

2.3 REFERENCE NO 24/502130/FULL		
PROPOSAL Proposed enhancement of the existing Sheppey leisure complex and healthy living centre; including erection of a two-storey side extension, creation of a new main side entrance to the leisure centre, facade/elevation improvements, minor internal reconfiguration, new cafe area, and external landscaping works to the surrounding public realm, including a new outdoor adventure golf facility, and creation of a new footpath between Sheppey train station and the leisure complex site.		
SITE LOCATION Sheppey Leisure Complex, Broadway Sheerness Kent ME12 1HH		
RECOMMENDATION Delegate to the Head of Planning to grant planning permission subject to appropriate safeguarding conditions as set out in the report, with further delegation to the Head of Planning / Head of Legal Services (as appropriate) to negotiate the precise wording of conditions, including adding or amending such conditions as may be consequently necessary and appropriate.		
APPLICATION TYPE - Full Planning Permission (Major Development)		
REASON FOR REFERRAL TO COMMITTEE The applicant is Swale Borough Council and the proposed development is located on Council owned land.		
Case Officer – Ben Oates		
WARD Sheerness	PARISH/TOWN COUNCIL Sheerness Town Council	APPLICANT Swale Borough Council AGENT 3BM Planning
DATE REGISTERED 10 June 2024	TARGET DATE 06 September 2024	
BACKGROUND PAPERS AND INFORMATION: Documents referenced in report are as follows: - All drawings submitted (Uploaded 29 May, 03 June 2024, 20 November 2024) All representations received All landscape layout plans (Uploaded 29 May 2024) Heritage statement (Uploaded 29 May 2024) Desk Based Archaeological Assessment (Uploaded 29 May 2024) Ecological Impact Assessment (Uploaded 29 May 2024) Biodiversity Net Gain Metric (Uploaded 20 November 2024) Arboricultural Method Statement (Uploaded 29 May 2024) Renewable Energy Statement (Uploaded 29 May 2024) Drainage Strategy (Uploaded 20 November 2024) Flood Risk Assessment (Uploaded 25 September 2024) Flood Risk Sequential Test (Uploaded 29 May 2024) Transport Statement (Uploaded 20 November 2024)		

Lighting Strategy (Uploaded 03 June 2024)
Air Quality Assessment (Uploaded 29 May 2024)
Contaminated Land Assessment (Uploaded 29 May 2024)
Cover letter by 3BM Planning (uploaded 25 September 2024)

The full suite of documents submitted pursuant to the above application are available via the link below: -

<https://pa.midkent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SDUCOJTYHVL00>

1. SITE LOCATION AND DESCRIPTION

- 1.1. The application site is located on the north-west coast of the Isle of Sheppey. The site is located within the Sheerness Town Centre, but is not within the primary or secondary shopping frontages, which are located further to the south.
- 1.2. The application site comprises the existing leisure complex with integrated Healthy Living Centre alongside green space and external facilities including play park, paddling pool and skate park. The GEA of the existing complex is approximately 2,943m² and includes a 4-court sports hall, a gym and spin studio, changing facilities, GP facility and community use space operated by Sheppey Matters, which is a health and well-being charity based on site. The red line boundary of the site extends through the park to its entrance opposite the Sheerness-on-Sea Railway Station. The site boundary also includes the existing Leisure Centre car park. The total area of the site is approximately 21,250sqm (2.1Ha).
- 1.3. The Mile Town Conservation Area adjoins part of the site to the south. Two Grade II listed buildings are also located nearby the development, being Beach House, which is on Beach Street by the junction with Clarence Row, and Sheerness War Memorial, which is to the west of the park entrances opposite Sheerness-on-Sea railway station. The site is also within Flood Zone 3 along with the majority of Sheerness, and adjoins the flood defence wall along the seafront to the north.

2. PLANNING HISTORY

- 2.1. There are a number of historic planning applications at this site, however those relevant to the current application are provided below:

Ref no.: SW/82/0514 granted for Sports complex and associated car parking - Decision Date: 21.08.1989

Ref no.: SW/01/0568 granted for Erection of side extension and alterations to existing Sports Centre to form a Healthy Living Centre - Decision Date: 19.07.2001

Ref no.: SW/11/1417 granted for Lawful Development Certificate for the installation of 207 solar panels on roof (proposed) - Decision Date: 14.11.2011

Ref no.: SW/13/0865 granted for Installation of edge protection to the full perimeter of the roof of the leisure centre to enable maintenance works to be carried out safely. The proposed edge protection system is a galvanised steel Easyguard permanent freestanding handrail system 1100mm high - Decision Date: 03.09.2013

3. PROPOSED DEVELOPMENT

- 3.1. Planning permission is sought for the proposed enhancement of the existing Sheppey Leisure Complex and healthy living centre, including the erection of a two-storey side extension, creation of a new main side entrance to the leisure centre, facade/elevation improvements, minor internal reconfiguration, new cafe area, and external landscaping works to the surrounding public realm, including a new outdoor adventure golf facility, and creation of a new footpath between Sheppey train station and the leisure complex site. An adventure golf course is proposed to the east of the site.
- 3.2. The application has been submitted by 3BM Planning on behalf of Swale Borough Council. The proposed development is one part of the £20million Sheerness Revival project, following the Council's successful bid from the Government's Levelling Up Fund.
- 3.3. The proposed 2-storey extension would replace the western most part of the existing 2-storey building, which would be demolished as part of the proposed works. The proposed extension would match the width of the existing building and would be circa 20.1m in length at its maximum, however this would only extend approximately 4.6m further than the existing part of the building proposed to be demolished. The proposed extension would be 9.3m in height and consist of a yellow brick base to complement the existing building with grey rainscreen cladding above.
- 3.4. The proposed extension accommodates replacement gym and fitness studio space, along with a café to serve as an ancillary function of the leisure complex. It would also include a new single storey entrance to provide direct access from the park.
- 3.5. The proposed refurbishments to the complex include internal works to relocate the existing GP facility from the 1st floor to the ground floor, which will allow for step free access and increased floor area. The proposed internal rearrangement of the complex will also consolidate the community use space, which would continue to be operated by Sheppey Matters and would be mostly contained within the eastern side of the building. The proposed internal arrangements to the Leisure Centre provide an improved sports hall, soft play area, assisted exercise area, café and back-of-house facilities at the ground floor, and two new fitness studios, gym space and changing facilities at the 1st floor.
- 3.6. The proposed public realm improvements extend from the leisure complex to the park entrance opposite Sheerness-on-Sea Station. The park entrance is proposed to be widened and a raised garden bed would be removed to improve movement routes, with replacement paving provided and repairs to boundary walls also proposed. A new pedestrian path is proposed to connect Beach Street to the park entrance including

