

MC/24/0975

Date Received: 13 May 2024

Location: Edwards Close Play Area, Edwards Close, Wigmore, Gillingham
Proposal: Construction of a replacement multifunctional hall.
Applicant: 8th Gillingham Scouts

Agent: Mr Robert Gill
Jonathan Burlow Architects

Mr Jonathan Burlow 4 Rendezvous Street
Folkestone
Kent
CT20 1EX

Ward: Hempstead & Wigmore
Case Officer: Arron Nicholls
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 25th September 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:

All received 13 May 2024.
Site plan proposed (P-101)
Ground plan proposed (P-102)
Roof plan proposed (P-103)
North elevation proposed (P-104)
South elevation proposed (P-105)
East and west elevation proposed (P-106)
Section AA proposed (P-107)

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

- 3 No development to 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 Prior to the commencement of the permitted use details of the design and location of the proposed cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be provided in accordance with the approved details prior to the commencement of the use of the hall herein approved and shall be retained thereafter.

Reason: to ensure satisfactory cycle storage in accordance with Policy T4 of the Medway Local Plan 2003.

- 5 Prior to the 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 hours of construction working; measures to control noise affecting nearby residents; wheel cleaning/chassis cleaning facilities; dust control measures; pollution incident control and site contact details in case of complaints. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on surrounding residential amenities and in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 6 At no time shall there be music or amplified/loud voices emitted from the development which shall be audible at any residential/ noise sensitive premises. All amplified music or sound shall only take place within the building.

Reason: To ensure that the amenity of occupiers of the development site/surrounding premises is not adversely affected by noise in accordance with Policy BNE2 of the Local Plan and paragraph 191 of the NPPF.

- 7 The development herein approved shall incorporate the measures to address energy efficiency and climate change as set out in the design and access statement (received 13 May 2024). The development shall not be brought into its permitted use until a verification report prepared by a suitably qualified professional has been submitted to and approved in writing by the Local Planning Authority confirming that all the approved measures have been implemented.

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.

- 8 Prior to the commencement of the development hereby permitted, an acoustic assessment shall be undertaken to determine the impact of noise arising from use of the development. The results of the assessment and details of any mitigation measures required to protect residential amenity shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is brought into its permitted use and shall thereafter be maintained in accordance with the approved details.

Reason: To ensure that the amenity of occupiers of surrounding premises in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 9 Prior to the commencement of the development hereby permitted, an acoustic assessment shall be undertaken to determine the impact of noise arising from mechanical plant. The noise rating level (L_{Ar,Tr}) of mechanical plant shall be at least 10dB below the background noise level (L_{A90,T}) at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014. The results of the assessment and details of any mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is brought into use and thereafter be maintained in accordance with the approved details.

Reason: To ensure that the amenity of occupiers of surrounding premises in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 10 Prior to the commencement of development a biodiversity gain plan shall be submitted to and approved in writing by the Local Planning Authority to demonstrate in more detail how the proposed biodiversity net gain will be delivered. This will include the submission of a habitat management and monitoring plan, and the plan will provide details of the how the site will be managed and informed by ongoing monitoring of the site. Further details of the

habitat management and monitoring plan can be found here: Creating a habitat management and monitoring plan for BNG - GOV.UK (www.gov.uk). The approved measures shall be implemented before the development is brought into its permitted use and shall thereafter be maintained in accordance with the approved details.

Reason: In order to secure the 10% BNG on site with regard paragraph 186 of the NPPF.

