part of a larger site within the Local Plan allocated for a proposed Park and Ride facility. However, it has been confirmed that such a facility is no longer required.

Part of the allocated Park and Ride site has been granted planning permission for:

MC/19/1748 Construction of 8no. units for Class B2/B8 use (with ancillary trade counter(s)) and sui generis use(s) within the specified categories: ((i) Storage, distribution of sales of tiles, floor coverings, bathroom and kitchen furniture and fittings and other building materials; (ii) Machinery, tool and plant hire; (iii) Auto Centre for fitting and associated sale of tyres and car parts (including MOT); and (iv) Plumbers and Building Merchants) totalling 12,300 sqm, together with the creation of new access and parking. (Approved 20.12.2019)

This development is mostly complete and partly occupied.

The application is a resubmission of a MC/22/0332, which was refused on the 7th June 2022 on the following seven grounds.

1. *The proposed layout of the site lacks safe access for pedestrians to/from the adopted highway to the buildings and is contrary to Policies BNE1 and T3 of the Medway Local Plan 2003 and paragraphs 130 and 110 of the National Planning Policy Framework 2021.*
2. *The proposed layout is such that the internal road network and layout for both proposed units either does not cater for a safe movement and parking for all vehicle users, including deliveries and large vehicles, and the proposal to revise the one-way system adjacent to the petrol filling station means the visibility of vehicles exiting the petrol station could be blocked by either deliveries to the station or stacked trolleys awaiting collection. The development is contrary to Policies BNE1 and T1 of the Medway Local Plan 2003 and Paragraph 112 of the National Planning Policy Framework 2021.*
3. *The Transport Assessment submitted is insufficient to be able to fully understand and assess the impact of the proposal on the Local Highway Network and figures used for trip generation, cumulative impact on the Local Highway Network and traffic modelling are not robust. The proposal would result in a severe impact to the highway network in both function as safety due to the deterioration of capacity at Anthonys Way/Terrance Butler Avenue and as such the proposal is contrary to Policies T1 and T13 of the Medway Local Plan 2003 and paragraphs 130, 110 and 112e of the National Planning Policy Framework 2021.*
4. *The site is located only 84m from an existing Wastewater Treatment Plant (WWTP), which may be a source of pollution in terms of odour, and the proposal includes a sensitive use in respect to odour. No Odour Assessment has been submitted and as such it cannot be understood if the odour from the WWTP is sufficiently low at the site that no significant odour pollution would occur or could be mitigated. The proposal is contrary to Policies BNE2 and BNE23 of the Medway Local Plan 2003 and paragraphs 130, 183 and 184 of the National Planning Policy Framework 2021.*
5. *The site falls within an Area of Archaeological Protection and within the setting of Listed Buildings, Scheduled Monuments and Conservation Area of Chatham Historic Dockyard. Without a suitable heritage assessment, the application potentially falls short of the requirements of paragraph 194 of the National Planning Policy Framework, and it is not possible to understand what or if any mitigation is/may be required.*
6. *The submitted Flood Risk Assessment is insufficient to be able to fully assess the risks posed by the development, which would include a new outfall into Whitewall Creek (and requires approval by the Environment Agency) and the proposal is contrary to paragraphs 159 to 164 and 169 of the National Planning Policy Framework 2021.*

7. *The proposal will result in a significant net loss of biodiversity and habitat within the application site and whilst an 'ecological buffer' is proposed on adjacent land to the application site belonging to the applicant no landscaping plans have been provided demonstrating what habitats will be created within the ecology buffer or the site itself and if they will continue to provide suitable habitat for the species present/likely to be present. Furthermore 24/7 operation will require lighting through hours of darkness, but no lighting plan/impact assessment has been submitted so the impact on ecology cannot be understood. The proposal is contrary to Policy BNE39 of the Medway Local Plan 2003 and paragraph 180 of the National Planning Policy Framework 2021.*

This application seeks to address each of the refusal reasons via a full suite of amended drawings, alongside nine specialist consultant reports, including: Archaeological and Geoarchaeological Desk-based Assessment; Biodiversity Enhancement Management Plan; Flood Risk Assessment; Landscape Planting Plans; Lighting Assessment; Odour Assessment; Transport Assessment; Transport Note; and Heritage Statement. Contained within the applicants planning statement they outline how each refusal reason has been considered and subsequently sought to be addressed within the context of this resubmission.