resurfacing of part of the existing bitumen access, new signage provided, and dropped kerbs to facilitate access across Beach Street. A new 3m wide path would then connect to the new leisure complex entrance. An existing path adjoining to the west of the leisure centre would also be resurfaced to connect to another pedestrian crossing point to connect to Beach Street car parking area. Soft landscaping proposals include 14 new trees, new species rich planting and replacement of hedgerows. The existing outdoor activities areas would be retained and refurbished as necessary, including new chainlink fencing to the tennis courts. An area of the existing tennis courts to the immediate south of the leisure centre complex is to be repurposed as a multi-use games area, with 3m high weldmesh fencing installed and the existing hardsurface retained.

- 3.7. A new adventure golf course is proposed to be installed in an existing grassed area in the eastern part of the site, which includes an 18-hole adventure golf course containing landscaping features, a water feature and obstacles inspired by local landmarks and history. Details of most of the obstacles that would be installed have been provided, with features such as a boat (with masts circa 5m in height) and lighthouses (circa 3m in height). The course would also include connecting pathways, 1.8m high perimeter fencing and low level lighting bollards.

4. CONSULTATION

- 4.1. Consultation comprising letters sent to neighbouring occupiers; notices displayed at the application site and the application being advertised in the local newspaper have been carried out. Full details of representations are available online.
- 4.2. Two letters of representation were received in relation to the consultation. Concerns/ comments were raised in relation to the following matters: -

Comment	Report reference
Concern that the colourful pedestrian crossing will be confusing for guide dogs and road markings should be a standard white block crossing for safety.	Colourful pedestrian crossings are not included within these proposals.
Issues with parking associated with the swimming pool could be worsened to the detriment of the neighbouring flats.	Parking and transport matters are discussed in section 7.7 of this report.
Concerns regarding antisocial behaviour that currently occurs around the site of the proposed golf area.	Secure by design matters are discussed in section 7.14 of this report.

- 4.3. Sheerness Town Council submitted a representation to offer their support to the application.
- 4.4. Minster Parish Council made comments neither objecting to or supporting the Planning Application but made the following comments: -

Comment	Report reference / clarification
Improvements will bring benefits to the area, but wished to remain neutral on the proposals.	Duly noted.
Request further details on the Adventure Golf course.	Indicative details of the adventure golf course have been provided since these comments were received and has been reconsulted on. No further comments were received. A summary of the golf course can be seen in paragraph 3.7.
Request clarification if free outdoor sport will be offered.	This is an operational matter for the end user and not a relevant planning consideration in this application.
Request clarification if car park refunding arrangements will be retained.	This is an operational matter for the end user and not a relevant planning consideration in this application.
Confirmation on the site allocation of the phase 2 swimming pool.	The application does not involve changes to the nearby swimming pool site.
Confirmation of an outdoor MUGA space.	The proposal retains outdoor activity areas as indicated in the proposed Landscape layout plan.
Request clarification of the tennis court.	The proposal retains the existing tennis court and provides a new fence surrounding it.

5. REPRESENTATIONS

5.1. **SBC Heritage:** - No objections.

A Heritage Statement supports the application, noting the site's historical use for leisure since the 19th century. While the site is within the setting of the Sheerness Mile Town Conservation Area and near listed buildings such as Sheerness Beach House and the Sheerness War Memorial, the proposed enhancements are considered acceptable. The extension improves upon existing facades and includes landscape buffering, ensuring minimal impact on the conservation area and listed buildings.

Regarding the adventure golf course, the site's historic leisure and recreational use, separation distances and nature of the development proposed would not meaningfully affect the setting or significance of designated heritage assets within the vicinity of the site.

Overall, the development would enhance the setting of heritage assets and no objections are raised.

5.2 SBC Urban Design: - No objections.

The proposed refurbishment and extension of the leisure centre are not objectionable in principle, as the existing building lacks architectural or historic significance. The new design would improve upon the current structure, offering more open and active elevations that enhance visual interest and natural surveillance, particularly towards the park. Internally, the layout is well-considered, with compatible uses and good connectivity. Externally, the enhancements to the surrounding public spaces, including new recreational facilities and improved connectivity, would create a more welcoming experience. Overall, the proposals would provide upgraded community facilities and better integration with the public realm.

5.3 KCC Archaeology: - No objection subject to a condition.

The submitted desk-based assessment deposits associated with the former marshland and also Pleistocene deposits are deeply buried and are unlikely to be affected by the development proposals. The 'made ground' is likely to include deposits associated with land reclamation from post medieval times. While the proposals for remodelling will have limited ground impacts there may be some potential for features associated with the historic use of the recreational ground that may be of local interest. It is therefore recommended that provision is made for an archaeological watching brief targeted at ground excavations to be secured by condition.

5.4 Mid Kent Environmental Health: -

Advised that with regard to emissions associated with plant equipment and construction works that no objection is raised subject to securing suitable mitigation measures by conditions, and that no concerns were raised regarding land contamination or air quality. However, further information was initially requested in regard to the hours of operation and external lighting for the MUGA and adventure golf area to prevent overspill beyond the boundary of the site and not cause nuisance to nearby residential premises.

The applicant clarified that the opening hours for the MUGA hours of operation will remain as existing, which the Environmental Health officer confirmed did not require further restrictions.

The applicant clarified that the opening hours of the adventure golf area would be 10am to 4pm (Nov - March) and 8pm (Apr - Oct). The Environmental Health officer advised that this is acceptable subject to a condition to control the hours of use of the proposed adventure golf area.