11 At all times during the construction of the Development hereby permitted (including site clearance), to avoid impacts to protected and priority species, the following precautionary mitigation measures shall be implemented and as applicable remain in place for the duration of the construction works:

- i) The adjacent hedgerow and trees, including their roots, will be protected from damage.
- ii) Grass will be maintained at a short sward prior to and during works.
- iii) All temporarily stored building materials (that might act as temporary resting places) will be isolated within hardstanding areas and raised off the ground, e.g. on pallets.
- iv) Any vegetation required to be cut back/cleared will be completed outside of the breeding bird season (1st March to 31st August) or following an approved breeding bird survey.
- v) Any removal/change to the logs store and leaf pile should be through application of a sensitive, fingertip search by a suitably experienced ecologist during the active season for reptiles (mid-March to mid-October).
- vi) If at any time a protected species is discovered within the works area all works must stop while a suitably qualified ecologist and/or Natural England are consulted. Works will not resume until any required surveys and/or mitigation are completed.
- vii) Backfilling of trenches, covering of open pipes and other excavations will be undertaken before nightfall, or a ramp will be left in trenches to allow any animals to easily exit.
- xiii) All excavations and trenches will be checked each morning throughout the construction period and prior to infilling.

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

12 Prior to the installation of any external lighting on the site, details of such lighting shall be designed following best practice guidance within Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 08/23 Bats and Artificial Lighting at Night' and shall be submitted to and approved in writing by the Local Planning Authority. Details shall include height, position, external

appearance, any shielding, light intensity, colour, spillage (such as light contour or lux level plans showing the existing and proposed levels) and hours of use together with a report to demonstrate its effects. Any external lighting shall be implemented in accordance with the approved details.

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

- 13 Within 3 months of works commencing within the site the ecological enhancements detailed in the PEA, Section 7 Ecological Enhancements, Greenspace Ecological Solutions Ltd March 24 will be implemented. All bird and bat boxes used will be of woodcrete or similar for longevity, and features will be maintained thereafter.

Reason: To ensure ecological enhancements are incorporated into the development in accordance with BNE37 of the Medway Local Plan 2003.

- 14 No development shall commence until a scheme for the protection of retained trees (the tree protection plan) and the appropriate working methods of construction and demolition (the arboriculture method statements) have been submitted to and approved in writing by the Local Planning Authority. These measures shall accord with the recommendations contained in British Standard BS5837 Trees in relation to design, demolition and construction - Recommendations or any revision thereof. The approved scheme shall be implemented as approved before any equipment, machinery or materials are brought on to the site for the purposes of the development. No alterations or variations to the approved tree protection scheme or methods of working shall be made without prior written consent of the local planning authority and they shall be maintained until all equipment, machinery and surplus waste or materials have been removed from the site.

Reason: To ensure no irreversible detrimental harm to the existing trees and to protect and enhance the appearance and character of the site and locality, in accordance with Policy BNE43 of the Medway Local Plan 2003.

- 15 No development shall commence until details have been submitted to and approved in writing by the Local Planning Authority in relation to the replanting of the previously removed tree. The replanting of the replacement tree shall be undertaken in accordance with the approved details.

Reason: To ensure no irreversible detrimental harm to the existing trees and to protect and enhance the appearance and character of the site and locality, in accordance with Policy BNE43 of the Medway Local Plan 2003.

Proposal

The proposed development seeks the demolition of the existing scout hall and outdoor stage and proposes the construction of a single storey scout hall that will also operate as a multifunctional hall.

The site is currently occupied by an existing detached scout hall measuring approx. 250sqm comprising of entrance foyer, hall, five storerooms, kitchen, two toilets and an external gas bottle store. The application site is located within a primarily residential urban area. The existing built character of the area is mainly single storey bungalows, some with small dormers along Edwards Road, the single storey Howard Memorial Hall to the North of the site and a mixture of single and two storey buildings along Woodside.

The proposed new hall has a two-form roof featuring a pitched roof measuring approx. 7.0m in height and a flat roof element measuring approx. 3.3m in height. The building is proposed to be L shape in form and measure approx. 15.4m in depth at its largest point, approx. 30.4m in width and measuring approx. 350 sqm overall. It will comprise of an entrance foyer, main hall, multifunctional room, two equipment storerooms, kitchen and toilets (including disabled).