Principle

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 officer report on the previous application highlights that while the site does not meet the definition of 'previously developed land' in the Annex 2 of the National Planning Policy Framework it is allocated within the Local Plan for redevelopment as a Park-and-Ride bus service. The need for this facility in this location has subsequently been dropped by the Council.

Policy S1 sets out the development strategy for the Local Plan area. Stating that it is to prioritise re-investment in the urban fabric, which will include the redevelopment and recycling of under-used and derelict land within the urban area.

In line with the previous application, the principle of the delivery of commercial development on this site is therefore acceptable and is broadly in accordance with the Local Plan. However, matters of the details of the proposal need to be assessed also.

Design

Both the NPPF and Local Plan stress and emphasis the need for good design and achieving high quality buildings. Policy BNE1 of the Local Plan states that the design of development should be appropriate in relation to the character, appearance and functioning of the built and natural environment by amongst other matters being satisfactory in terms of scale, mass, proportion, details, and materials. Moreover, paragraph 135 of the NPPF states that developments should contribute to the overall

quality of the area and be sympathetic to local character, including the surrounding built environment and landscape setting, supported by paragraph 131 which adds that good design is a key aspect of sustainable development.

The site is one of the last undeveloped plots within this northeastern section of Medway City Estate, which has slowly over the years been subject to numerous applications that have expanded its projection towards Whitewall Creek.

The site consists largely of marsh land, including the distinctive Whitewall Creek: as small inlet from the Medway that projects some 480m inland towards Anthonys Way and adjacent to Vanguard Way.

Views of the site would predominantly be limited to the northern and eastern faces of the site, given the current commercial development surrounding the southern and western perimeters.

The proposed layout includes a block to the northeast corner of the site alongside a service yard projecting off the block to the west joining onto Terrance Butler Avenue. The drive-thru would be located more centrally with the associated circulation space around the perimeter of the structure and a car park extending along the southern return of the site.

Between the two blocks areas are retained throughout for soft landscaping in order to reduce the overall bulk and quantity of hard surfacing; with additional soft landscaping and ecological buffer zone proposed along the northern and eastern perimeters of the site.

In terms of the structures themselves: they are relatively consistent with the established backdrop of Medway City Estate. Effectively, contemporary style built-for-purpose units reflective of the end point users demands and largely comparable to the size and scale of the existing units to the south approved under reference number MC/19/1748 and west, existing McDonalds and Co-op petrol station.

Consequently, given the established nature of Medway City Estate alongside the intermittent soft planting throughout the development site breaking up some of the larger expanses of hard surfacing as well as the ecology buffer to the northern and southern perimeter, no objections are raised in terms of the proposals design.

Impact upon the Historical Environment

Policy BNE12 of the Local Plan states that special attention needs to be paid to the preservation and enhancement of the character and appearance of Conservation Areas. Policy BNE18 relates to the setting of Listed Buildings and states that development that would adversely affect that setting will not be permitted. Likewise, paragraph 200 of the NPPF confirms that applications that would affect or impact a heritage asset should describe their significance and any level of harm resulting from the proposal. Paragraph 206 states that any harm would require clear and convincing justification, with evidence provided as to how this has been understood and mitigated against.

The applicant has submitted a heritage statement outlining the impact of the proposal upon the views and interpretation of the Historic Chatham Dockyard. The dockyard is located approx. 1km away from the site with some of the existing views obscured by development within Medway City Estate.