5.5 KCC Ecology: -

Initially requested additional information including:

- Further necessary surveys reported within an Ecological Impact Assessment;
- A review of biodiversity net gain calculations; and
- Confirmation that a mandatory 10% biodiversity net gain applies to this development.

The results of the further surveys recommended in the preliminary ecological appraisal, any necessary mitigation/compensation measures and a conclusion as to whether the development will achieve a net gain for biodiversity were requested to be included within the Ecological Impact Assessment.

The applicant subsequently provided further information, which was reviewed by KCC Ecology and confirmed to address most points with the exception of further clarification required in regard to the BNG metric. A further revised BNG metric was subsequently provided, which was confirmed by KCC Ecology to resolve the previous concerns raised.

Following this, the adventure golf course was re-added to the application and the BNG was updated accordingly, which indicates the lost area of mown grass in the location of the proposed adventure golf course. KCC Ecology have confirmed that the approach is acceptable subject to conditions securing a Construction Management Plan for biodiversity and a habitat and management monitoring plan.

5.6 SBC Trees: - No objection subject to conditions.

No in principle objections to the above proposal, subject to the Arboricultural Method Statement and tree protection measures being secured by conditions.

Recommend that the proposed landscaping be secured by way of a condition.

5.7 SBC Climate Change/Renewable Energy: - No objection subject to conditions.

Notes that the applicant intends to build to BREEAM very good and recommend that this is secured by condition.

5.8 KCC Flood and Water Management -

Initially noted that the Environment Agency would need to advise on the risks associated with tidal flooding and that the drainage network provider would need to advise on the proposed discharge to combined sewers. They also requested additional information in relation to surface water drainage / flooding including confirmation that the 1 in 30 year return period with the upper end allowance for peak rainfall intensity is used in the modelling scenarios.

The applicant subsequently provided the requested information, which was reviewed by the SUDS team who confirmed the proposal is now acceptable subject to conditions to secure a detailed drainage scheme and verification report.

Following further information provided in relation to the adventure golf course, the SUDS team confirmed that the surface water drainage strategy remains functionally identical, with the provided hydraulic calculations demonstrating that the drainage scheme will be capable of accommodating up to and including the 1 in 100+40% year scenario. However, the 'upper end' allowance details would also be required for the 30 (3.3%) year storm scenarios as well.

Subject to securing a detailed surface water drainage strategy (including information on the 30 year storm scenario) and a verification report, Kent County Council as Lead Local Flood Authority would see no further reason to object to this application.

5.9 Lower Medway Integrated Drainage Board: - No objection subject to conditions.

Drainage - no objection

Pollution – Sustainable Drainage Systems (SuDS) should equal or exceed the pollution indices of the surface water. Although the risk of pollution is considered low it would be desirable to provide some treatment to runoff prior to discharge.

The applicant responded to this advising that the overall risk of pollution is low and therefore suggest that to add an additional level of control can install catchpits upstream. It should be noted that the discharge is to a combined sewer and not to a water course.

The Drainage Board recommend that planning conditions are imposed to ensure development is in line with the Flood Risk Assessment and Drainage Strategy including that prior to development, a full scheme for surface water disposal based on SuDS principles is submitted to and approved by the local planning authority and the scheme is verified on site once constructed by a competent engineer.

Also advise that conditions be included securing a maintenance schedule for the SuDS features and to secure flood reliance measures that are designed and implemented into the development, including the finished floor level relating to tidal flood risk.

5.10 KCC Highways: - No objections

Advise that the pedestrian environment improvements are welcomed. These works will need to be carried out under a section 278 agreement, details of which will need to be provided and agreed by KCC and a detailed plan will need to be secured.

5.11 Environment Agency: - No objections subject to conditions.

Advise that they have no objections subject to conditions imposed in regard to flood risk, contamination and piling.

Request a condition for Finished floor levels set no lower than 3.58 metres above Ordnance Datum (AOD). The applicant advises that the existing buildings finished floor levels are 3.58m AOD which the proposal will also achieve.

5.12 Natural England: - No comments.

Natural England is not able to provide specific advice on this application and therefore has no comment to make on its details.

5.13 Southern Water: - No objections subject to conditions.

Southern Water offer standard advice for the developer to consult with them regarding the protection of public apparatus.

Request conditions to be included to secure details of network reinforcement and details of foul and surface water drainage.

5.14 Sports England: - Offers support for this this application.

Sport England offers its support for the proposed improvements to the facilities, however note that the site is not considered to be playing field and therefore Sport England does not consider this proposal would require statutory consultation.

5.15 **Kent Police:** - No objections – standard advice provided.

Applicant should consult Designing out Crime Officers to address crime prevention through environmental design and incorporate Secured By Design (SBD) measures as appropriate.

The applicant has set out the SBD measures incorporated into the scheme, and Kent Police have since confirmed that they have met with the applicant to discuss the measures and have no further comments to make.

6. DEVELOPMENT PLAN POLICIES

6.1. **Bearing Fruits 2031: The Swale Borough Council Local Plan 2017**

- ST 1 Delivering sustainable development
- ST 3 The Swale settlement strategy
- ST 6 The Isle of Sheppey area strategy
- CP 2 Promoting sustainable transport
- CP 4 Requiring good design
- CP 5 Health and wellbeing
- CP 7 Conserving and enhancing the natural environment - providing for green infrastructure
- CP 8 Conserving and enhancing the historic environment
- DM 1 Maintaining and enhancing the vitality and viability of town centres and other areas
- DM 6 Managing transport demand and impact
- DM 7 Vehicle parking
- DM 14 General development criteria
- DM 16 Alterations and extensions
- DM 17 Open space, sports and recreation provision
- DM 19 Sustainable design and construction
- DM 21 Water, flooding & drainage
- DM 28 Biodiversity and geological conservation
- DM 29 Woodlands, trees and hedges
- DM 32 Listed buildings
- DM 33 Conservation areas

6.2. **Supplementary Planning Guidance/Documents**

- Supplementary Planning Document - Swale Parking Standards
- Supplementary Planning Guidance - Listed Buildings and Conservation Areas

7. ASSESSMENT

This application is reported to the Committee because the applicant is Swale Borough Council and the proposed development is located on Council owned land.

