

**TABLED UPDATE for Deferred Item 1 - 16/508709/FULL:
Former Oil Depot, Abbey Wharf, Standard Quay, FAVERSHAM**

To be read in conjunction with the report on Pages 1 to 39 of the agenda.

1. Additional representations have been received (further to those summarised at Paragraphs 5.01 to 5.03, on Pages 18 to 21 of the agenda), which are as follows:

Following Members consideration of the application at committee on 24th May 2018 additional comments have been received and are summarised as:

ONE resident repeated comments they had made previously that the application does not conform to the guidance within the Neighbourhood plan nor that the application has been able to demonstrate that it has been planned and designed to be a 'good neighbour' to its surroundings and urban context. They further commented about a the recently approved Application Reference 16/505907/FULL for Works to reinstate dilapidated quay and form creek-side footway commenting that the historic fabric of the existing quay edge is proposed to be completely covered over, so that it will be impossible to comply with the condition that it should remain visible and accessible.

ONE further objector argues that the overhang walkway should not inhibit boats mooring and that the Idea of building flats on Ordnance Wharf is crass and that the Short term gain for the developer over potential attractiveness Faversham Creek could become.

ONE letter of support commented that the neighbourhood plan suggests a three-storey building as being suitable for this site it does not stipulate an overall height. It is only a suggestion not an absolute requirement. They considered that local residents are improperly interpreting a suggestion in the Neighbourhood Plan to prevent the development of this site that has been derelict for many years. Previously the site, although now clear used to be an oil depot with tall oil tanks, a continuous stream of oil tankers and the smell of petroleum and diesel, or the steam trains running on the line in front of Standard Cottages past this site. They argue there is a tradition of tall buildings on waterfronts and note the proposed houses are not as tall as existing buildings and are in fact no taller than their neighbours at Belvedere Walk. The provision of a creekside footpath which could be linked to form part of a continuous path and form a section of the National Coastal Trail is a benefit and concludes of the importance of developing the banks of the creek rather than continuing with unattractive vacant sites which do nothing to enhance the conservation area of the environment of the area.

Following submission of the revised plans in September 2018

Faversham Society acknowledged the slight reduction in height so that the dwellings will be only minimally taller than the other houses in Provender Walk and that details of all materials and landscaping have been provided, that the footpath is confirmed to communicate with the existing Creekside footpath at Provender Walk and to the Coach Depot and that it will not be cantilevered and will include moorings. Therefore they concluded "the proposal complies fully with the Faversham Creek Neighbourhood Plan." Whilst recommending a condition should be added that the Retractable Bollards at the Abbey Road end must only be used for emergency services and refuse vehicles, and not for any other access. "

Faversham Footpath group commented that they welcomed the fact that the plans make it clear that the Creekside path will enable level connections to be made in due course to Provender Walk and to the future development of the Coach Depot site.

This week further comments were received: ONE in support and a resident commented that the revised scheme is a great improvement on the original and considered the scheme for the creekside footpath which seems to be very satisfactory in every respect. However they questioned if a Section 106 agreement would safeguard the path is a public right of way.

ONE local resident objected stating in reference to the Neighbourhood Plan that the plans submitted for The Oil Depot are still too bulky, and too solid and in spite of various design tweaks, the plans are still for wall to wall concentrated housing on this site they do not consider appropriate. They also do not consider the submission or plans explain how it contributes to the overall vision for the site or that it references lower height buildings on the Creek. They are concerned about the access being via Belvedere Road rather than Abbey Street. Finally that overspill parking from the houses will cause problems on Belvedere Road.

2. Delegated authority is sought to amend the wording of condition (13) - on Page 10 of the agenda - to refer specifically to the surfacing and proposed levels of the Creekside walkway and to add a corresponding reference to condition (16), which deals with hard and soft landscaping. Members will note that condition (16) requires the agreed works to be carried out before any of the dwellings are occupied.
3. In addition, a s106 agreement is required in order to ensure that the Creekside Walkway is available for public use in perpetuity and that, in due course, it is available to be incorporated into the public right of way that Natural England and others have an aspiration to provide along the Creekside. The s106 agreement will also need to ensure that the applicant is responsible for the on-going maintenance of the Walkway.
4. With regard to the Special Protection Area mitigation, and further to Paragraph 4.19 on Page 8 of the agenda, delegated authority is required to include wording in the s106 agreement to require the payment of £239.61 per dwelling for this purpose.
5. Delegated authority is sought to impose an additional condition requiring that the retractable bollards shown on the proposed layout are provided - in accordance with approved details - before the 1st dwelling is occupied, and then retained in perpetuity (in accordance with agreed maintenance arrangements).
6. In conclusion, delegated authority is sought to approve the application subject to the refinement of conditions (13) and (16) to make appropriate reference to the Creekside Walkway, the suggested additional condition, the other conditions in the report and the signing of a suitably-worded S106 agreement. Authority is also sought to refine the wording of the conditions set out in the Committee report, if this proves to be necessary.