In this case it is accepted that the impact upon the dockyard would be low level, particularly when having regard to the distance to the proposal from the dockyard and existing surrounding land uses in Medway City Estate.

Notwithstanding this, in light of the historical relationship between the site and the Historic Dockyard, it is considered appropriate to condition to secure the installation of interpretation boards to develop an understanding of that historic relationship.

Accordingly, as a result of the assessment of the heritage statement and the low level of harm, along with the interpretation boards, it is not considered that there is any conflict in terms of Policies BNE12 and BNE18 of the Local Plan and paragraph 200 of the NPPF.

Amenity

Paragraph 135(f) of the NPPF asserts that achieving well-designed places should include creating a high standard of amenity for existing and future users. This is reflected in the aims of Policy BNE2 of the Local Plan, requiring all developments to secure the amenities of its future occupants and protect those amenities enjoyed by neighbouring properties. Developments should have regard to privacy, daylight, sunlight, noise, vibration, light, heat, smell and airborne emissions and activity levels and traffic generation.

Owing to the proximity of the proposal site from adjoining residential properties, the structure would have no impacts in the way of loss of privacy, daylight and sunlight. Likewise, in respect to the matter of noise produced by the site and its day-to-day operations, it is accepted that there are no noise sensitive receptors in close proximity of the site. Consequently, raising no concerns in this regard.

However, there is the potential for disruption from the construction of the site and accordingly a condition requiring a Construction Environmental Management Plan (CEMP) would be required.

In terms of smell and airborne emissions, supplementary to Policy BNE2, BNE24 of the local plan confirms: *“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”*. Further supported by paragraphs 180 and 191 of the NPPF confirming that planning decisions should take account of improving air quality and mitigating identified impacts, taking into account the presence of Air Quality Management Areas.

The impact of the proposal in respect to air quality is limited, the site is not close to or within an Air Quality Management Area (AQMA), likewise, nor is the proposal of a sufficient size to raise concerns in regard to air quality impacts.

Southern Water have advised that the location of the site is approx. 84m from their Wastewater Treatment Plant; typically, they would recommend a precautionary buffer zone of 500m of the boundary of the WWTW. The applicant has supplied an Odour Assessment (received 30th March 2023): this assessment outlines that the predicted modelling demonstrates odour concentrations at the proposed development site fall below the odour benchmark of 3.0 OUE/m³. Subsequently, recognising that odour effects upon future endpoint receptors would be contained at a “negligible” level.

Southern Water have reviewed this assessment, commenting that they agree with the report’s findings and level of risk to future users of the development.

The proposal would therefore be compliant with Policies BNE2 and BNE24 of the Local Plan and paragraphs 135(f), 180 and 191 of the NPPF.

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 189 and 190 of the NPPF 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.

No desk top study has been submitted with the application and, although the proposal is for commercial use, due to the historical works nearby and potential for ground gas issues due to the proposed site being over marsh land there is a likelihood of contamination issues present onsite.

Consequently, appropriate conditions are recommended to deal with the matter of potential contamination.

Subject to the above conditions, no objections would be raised in regard to Policy BNE23 and paragraphs 189 and 190 of the NPPF.

Highways

Policy T1 of the Local Plan relates to the highways impact of new development. Policy T3 relates to the provision of pedestrian access infrastructure. Policy T13 relates to the council’s adopted vehicle parking standards. Paragraph 135 of the NPPF requires that new development functions well within the area in which it is situated.

Paragraph 115 of the NPPF states 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”*.

Paragraph 114 states that it should be ensured that: sustainable transport modes are promoted; safe and suitable access can be achieved for all users; street design reflects current national guidance and mitigation can be achieved of any significant impacts on the transport network.

Vehicular Access

The development is proposed to be served via two new vehicular accesses to the east of Terrance Butler Avenue. The northern access is proposed at approx. 6.3m wide serving the car storage facility and southern serving the drive through measures approx. 7.3m.