7.1. The main considerations involved in the assessment of the application are:

- The Principle of Development
- Character and Appearance
- Heritage
- Archaeology
- Living conditions
- Transport and Highways
- Environmental Health
- Ecology
- Trees
- Flood Risk, Drainage and Surface Water
- Sustainability / Energy

7.2. **Principle**

7.2.1. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 sets out that the starting point for decision making is the development plan unless material considerations indicate otherwise.

7.2.2. The National Planning Policy Framework (NPPF) provides the national policy context for the proposed development and is a material consideration in the determination of the application. The NPPF states that any proposed development that accords with an up-to-date local plan should be approved without delay. At the heart of the NPPF is a presumption in favour of sustainable development and for decision-taking this means approving development that accords with the development plan.

7.2.3. Policy ST1 of the Local Plan 2017 seeks to deliver sustainable development in Swale, including through development that accords with the settlement strategy as set out in policy ST3. It also promotes healthy communities through protecting, managing, providing and enhancing open spaces and facilities for sport and recreation. Policy ST3 of the Local Plan supports the principle of development within the built-up area boundary of established towns and villages within the borough.

7.2.4. Local Plan policy ST6 provides the area strategy for the Isle of Sheppey and seeks to consolidate and enhance the retail and service role of Sheerness Town Centre, especially where increasing its comparison provision or providing other services that enhance the centre. Policy DM1 supports this by seeking to maintain and enhance the vitality and viability of town centres and other areas.

7.2.5. Policy CP5 seeks to promote, protect and improve the health of Swale's population by safeguarding or providing as appropriate, open space, sport and recreation in

accordance with Policy DM 17, and bringing forward accessible new community services and facilities, including health facilities.

- 7.2.6. The application site is an existing leisure complex and healthy living centre within the Sheppey Town Centre. The proposed refurbishment and extension of the Sheppey Leisure Complex would safeguard and enhance the existing facilities that serve the local community, thereby promoting healthy and active lifestyles for the local population. The proposed improvements to the existing open space area, outdoor recreation facilities, and provision of the adventure golf course would also safeguard and enhance these facilities.
- 7.2.7. It is noted that the proposals include a café, however this is considered to be ancillary to the main leisure centre use and therefore does not constitute a change of use at the site. Nonetheless, given the location of the site within the town centre it is considered to be an appropriate addition, in principle, within the proposals.
- 7.2.8. The principle of the proposal is therefore supported in accordance with Local Plan policies ST1, ST3, ST6, CP5, DM1 and DM17 and the NPPF.

7.3. Character and appearance

- 7.3.1. The National Planning Policy Framework attaches great importance to the design of the built environment and that design should contribute positively to making places better for people. The Local Plan reinforces this requirement, including policy DM16, which supports alterations and extensions to existing buildings provided they are of an appropriate design and quality which responds positively to the style and character of the building being extended.
- 7.3.2. The existing leisure centre building is not of any architectural or historic importance and therefore its proposed refurbishment and extension is not objectionable in principle. Although the existing building presents an active frontage to the car park, the other elevations are blank and defensive in design and provide little interaction with the surrounding open space and outdoor recreational facilities. Additionally, there is scope to enhance the existing outdoor recreational facilities to benefit the appearance of the park and there is scope for the legibility of the site towards the town centre to be enhanced.
- 7.3.3. At two storeys the proposed extension would be responsive to the current leisure building and sit comfortably relative to the wider area. Its design would integrate well with the existing building, successfully uniting the buildings varied existing architectural approaches into an appropriate design response. The elevations are more open and active than the existing and would provide visual interest through the interplay of window openings and materials. The northern and western elevations would provide active frontages towards the park, including the proposed new entrance point, maximising passive surveillance, and capitalising on the opportunities provided by the park setting.

- 7.3.4. Internally, the existing building arrangement provides a rational configuration with a range of compatible uses and good connectivity through the existing building. The proposed ancillary café would help animate the edges of the building and promotes integration with surrounding spaces. There is no objection to the scale, architectural treatment and internal arrangement proposed.
- 7.3.5. Externally, a series of enhancements are proposed to the public space surrounding the building for a range of activities including tennis and multi-use sport area and adventure golf course. The proposed improvements include public realm enhancements and enhanced connectivity to the train station. Generally, the provision of activities and new public realm enhancements would create a more inviting and welcoming experience for users and visitors with enhanced connectivity and legibility. The mix of uses and their arrangement across the site appears appropriate and would complement the character and function of the area. Chainlink fencing of 2.75m height is proposed around the tennis courts, with 3m weldmesh fencing proposed around the MUGA and 1.8m green meshing proposed around the golf course. The fencing proposed would be reflective of the existing situation on site, but to ensure the proposals are visually acceptable, a condition securing details of the boundary treatments to be installed is recommended.
- 7.3.6. The proposed adventure golf course will bring activity and visual interest to this part of the site. Details of the adventure golf course have been provided, reflecting local landmarks and the area's history. Features across the adventure golf course would vary in height and obstacles such as boats, lighthouses and a plane (ranging in height from 5m down to 2m) are shown on plans, demonstrating how the golf course area would look. The proposals demonstrate how the development would be accommodated within the streetscene and how it would be viewed within the context of existing leisure facilities. Subject to a condition securing final detail of the golf course facilities, the proposals would have an acceptable impact on the visual amenity of the area.
- 7.3.7. Overall, the proposals would result in updated and improved facilities for the community and enhance their relationship with the public realm. The proposals are an appropriate design response that would have a positive effect on the character and appearance of the area in accordance with policies CP4 and DM14 of the Local Plan and the NPPF.

7.4. Heritage

- 7.4.1. Any planning application for development which will affect a listed building or its setting must be assessed in accordance with the requirements of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires a local planning authority to have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest which it possesses.