Relevant Planning History

MC/03/2430

Installation of 2.4m high access gates and fence.
Decision: Approval with conditions
Decided: 13 January 2004

Representations

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

Seven letters of objection have been received on the grounds:

- Lack of off-streetcar parking
- Increase pressure on existing highway network
- Size and scale of the proposal
- Noise and disturbance
- Overlooking and light pollution

KCC Ecological Advice Service have made the following comments on the application:

They have reviewed the Biodiversity Net Gain (BNG) metric and assessment report and are satisfied that scheme can meet 10% net gain requirement. This is subject to the "other neutral grassland habitat area" not being used for group activities by the Scouts. If the area is used for scout activities, then additional tree planting will be required in order to meet the BNG requirement.

The submitted ecological assessment is agreed and the site has unsuitable habitat for potential presence of badger, hedgehog, dormouse, amphibian and reptiles. A condition relating to precautionary approach to works relative to commuting or sheltering individuals is recommended.

Nocturnal animals could be present foraging around the site and a condition is recommended regarding external lighting.

The submitted assessment suggests enhancements in addition to the 10% BNG such as bird/bat boxes and an invertebrate tower/bug hotel/bee post and an appropriate condition is recommended.

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

Principle

Policy CF1 of the Local Plan states that there is a need to protect community facilities. The type of facility may be anything from a community hall or place of worship to changing rooms at a playing field. The provision of these facilities must be of an appropriate scale, have minimal impact on neighbouring amenity, be accessible by a variety of means of transport, particularly by public transport, and reduce the need to travel.

In this case, the principle of the demolition of the existing scout hall and redevelopment of the site to provide a new multi-use building community facility would be acceptable in the urban area and would be an enhancement of the existing facilities available on site.

Section 8 of the NPPF relates to healthy and safe communities and very much supports the retention and enhancement of community facilities.

There is, therefore, no objection in principle to the development in regard to policy CF1 and section 8 of the NPPF.

Design

Policy BNE1 requires the design of development to be appropriate in relation to the character, appearance and functioning of the built and natural environment. Paragraphs 131 and 135 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 existing main building measures approx. 250sqm in floor area, approx. 3.3m to the ridge height and is of concrete construction with a pitched composite concrete roof. The side addition measures approx. 20sqm in floor area, approx. 3.6m to the highest point of the mono pitch roof and is of brick construction. The building has been in place for a long period and is no longer considered fit for use. In addition to the above building there are a number of external structures which are principally used for the storage of materials related to the current use as a scout hall.

The proposed building would measure approx. 345sqm in floor area and be made up of two sections both with mono pitched roofs. The largest section measures approx. 175sqm in floor area and approx. 7.0m to the highest point of the mono pitch roof. The smallest section would measure approx. 170sqm in floor area and approx. 3.3m to the highest point of the mono pitch roof.

The material palette within the surrounding street scene is mixed. The submitted drawings show the proposed new hall located centrally to plot. The section with the lower-level mono pitch roof is proposed to be located against the northern boundary with the larger mono pitch roof element located centrally to the building to the south of the site. The detailing provided in the drawings P-104, P-105, P-106, design and access statement and the application form states that the material for the proposed building is to be timber cladding for the walls, zinc cladding for the roof, slimline double glazed aluminium windows and slim line aluminium doors. To ensure that the quality of materials is appropriate a condition requiring submission of samples is recommended.

It is considered that the proposed building would be an improvement on the existing structures on site. Due to the location of the building, and the natural screening of the surrounding trees the proposals would not be overly visible when viewed from the surrounding area. Overall, the proposed development is considered to be acceptable in terms of its design and impact on the existing street scene and subject to a condition to secure the materials, would be in accordance with paragraphs 131 and 136 of the NPPF and Policies BNE1 of the Local Plan.

Residential Amenity

Policy BNE2 of the Local Plan and paragraph 135f of the NPPF relates to the protection of residential amenities, and as such the impacts of the proposed development must be considered in relation to neighbouring properties.