The swept path analysis (drawing number 226966_AT01 REV C) illustrates the manoeuvre path of a flatbed recovery vehicle across the northern site entrance. The plans clearly demonstrate that the site provides sufficient room to facilitate such manoeuvres -- which replaces the large transporter initially proposed under case reference number MC/22/0332.

Drawing number 226966_AT03 REV B illustrates the manoeuvres of a refuse storage vehicle across the southern entrance and finally stationing on three car parking space adjacent to Terrane Butler Avenue. The length of said vehicle is 9.6m which is 0.8m shorter than those currently used within Medway by Norse. Moreover, the swept path analysis shows the vehicle having to encroach into the opposing lane of the site entrance when undertaking ingress and egress manoeuvres.

That being said, it should be understood that the applicant plans to utilise a private refuse company to manage its waste and therefore hours and the size of the vehicle can be specified accordingly in order to overcome any potential conflicting vehicle movements.

Consequently, subject to an appropriately worded servicing strategy condition no objections would be raised in regard to the accesses from Terence Butler Avenue.

In addition to this, the proposal also seeks to implement a two-way system adjacent to the Petrol Station; this system raised concerns under MC/22/0332 owing to the ability to achieve adequate visibility splays for drivers existing the petrol station.

In order to support the function of two-way traffic flows across Terrance Butler Avenue the transport statement references paragraphs 10.4.2, 10.5.8 and 10.5.9 of the Manual for Streets 2 (2010).

From this it is understood that only vehicles using the storage facility will be traveling southbound on Terrance Buttler Avenue with no changes being proposed to the existing access arrangement serving the Petrol Station. Furthermore, the trip generation for the storage facility is in the order of four vehicle trips during the AM period and three during the PM. With petrol tanker deliveries to the Co-Op occurring between once or twice per day.

Against this backdrop and having regard to the number of trips likely generated from the storage facility, infrequent use of the petrol tanker delivery bay and guidance quoted by the applicant from the Manual for Streets 2, no substantive objections are raised to the provision of a two-way system along Terrance Butler Avenue.

The transport statement also includes a road safety audit (RSA) that had been independently commissioned. Outlining that their independent investigations have

shown there does not currently exist a highways safety problem in this location; and that while additional movements will be added to Terrance Butler Avenue this does not constitute material detriment to the functioning or safety of the highways network.

Pedestrian Access

Whilst it is acknowledged that the site is located adjacent Medway City Estate therefore predominantly in commercial use, paragraph 114(b) of the NPPF requires that safe and suitable access to the site must be achieved by all users.

Footways have been provided to the east of Terrance Butler Avenue with two uncontrolled crossings to the south, connecting the footway to adjacent McDonalds car park to the west and in turn a pedestrian link from there to the pedestrian crossing over Anthonys Way and the footpath leading to bus stops.

No objections are raised in regard to the proposed layout which provides adequate circulation and accessibility for pedestrians.

Parking Provisions

When assessed against the Medway Council Parking Standards 2004 the proposed drive-through (328m²) would attract a demand for 55 spaces and storage unit (1352m²) a demand of 10 spaces -- a total net demand of 65 spaces.

The former – drive-through – would be afforded a total of 25 spaces, including 2 accessible bays and 2 long stay/order bays. The latter – storage units – would be afforded 10 parking spaces including 2 disabled bays.

In order to support the proposed levels of parking for the drive-through the applicant has submitted a Transport Statement (received 30th March 2023). Of specific relevance is the Parking Demand Assessment on table 4.5. This note outlines how the parking demand was calculated from the total traffic movements forecast using Trics derived trip rates. Essentially, as this proposal seeks permission for a drive-through facility it is considered at a significant proportion of the drivers would not park within the confines of the development; instead using the facility as a part of their journey and travelling onwards once served. Consequently, resulting in an actual parking demand which is lower than they would be required by strict application of the parking standards.