- 7.4.2. A similar duty exists where the proposed development will be within a conservation area where section 72 of the same Act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 7.4.3. The National Planning Policy Framework states that local planning authorities should identify and assess the particular significance of any heritage asset and consider the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits that may arise and this is endorsed by the Local Plan.
- 7.4.4. The application site does not include any heritage assets and is not located within a conservation area. The site does, however, lie within the setting of parts of the Sheerness Mile Town Conservation Area and listed buildings including the Grade II listed Sheerness Beach House which is sited closest to the site on Beach Street and Sheerness War Memorial to the west.
- 7.4.5. Mile Town Conservation Area comprises the historic core of the C19 Mile Town and includes the commercial areas of the town and areas of 19th century housing, including those on Beach Street. The significance of the conservation area is derived from its unaltered 19th century street pattern, function as the historic commercial centre of Sheerness with surviving examples of traditional shop frontages and variety of architectural styles, traditional materials, and detailing. The application site, which forms part of its setting, has been in leisure and recreational use since at least the 19th Century.
- 7.4.6. The proposal which includes an extension to the leisure centre and a series of enhancements to the public space surrounding the building are acceptable. The proposed extension replaces poor quality blank facades with an appropriately scaled and designed extension that would result in an uplift in design quality at this location. The extension is subject to significant separation to the conservation area boundary and is softened in views by extensive tree and landscape planting. The range of leisure uses proposed reflect the longstanding use of the site for leisure and recreational purposes and public realm enhancements would create a more inviting and welcoming experience for users and visitors. Overall, the proposal would enhance the setting of the conservation area.
- 7.4.7. Two listed buildings are located relatively close to the site – the Grade II listed Sheerness Beach House and the Sheerness War Memorial. Sheerness Beach House is a two-storey brick built dwelling dating from the early 19th century. Its significance lies in being a good example of formal 19th century architecture and detailing, which reflects the gradual evolution of development within Sheerness from modestly proportioned workers cottages to more aspirational development typologies. The primary setting to the house is the existing housing along Beach Street and Clarence Row and it contributes positively to this streetscape although there is a visual

relationship with the undeveloped open space around the leisure centre. Notwithstanding this, the public realm improvements, appropriate uses, and significant uplift to the architectural quality of the western end of Sheppey Leisure Centre, would enhance the setting of this listed building.

- 7.4.8. The Sheerness War Memorial lies to the west of the area near to where public realm improvements are proposed. The street layout and visibility towards the monument is an important aspect of its setting, reflecting its role as a civic memorial, designed to be appreciated from public spaces. However, the minor nature of the development proposed in this area would not materially affect the setting or significance of this structure.
- 7.4.9. In summary, the proposed development would preserve and enhance the setting of two designated heritage assets, including the Mile Town Conservation Area and the Grade II listed Sheerness Beach House, and would preserve the setting of the Grade II listed memorial. The proposal is therefore acceptable in accordance with Local Plan policies CP8, DM32 and DM33 and the NPPF.
- 7.4.10. In considering the impact of this proposal upon designated heritage assets, officers have had regard to the Council's obligations pursuant to the Planning (Listed Building and Conservation Areas Act) 1990.

7.5. Archaeology

- 7.5.1. The NPPF sets out that where development has the potential to affect heritage assets with archaeological interest, LPAs should require developers to submit an appropriate desk-based assessment, and where necessary, a field evaluation.
- 7.5.2. Policy DM34 of the Local Plan sets out that planning applications on sites where there is or is the potential for an archaeological heritage asset, there is a preference to preserve important archaeological features in situ, however, where this is not justified suitable mitigation must be achieved.
- 7.5.3. The submission includes a desk-based assessment that sets out the archaeological and geoarchaeological potential of the area of the site. It notes that beneath considerable made ground deposits there are deposits associated with the former marshland and also Pleistocene deposits. KCC Archaeology note that these are deeply buried and therefore are unlikely to be affected by the development proposals.
- 7.5.4. The 'made ground' is likely to include deposits associated with land reclamation from post medieval times. The site has a long history of recreational use as can be seen on the historic maps extending to the late 19th century. The site was also in land previously held by the War department and photographs of the Great War show that there were machine gun emplacements on the northern fringe near the former swimming pool area.

- 7.5.5. While the proposals for remodelling will have limited ground impacts there may be some potential for features associated with the historic use of the recreational ground that may be of local interest. KCC Archaeology therefore recommend that provision is made for an archaeological watching brief targeted at ground excavations. Subject to the inclusion of the recommended condition the proposal is acceptable in accordance with policy DM34 and the NPPF.

7.6. Living conditions

- 7.6.1. The Local Plan requires that new development has sufficient regard for the living conditions of neighbouring occupiers.
- 7.6.2. The proposed extension would be located approximately 37m from the nearest residential property to the south. As such, due to its separation, the proposal would have no adverse impact on daylight, sunlight, outlook or privacy of the neighbouring occupiers and it would not create an undue sense of enclosure. Likewise, the proposed landscaping, public realm improvements and adventure golf course would not have any unacceptable impact on neighbouring living conditions.
- 7.6.3. The proposed extensions are designed to ensure that noise is contained within the building and the improvements to the park and outdoor activities areas (including the MUGA) would effectively replace existing features. Therefore, these parts of the proposal would not result in unacceptable noise emissions when compared with the existing situation. In order to ensure that any plant equipment installed in connection with the leisure centre extension does not have an adverse effect on residential amenity, a condition requiring that any plant be tested, and any necessary noise mitigation installed, is also recommended.
- 7.6.4. The applicant has advised that the proposed adventure golf area would operate between 10am – 4pm during winter months (Nov – March) and 10am - 8pm during summer months (Apr – Oct). Environmental Health advised that this is acceptable. Subject to a condition securing the hours of operation of the adventure golf facility, this part of the proposals would not give rise to any unacceptable impact on neighbouring living conditions.
- 7.6.5. The submitted lighting strategy plans indicate that the MUGA will be served by column lighting on a timeclock, with the adventure golf area to comprise bollard lighting. In order to ensure that lighting to serve the MUGA and adventure golf does not have an adverse impact on neighbouring living conditions, two conditions are recommended, with one securing details of the lighting to be installed in those locations (including the light spread), and the other securing details of the hours of operation for that lighting.
- 7.6.6. To safeguard the living conditions of neighbouring occupiers during construction, conditions are suggested below to limit construction hours and to require the submission of a construction management plan, to limit noise and dust during the construction of the development.

- 7.6.7. Taking the above into account, the scheme is considered acceptable and would not have any unacceptable impact on the living conditions of neighbours. As such the proposal accords with Policy DM 14 of the Local Plan.