It is considered that the proposals would not alter the main use of the site as a scout hut with other important community-based uses. The nearby Masonic Hall to the northeast of the site also provides for community uses. The use of the existing scout hut is not restricted. Given that the proposal would not alter the existing use of the site and any new or additional function or activities that will result from the new structure would be inside the building, it is not considered justified to impose conditions that would limit or restrict the hours or the use of the proposed building. As a result of its proximity to residential dwellings there is the potential for the proposal to affect neighbouring residential amenities, conditions are recommended to restrict the use of amplification of music to inside the proposed building only and not to be audible at the nearest noise sensitive premises.

The largest section of the proposed building's pitch roof contains windows to the north and is higher than the existing structure at approx. 7.0m, the windows are at a height of approx. 3.1m and have been designed to provide light to the proposed building without any overlooking into neighbouring properties.

It is considered that the development would not detrimentally impact neighbouring residential amenities in terms of loss of daylight, sunlight, outlook or privacy, along with traffic generation, noise, light or vibrations and the proposal therefore accords with Policies BNE2 of the Local Plan and paragraph 135f of the NPPF.

Highways and Parking

Policy T1 of the Local Plan relates to the assessment of the highways impact of development and outlines the criteria of when development would be permitted. Policy T13 provides guidance on vehicle parking standards. Policy T4 provides guidance on cycle parking. Paragraph 115 of the NPPF outlines 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.

The submitted transport statement received 03 July 2024 advises that the new hall has been designed to enhance accessibility and functionality for the community and the expected footfall and traffic will remain unchanged from a highway's perspective. The proposed scheme would utilise the existing vehicle access point from Edwards Close which is currently utilised to manoeuvre a minibus/van and trailers to and from the site for scouting activities. When not in use the access point is secured via a locked bollard which the applicants have access to. The proposal seeks to create a larger courtyard to the front of the proposed building to provide direct access for disabled transport vehicles alongside storage space for one vehicle on site, which will be concealed behind a gate when not in use.

The transport statement confirms that for events and activities, such as the scouts, currently the neighbouring Masonic Hall car park is used for the majority of drop offs and pickups and confirmed that this is proposed to continue as is. The applicant has also confirmed that the refuse collection would mirror the current situation and as such no objection is raised in relation to this.

In relation to cycle provision the site currently provides no secure cycle storage. The proposal seeks to provide ten covered cycle parking spaces, and an appropriate a condition is recommended in order to secure these.

The scale of the development is unlikely to have significant traffic impact as it is similar in scale to the existing. Furthermore, the proposal would not reduce the number of available parking spaces within the application site and supports the usage of sustainable transport through the provision of secure cycle storage. Therefore, it is considered that the proposal would not detrimentally impact highway safety and be in accordance with Policies T1, T4 and T13 of the Local Plan and paragraph 115 of the NPPF.

Climate Change and Energy Efficiency

The applicant has included a climate change statement section as part of the Design and Access statement (dated April 2024) received 13 May 2024. In this they have indicated the provision of the following:

- A 'sustainability matrix' which defines a set of sustainability metrics, each of which is defined as minimum, through best practice and up to an innovative level of performance. The blue boxes overlaid indicate the range of performance anticipated for this project
- Sourcing building materials sustainably
- Minimising energy use
- Effective use of resources such as water and aggregates
- Reducing pollution and waste
- Promoting recycling and conserving and promoting biodiversity and the natural environment
- Ensuring developments are comfortable and secure for users and avoiding impacts from natural hazards (including flooding)
- The use of sustainable design and construction measures

Overall, the proposals are considered to be acceptable subject to an appropriate condition for an energy efficiency and climate change verification report to be submitted and would be in accordance with paragraph 159 of the NPPF.

Biodiversity Net Gain and Ecology

Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) which requires developers to deliver a BNG of 10%. The applicant has submitted a BNG small sites metric and an assessment report which shows the development will achieve 11.76% onsite BNG. This has been independently assessed by Kent County Councils biodiversity officer who have confirmed that the proposals can achieve the required 10% BNG.