Likewise, it is understood there is a shortfall of two spaces in relation to the storage unit parking requirements, however, given the Medway Council Parking Standards derives from a maximum the shortfall is considered acceptable.

Trip Generation

In order to assess the movements associated with the existing and proposed land uses, the supporting Transport Assessment has used TRICS to establish the trip generation. The trips submitted within the previous application are included within this submission, which had initially raised concerns owing to the assertion that the

proposed new land use would not attract new vehicular trips. The LPA maintain that this assertion is incorrect.

However, in this instance, it is noted that 20% of 'new' primary trips are included in the trip analysis. Specifically with reference to table 4.4 (within the transport statement received 30th March), reporting that the development would constitute a total of 20 and 15 trips during the AM and PM peak periods. The LPA are content with the derivation of the 'new' associated levels of trip generation as referenced in table 4.4.

Traffic Impact

The previous application submitted a transport statement outlining an analysis of the Anthony's Way/Terrance Butler Avenue junction, revealing that two arms of the junction were operating above capacity during the AM period. Furthermore, the modelled future '2022' year scenario, predicted a doubling of the delays and vehicle queues with RFC's beyond 1.0 without including four committed developments in the ward.

It is important to note, that an RFC of 0.85 and below indicates a junction operating within its theoretical capacity. However, RFC's above 0.85 indicates a junction approaching its theoretical capacity, with RFC's above 1.0 indicating traffic demand exceeding capacity.

Notwithstanding, in this instance, the proposed modelling (PICADY) includes the four committed developments within its analysis, however, the calculated RFC values outlined in table 5.4 are significantly lower than that of the previous transport statements figures in 6.2.

The reason for the discrepancy between the two figures is outlined in page 4 of the transport note (received 20 July 2023): confirming the previous transport statement had been modelled on 2015 traffic data, whereas the current application derived its results from 2022 datasets.

A detailed comparison of the two data sets is set out in tables 5.1 and 5.2 of the transport statement, whereby, the results demonstrate that the traffic effect forecasts predicts that the worst-case development traffic forecasts for the peak periods are lower than the reduction in background traffic between 2015 and 2022. Reasoning that this is likely not the result of a single change, but rather the amalgamation of several smaller factors which have surmounted to a noticeable change over time.

The transport note outlines conceivable examples of such change including changing working practices post COVID-19 and the subsequent changes in working practices (specifically working from home and hybrid working becoming more popular); a shift towards more sustainable travel methods; but also other factors such as the rise in fast-food delivery services and opening of other more attractive fast-food outlets which may reduce the attractiveness of the existing facilities at Terrance Butler Avenue; and lastly the increasing use of hybrid and battery electric vehicles which may again reduce the demand for visits to the petrol filling station.

As such, it is considered that the applicant has reasonably demonstrated that the junction is forecast to operate within its capacity against all tested scenarios. Consequently, the development would not result in unacceptable impact upon the functioning of the highway network.

Ecology

Policy BNE39 of the Local Plan states: "*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*".

The NPPF also confirms in paragraph 186(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 [...]*".

Landscaping and ecology buffer

The submitted ecological information contained within the Ecological Appraisal and Protected Species Report (received 30th March 2023) demonstrates a clear and good understanding of the ecological interest onsite.

This report details that the site is a mixture of dense scrub/semi improved natural grasslands, adjacent to an area of salt marsh; that 21 species of birds were recorded within the site including feeding birds, while reptiles and foraging bats may also be present.

The report has made numerous satisfactory recommendations for precautionary mitigation in order to avoid impacts upon foraging bats, reptiles and birds throughout the construction phase of the development. Consequently, any forthcoming application would be required to accord with a condition requiring these precautionary measures are implemented.