7.7. Transport and Highways

- 7.7.1. The NPPF promotes sustainable patterns of development and expects land use and transport planning to work in parallel in order to deliver such. The NPPF sets out that development proposals should identify and pursue opportunities to promote walking, cycling and public transport use. The NPPF also 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, following mitigation, would be severe, taking into account all reasonable future scenarios.”

- 7.7.2. Local Plan policy promotes sustainable transport through utilising good design principles. It sets out that where highway capacity is exceeded and/ or safety standards are compromised proposals will need to mitigate harm. SBC Vehicle Parking Standards Supplementary Planning Document (SPD) which is pursuant to Policy DM 7 of Local Plan was adopted by the Council in June 2020 and is a material consideration in the determination of planning applications.
- 7.7.3. The applicant has provided a Transport Statement as part of the submission which provides details of highways and transport matters relating to the proposed development. It notes that the proposal would not result in any significant impact upon the surrounding highways network. The leisure complex is located in a town centre location and has good pedestrian links to surrounding key destinations in Sheerness including bus stops and the train station. Car parking onsite is available via the two car parks nearby including Beachfields Car Park and Beach Street Car Park, which provide a total of 160 parking spaces.
- 7.7.4. The existing parking areas available to future users are of a sufficient size such that they could accommodate the additional parking needs generated by the development, whilst the site is located in the town centre where alternative sustainable transport options exist. Furthermore, there are existing parking restrictions in the surrounding town centre which will mitigate impacts on existing residents and businesses. KCC Highways have not raised any concerns with regards to parking.
- 7.7.5. The proposed public realm enhancements and pedestrian links from Beach Street car park and park entrance by Bridge Road to the leisure centre are confirmed by KCC Highways to be welcome improvements. The proposed dropped kerbs will need to be carried out under a section 278 agreement. Given the proposed works are within the red line boundary the details can be secured and agreed with KCC Highways by condition.

- 7.7.6. The Climate Change officer also notes that the development will enhance the opportunities for active travel through the enhancement of walking and cycling routes. This promotes the use of sustainable transport in accordance with policy CP2 of the Local Plan.
- 7.7.7. On the basis of the above, the development is considered to comply with Policy DM 7 of the Local Plan and is acceptable from a highways perspective.

7.8. Air Quality

- 7.8.1. The importance of improving air quality in areas of the borough has become increasingly apparent over recent years. Legislation has been introduced at a European level and a national level in the past decade with the aim of protecting human health and the environment by avoiding, reducing or preventing harmful concentrations of air pollution.
- 7.8.2. The NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing new/existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, inter alia, unacceptable levels of air pollution. It also requires the effects of air pollution and the potential sensitivity of the area to its effects to be taken into account in planning decisions.
- 7.8.3. The Planning Practice Guidance on Air Quality states that
- “whether or not air quality is relevant to a planning decision will depend on the proposed development and its location. Concerns could arise if the development is likely to generate air quality impact in an area where air quality is known to be poor. They could also arise where the development is likely to adversely impact upon the implementation of air quality strategies and action plans and/or, in particular, lead to a breach of EU legislation.....”.*
- 7.8.4. The Local Plan at Policy DM6 sets out that development proposals will integrate air quality management and environmental quality into the location and design of, and access to development and in so doing, demonstrate that proposals do not worsen air quality to an unacceptable degree.
- 7.8.5. The applicant has undertaken an Air Quality Assessment in support of this proposal, which sets out that the impact of the development in terms of air quality is 'not significant' due to the limited number of vehicle movements anticipated as a result of the development. The Environmental Health officer has reviewed the Assessment and agrees with its conclusions. Therefore, no mitigation measures are required and as such the proposals are considered to be in accordance with Local Plan policy DM6 and the NPPF.

7.9. Contamination

- 7.9.1. The NPPF states that local planning authorities should ensure that the site is suitable for its new use taking into account ground conditions and any risks arising from contamination.
- 7.9.2. The applicant has undertaken a Contaminated Land Assessment in support of this proposal. The Environmental Health officer has reviewed the Assessment and from a human health perspective raises no objections. The Environment Agency has also reviewed the application and in order to ensure that the proposals minimise the risk to controlled waters, raise no objections subject to conditions for contamination investigation, remediation and verification, which have been included accordingly.
- 7.9.3. Subject to the above conditions, the application is acceptable with regard to contamination, in accordance with policy ST1 (11h) of the Local Plan and the NPPF.

7.10. Ecology

Habitat Protection

- 7.10.1. The Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations') affords protection to certain species or species groups, commonly known as European Protected Species (EPS), which are also protected by the Wildlife and Countryside Act 1981. This is endorsed by Policies CP7 and DM28 of the Local Plan, which relates to the protection of sites of international conservation importance including Special Areas of Conservation (SAC), Special Protection Areas (SPA) or Ramsar Sites.
- 7.10.2. The application site is located on a site that is already in use as a leisure centre adjacent to the coastline. The sea wall screens the ground level of the site from the adjacent coast. KCC Ecology advise that public access along this section of coast and its proximity to extensive areas of housing associated with Sheerness means this area of coastline is likely to experience high levels of recreational disturbance.
- 7.10.3. The coast directly adjacent to the site is designated as Medway Estuary Marine Conservation Zone (MCZ), which is designated for its smelt, the nationally scarce tentacled lagoon-worm, estuarine rock habitats, intertidal mixed sediments, intertidal sand and muddy sand, low energy intertidal rock, peat and clay exposures, subtidal coarse sediment, subtidal mud, and subtidal sand. None of these features are likely to be affected by the proposed development if a suitable Construction Environmental Management Plan is in place for the duration of construction (including site clearance).
- 7.10.4. The site is within 600m of the Outer Thames Estuary Special Protection Area designated for wintering red-throated diver and foraging common and little tern during the breeding season. The Local Planning Authority must consider the impact the proposal will have on this and other nearby designated sites in accordance with the

Conservation of Habitats and Species Regulations 2017 (as amended) and the National Planning Policy Framework (NPPF) 2024. Due to the nature and location of the site, KCC Ecology advise that the proposals are unlikely to have an adverse effect on the integrity of this, or any other nearby internationally important designated sites, provided that a suitable Construction Environmental Management Plan (CEMP) is in place for the duration of construction (including site clearance).