While it is agreed that the site has unsuitable habitat for potential presence of badger, hedgehog, dormouse, amphibian and reptiles, an appropriate condition is recommended to require a precautionary approach to works relative to commuting or sheltering individuals is recommended.

Nocturnal animals could be present foraging around the site and a condition is recommended regarding external lighting.

The submitted assessment suggests enhancements in addition to the 10% BNG such as bird/bat boxes and an invertebrate tower/bug hotel/bee post and an appropriate condition is recommended.

Overall, the proposals are considered to be acceptable in terms of BNG and ecology and subject to the recommended conditions would be in accordance with paragraph 186 of the NPPF.

Trees

Policy BNE43 relates to trees on development sites and states that development should seek to retain trees that provide a valuable contribution to local character. Paragraph 180 of the NPPF states that decisions should contribute to and enhance the natural and local environment.

It is noted that no trees are to be removed as part of the proposal and therefore the assessment is with regard to the impact of the scheme on the existing trees. There are a number of trees covered by TPO's adjacent to the site within the car parking area of the Masonic Hall. There were also three trees on the application site protected by TPO's, 2 of which remain while one has been removed as a result of it dying. It is proposed that this tree will be replanted within the site as part of this application and a condition is recommended to secure this.

The application has been supported by the submission of tree report and a tree constraints plan that show the location of trees located on site and adjacent to the site. The tree constraints plan shows that the existing structure is located predominately towards the eastern and southern boundary of the site and within the root protection areas of Trees T10, T11, T12 and T13. The area around the existing structure to the east covered predominantly in concrete which is used as a vehicular hard standing and to the north a smaller area covered in paving large concrete paving slabs. Vehicular access to the site is proposed to remain as per the existing access arrangements. There are a number of other trees, not protected by TPO's, located adjacent to the northern and western boundaries which are located in neighbouring properties and three trees to the south located within the site boundaries.

The replacement structure is proposed to be sited more centrally but still located within the root protection areas of trees T12 and T13 but outside of the root protection areas of the other trees on site. The application has been supported by a TPO, RPO construction statement received 04 July 2024 which details the proposed construction methods which have been designed to utilise a hybrid structural foundation, combining a raft slab and either a 'pile and beam foundation' or 'cantilevered' bridge which will be elevated over the RPAs, with piles strategically driven around the RPAs and beams laid across these piles to support the structure above the root zone. The statement also highlights that additional solutions such as root bridges or cantilevered foundations around RPA's could also be used. Although the submitted details show potential construction methods that would limit their impact on retained trees, further details in relation to the methods of demolition and construction of the replacement hall are required. A condition is recommended for further details to be submitted via a method statement.

It is considered that the details submitted show that the proposal new hall could be located and constructed within the site. However, to ensure there is no irreversible harm to the existing trees, it is recommended that conditions are added for the submission of an updated tree protection plan, arboricultural method statement and the details of the replacement tree are to be submitted prior to the commencement of any development or site clearance. Overall, no objection is raised in relation to BNE43 of the Local Plan and paragraph 180 of the NPPF.

Conclusions and Reasons for Approval

The proposed building has been well designed and will replace an existing building which is no longer fit for purpose. The community use of the building and site will not change, and it is important to retain this use. The building will not cause unacceptable impact on neighbours and subject to conditions will protect amenity and the health of existing trees. The proposal is therefore considered to be acceptable and would be in accordance with relation to Policies BNE1 BNE2, BNE43, T1, T4, T13 and CF1 of the Medway Local Plan 2003, paragraphs 115, 131, 135, 136, 159, 180, 186 and 191 of the NPPF. The application is accordingly recommended for approval.

This application would normally be determined under delegated powers but as a result of the number of objections received expressing a view contrary to the officer's recommendation the application is being reported to planning committee for determination.

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/>