The Ecological Appraisal also sets out potential enhancements that could be provided within the site as set out in paragraph 6.4. However, at this stage these are purely recommendations with the report outlining that Ecological Enhancement and Management Plan (EEMP) should be provided, including details such as: bird boxes with target species; bee bricks to be built in the building's fabric; insect hotels; and native species planting.

Given that the site would largely result in the development of the existing undeveloped land, only supporting smaller pocket of landscaping throughout the schemes internal layout, additional details are needed, and an appropriate condition is recommended to ensure compliance with paragraph 186(d) of the NPPF.

Likewise, to minimise the impact of the development upon these species the proposal seeks to implement an ecology buffer between the development site and the saltmarsh. The proposed approach of the buffer will be to plant local wildlife friendly species, most likely consisting of meadow planting of two types of seeding, however, these details have yet to be wholly confirmed and would be secured as part of a

landscape condition, again to ensure that sufficient steps have been taken to ensure the minimisation of harm upon the existing biodiversity onsite.

Lighting

The proposal is formed of two elements: a drive thru and coffee shop and a car storage and vehicle repairs shop. With the coffee shop located centrally within the site's curtilage and car storage shop adjacent to Whitewall Creek.

In order to ensure that light spillage into the creek is minimised the applicant has sought not to include lighting within the car storage area immediately adjacent to the creek. This approach is considered acceptable subject to an appropriately worded condition.

The coffee shop is proposed to be open 24/7, with lighting located within the car park, along Terrance Butler Avenue and the drive-thru itself.

A robust lighting strategy has been submitted alongside the application, detailing that subject to the lighting strategy as set out in the report, the risk of the proposed development resulting in exceedances of 1 lux along potential bat foraging/commuting routes and dark corridors is low at all ecological receptor locations, in addition to the adjacent SSSI and Medway Estuary Maritime Conservation Zone.

Subject to the above-mentioned conditions and compliance with the proposed lighting assessment no objections would be raised in regards to Policies BNE1, BNE5 and BNE39 of the Local Plan.

Climate Change and Energy Efficiency

An Energy Statement has been submitted in support of the application which outlines that the proposal is *'to achieve a building that improves upon the baseline compliance threshold of Part L (2013), the proposal incorporates a range of passive and active design measures that will reduce the energy demand for space conditioning, hot water and lighting.'*

The proposal seeks to improve on Part L in relation to U-Values, airtightness, reducing the need for artificial light, use of solar control glazing, use of air source heat pumps, energy efficient lighting, building energy monitoring, use of materials with low embodied carbon, and the units will have high efficiency systems specified to provide HVAC to the buildings.

For the Costa Coffee unit, it is expected that the main customer and staff areas will be served by a VRF system for heating and cooling, an electric immersion cylinder for the hot water and natural ventilation with local extract fans where necessary, For the car showroom unit, the building will also be served by a VRF system for heating and cooling to the showroom and office areas, utilising an electric immersion cylinder for the hot water and local extract fans in other zones where necessary. The car storage areas are designed as unconditioned spaces and as such no HVAC system has been input.

The proposed buildings are orientated in such a way as to allow the installation of mounted solar PV panels to the flat and sloping roof faces of both units to further reduce carbon emissions for the development. (Other renewable and low carbon technologies, such as community heating schemes have not been considered feasible for this development due to site constraints).

Flood Risk

Paragraphs 165, to 170 and 175 of the NPPF 2023 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.

A Flood Risk Assessment and Drainage Strategy have been submitted with the application.

The site is situated within Flood Zones 2 and 3 'Medium and High risk' in accordance with Environment Agency mapping. Additionally, the Environment Agency Mapping suggests a low risk of surface water flooding which the Local Flood Authority has no record of at this location.

It is noted that due to the proximity to Whitewall Creek soakaways are not considered acceptable and have therefore been discounted. The proposal seeks to discharge surface water into the existing sewer and an appropriate condition is recommended.