- 7.10.5. Given the above, a condition is recommended securing a CEMP to be submitted for approval prior to the commencement of works on site. Subject to this the proposal accords with Local Plan policies CP7 and DM28, as well as the NPPF.

Roosting Bats

- 7.10.6. Bats are fully protected through the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended).
- 7.10.7. Three trees were identified as having potential bat roosting suitability (T01, T02 and T03 as classified in the preliminary ecological appraisal report). KCC Ecology initially requested clarification that the three trees identified were not subject to any proposed tree works identified within the Arboricultural Impact Assessment. The applicant clarified that the trees to be removed are small ornamental cherry trees within a planting bed which contain no potential roost features. The applicant also clarified that no bat roost features on any of the retained trees would be damaged or destroyed by the proposed works. KCC Ecology confirmed that this matter has been resolved.
- 7.10.8. The leisure centre was identified as having low suitability for roosting bats and a bat emergence survey was submitted during the application, which concluded the likely absence of a roost within the building. KCC Ecology have confirmed that roosting bats are unlikely to be affected by proposals. The proposals would therefore avoid an adverse impact on protected species and their habitats, in accordance with policy DM28 of the Local Plan and the NPPF.

Biodiversity Net Gain

- 7.10.9. The NPPF and Local Plan Policy DM28 seek to ensure that development proposals will conserve, enhance and extend biodiversity, provide for net gains in biodiversity where possible, minimise any adverse impacts and compensate where impacts cannot be mitigated. Under the Environment Act 2021, all planning applications for major development submitted on or after 12th February 2024 in England will have to deliver at least a 10% biodiversity net gain.
- 7.10.10. The applicant has submitted a Biodiversity Net Gain (BNG) Assessment and statutory biodiversity net gain calculation tool, which were revised following concerns raised by KCC Ecology. The BNG was further revised when the adventure golf course was re-added to the proposal, which indicates the lost area of mown grass in the location of the proposed adventure golf course. The final revised details indicate that the proposal would result in an overall BNG of 10.79% on site, including a net gain in hedgerow

units of 10.36%. The proposed development would therefore provide an acceptable BNG on site.

- 7.10.11. KCC Ecology have provided advice on the BNG details throughout the application and confirm that the approach is acceptable subject to conditions to secure the onsite BNG. They further advised that it will also be dependent on the successful implementation of detailed planting plans and a suitable habitat management and monitoring plan being secured through planning conditions should planning permission be granted. These conditions are included accordingly and on this basis the application accords with Local Plan policy DM28 and the NPPF.

7.11. Trees

- 7.11.1. The NPPF recognises the contribution of trees to the intrinsic character and beauty of the countryside. The Local Plan sets out a general policy protection for woodlands, trees and hedgerow through Policy DM29.

- 7.11.2. An Arboricultural Impact Assessment and Method Statement was submitted with the application and sets out the construction control measures to protect retained trees and tree groups (including hedgerows) within, and adjacent to, the site in accordance with British Standard (BS) 5837:2012. The only trees identified to be removed are a small group of ornamental trees and vegetation within an existing planter by the park entrance close to the retained sculpture which are identified as Category C. These are being removed in order to open up the space further and their removal will have limited impact on the natural and visual amenity of the area.

- 7.11.3. The Council's Tree Officer has reviewed the application and advised that there are no objections subject to conditions securing the Arboricultural Method Statement and tree protection measures. The Tree Officer also advises that the proposed landscaping as shown on the drawings by Terraforma Landscape Architects is considered acceptable and should also be secured by way of a condition. The recommended conditions are included accordingly.

- 7.11.4. Subject to the inclusion of the recommended conditions the proposal is acceptable in accordance with Local Plan policy DM29 and the NPPF.

7.12. Flood Risk, Drainage and Surface Water

- 7.12.1. The NPPF states that local planning authorities should ensure that flood risk is not increased elsewhere and that any residual risk can be safely managed. It then goes on to set out that development should only be allowed in areas at risk of flooding where supported by a site-specific FRA and the sequential and exception tests are passed, as applicable. These national policies are reflected in policy DM 21 of the Local Plan.

- 7.12.2. The site lies in Flood Zone 3a due to the high risk of tidal and fluvial flooding; however it benefits from existing flood defences, which protect the site in events up to and including a 1 in 200 year storm event. A Flood Risk Assessment (FRA) was submitted

with the application, which concludes that there is no residual risk of flooding to the site in the event of a breach in the flood defences. The development is considered to be 'less vulnerable' therefore is permitted in Flood Zone 3a, and it is proposed that the Finished Floor Levels of the buildings would be retained as existing, which are above the indicative water levels for the defended scenarios including climate change. The FRA also concludes that the site is deemed to be at 'low' or 'very low' risk of flooding from surface water, groundwater, sewers, and artificial sources.

- 7.12.3. The Environment Agency (EA) have reviewed the application and advised that they have no objections to the proposal based on the submitted FRA and subject to the recommended conditions to reduce the risks associated with flooding.

Sequential Test

- 7.12.4. Both national and local policy sets out that new development will only be permitted if it can be demonstrated that it satisfies the requirements of the sequential test, and where required, the exception test. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.
- 7.12.5. A Sequential Test was submitted with the application, which assessed potential alternative sites within the Borough. The Sequential Test concludes that no reasonably available sites for leisure use were identified in the Local Plan or Employment Land Review (ELR) Update. Two of the three sites from the SHLAA were identified to be suitable for mixed-use development, however these sites are not located on the Isle of Sheppey. Furthermore, both sites currently comprise greenfield land, and development would be subject to other constraints including an assessment of impacts on protected landscapes.
- 7.12.6. On the other hand, the Sheppey Leisure site is currently in operation as a leisure facility on brownfield land and the proposed development is seeking consent for the expansion of an existing facility.
- 7.12.7. In accordance with the NPPG on flood risk, a pragmatic approach to the assessment of alternative sites should be undertaken, proportionate to the scale of the proposed development. NPPG paragraph 027 states that in large areas of Flood Zones 2 and 3, where development is necessary to sustain the existing community, sites outside these zones are unlikely to offer reasonable alternatives.
- 7.12.8. Officers acknowledge that there are no alternative locations within Sheerness outside the Flood Zone 3 extents that would be considered reasonable alternatives for the proposed development. The approach to the sequential test taken by the applicant is considered to be reasonable when taking into account the nature of the development and the scale of the proposed extensions and refurbishments. It is reasonable to take the view that the location of the development outside of the Flood Zone is impractical as the extension and enhanced leisure offer on site (including the adventure golf

course site) is proposed to improve the existing health and leisure centre facilities available in this location. The proposals are therefore considered to pass the sequential test, in line with the NPPF.