During the detailed design element, details of the outfall are required to be submitted and details which show how this will react within a Tide Locking situation. Further information will also be required during the detailed design phase of this illustrating the drainage proposed on site and the Sustainable Drainage features proposed on site.

It is noted that the Environment Agency have raised concerns in regard to the proximity of the proposal to the Medway and subsequent requirement for a 16m buffer zone. However, it should be noted that the site itself is located some 480m from the river itself and would be the furthest development away from the river of those along Whitewall Creek. Moreover, as of current, there are no records of recorded flood incidents within Whitewall Creek. The applicant has also produced a FRA outlining mitigation against flooding and effective surface water discharge.

Subject to the aforementioned conditions no objections would be raised in regard to flood or drainage.

Archaeology

Policy BNE21 of the Local Plan seeks to account for, protect and mitigate from harm and record findings at archaeological sites, from and during development. Likewise, paragraphs 201 and 204 of the NPPF emphasise the importance of preserving the historic environment.

The application has been accompanied by an archaeological desk-based assessment (in accordance with NPPF 201) prepared by Canterbury Archaeological Trust (received 30 March 2023) and sets out our current understanding of the archaeological

significance of the proposed development site. This includes the inclusion of specialist input from Prof Martin Bates and the consideration of the site's geoarchaeological potential.

The desk-based assessment notes that the proposed development site is likely to be underlain by Pleistocene fluvial gravels relating to ancient courses of the River Medway (and potentially its Higham tributary) and these gravels may include Palaeolithic artefacts. The desk-based assessment describes how these fluvial gravels are likely to be overlain by sequences of Holocene deposits which could include a combination of peats and alluvial clays (possibly interleaved with colluvial deposits). The sequence of alluvial clay and peat deposits is a result of sea-level change through the Holocene. Where organic rich peats and other deposits survive these will likely be rich in paleo-environmental evidence which could inform our understanding of past environments from the Mesolithic onwards. The assessment also highlights the potential for archaeological activity to be present within these Holocene sedimentary sequences, particularly on dry-land situations on the edge of the floodplain. The environment at the edge of the floodplain would have been a rich resource for our ancestors.

KCC Archaeology have commented stating they suggest that such marshland would have been exploited for a range of resources, including wildfowl, fish, raw materials, salt production and pottery manufacture. As such ancient land-surfaces along with associated occupation and activity may be found beneath and within the alluvial deposits. Geotechnical site investigation data confirms the presence of gravels overlain by complex alluvial deposits, including peats and other organics.

As such, it is evident that the proposed development site has the potential to contain heritage assets of archaeological and geoarchaeological interest. Such remains might include archaeology buried at depth, deeply buried and complex sedimentary sequences and peats and potentially other remains nearer the surface; such remains are likely to date to a variety of periods and will include remains from the early Prehistoric period onwards.

As a result, appropriate conditions are recommended requiring a programme of archaeological and geoarchaeological investigation. Subject to the required condition, the proposal would accord with the provisions of Policy BNE21 of the Local Plan and paragraphs 201 and 204 of the NPPF.

Conclusions and Reasons for Approval

It is considered that the proposal has addressed the reasons for refusing the previous application and is acceptable in terms of design, heritage, flood risk, ecology, and highway safety/capacity. Accordingly the proposal complies with the provisions set out in paragraphs 114, 115, 131, 135, 135(f), 165, 170, 175, 180, 186(d), 189, 190, 191, 200, 201, 204 & 206 of the National Planning Policy Framework 2023 and Policies BNE1, BNE2, BNE5, BNE12, BNE18, BN21, BNE23, BNE24, BNE39, S1, T1, T3, T13 & T17 of the Medway Local Plan 2003.

Therefore, the application is recommended for approval.

In this instance the application is being referred to Planning Committee on the basis of an objection received by **Frindsbury Extra Parish Council** requesting the application is refused.

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 on Medway Council's Website <https://publicaccess1.medway.gov.uk/online-applications/>