- 7.12.9. Turning to the exception test, the necessity for the test depends on the potential vulnerability of the site and of the development proposed. Annex 3 of the NPPF (Flood Risk Vulnerability Classification) sets out a hierarchical system for allocating development depending on its level of vulnerability to flooding. This classifies the proposed development as 'less vulnerable'. In accordance with Table 2 of the PPG, this vulnerability classification is deemed appropriate within Flood Zone 3a. The exception test is therefore not applicable.
- 7.12.10. On this basis, the location of the site is considered to be acceptable in flood risk terms in accordance with the NPPF and Local Plan policy DM21.

Sustainable Drainage Systems (SUDS)

- 7.12.11. Both national and local polices seek development proposals to incorporate sustainable drainage systems (SUDS). A Drainage Strategy was submitted with the application and further details submitted during the course of the application to clarify matters raised by the KCC SUDS team.
- 7.12.12. Under the proposals, the surface water runoff will be conveyed to an existing combined sewer system located within Beach Street via an existing drainage run within the site. Runoff will be restricted to 2l/s via the use of a flow control. In order to restrict the runoff to greenfield rates, a geocellular tank is proposed to be provided with over 30m³ of attenuation. Exceedance flows are proposed to be channelled towards the soft landscaped areas to the west of the Leisure complex. Regarding foul water drainage, the existing combined drainage system will be separated into separate foul and surface water networks. The foul wastewater will utilise a gravity connection to the public sewer within Royal Road.
- 7.12.13. KCC SUDS have reviewed the strategy submitted and comment that the drainage modelling provided demonstrates that the drainage scheme is feasible. They note that the 1 in 30 year storm event has not been adjusted in line with the EA's latest climate change allowances. In order to secure this information, it is recommended that this detail is secured as part of a surface water drainage condition to be imposed on the decision.
- 7.12.14. Subject to the imposition of conditions securing details of a surface water drainage strategy and verification, the proposal is acceptable and accords with Local Plan policy DM21 and the NPPF.

7.13. Sustainability / Energy

- 7.13.1. Policy DM 19 of the Local Plan sets out a range of sustainable design and construction measures that development proposals should, where appropriate, incorporate them into their scheme. Along with the relevant parts of the NPPF, there is a clear requirement within local policy for proposals to demonstrate how this will be achieved.
- 7.13.2. The submitted Renewable Energy Statement sets out the applicant's intent to achieve BREEAM rating 'Very Good', which meets the requirement of policy DM19. The Council's Climate Change officer recommends that this should be secured by condition, which is included accordingly. The Energy Statement also sets out the passive design strategies and use of low and zero-carbon generating technologies, such as an air source heat pump (ASHP) system and photovoltaic (PV) panels to reduce the carbon footprint of the proposed development.

7.14. Other matters

- 7.14.1. The applicant met with Designing out Crime Officers to address crime prevention through environmental design and incorporate Secured By Design (SBD) measures as appropriate. The applicant has set out the SBD measures incorporated into the scheme, and Kent Police have since confirmed that they have no further concerns to raise.

7.15. Conclusion

- 7.15.1. The proposed refurbishment and extension of the Sheppey Leisure Complex would safeguard and enhance the existing facilities that serve the local community, thereby promoting healthy and active lifestyles for the local population. The proposed improvements to the existing open space area, outdoor recreation facilities and adventure golf course would also safeguard and enhance these facilities.
- 7.15.2. The proposed design would integrate well with the existing building, successfully uniting the buildings varied existing architectural approaches into an appropriate design response and sit comfortably relative to the wider area. The proposed public realm enhancements would create a more inviting and welcoming experience for users and visitors with enhanced connectivity and legibility with the train station. The proposed development would also preserve and enhance the setting of two designated heritage assets, including the Mile Town Conservation Area and the grade II listed Sheerness Beach House and have no material impact on the listed war memorial.
- 7.15.3. Overall, the proposals are considered acceptable and compliant with the Local Plan and NPPF for the reasons set out in the report. In view of the above, it is recommended for that the application for full planning permission be approved.

CONDITIONS

Time limit

- (1) The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

Drawings

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

BRP-GT3-XX-00-D-A-05-0001_P02 - Ground Floor Demolition Plans

BRP-GT3-XX-00-D-A-08-0001_P02 - Ground Floor Proposed GA Plan

BRP-GT3-XX-00-D-A-08-0004_P01 - Ground Floor Existing GA Plan

BRP-GT3-XX-01-D-A-05-0002_P02 - First Floor Demolition Plans

BRP-GT3-XX-01-D-A-08-0002_P02 - First Floor Proposed GA Plan

BRP-GT3-XX-01-D-A-08-0005_P01 - First Floor Existing GA Plan

BRP-GT3-XX-RF-D-A-05-0003_P02 - Roof Demolition Plans

BRP-GT3-XX-RF-D-A-08-0003_P01 - Roof Proposed GA Plan

BRP-GT3-XX-RF-D-A-08-0006_P01 - Roof Existing GA Plan

BRP-GT3-XX-XX-D-A-08-0900_P02 - Site Location Plan

BRP-GT3-XX-XX-D-A-08-0903_P02 - Existing Aerial View

BRP-GT3-XX-ZZ-D-A-05-0010_P01 - Demolition Elevations

BRP-GT3-XX-ZZ-D-A-08-0010_P01 - Existing Elevations

BRP-GT3-XX-ZZ-D-A-08-0011_P02 - Proposed Elevations

BRP-GT3-XX-ZZ-D-A-08-0012_P01 - Proposed Extension

BRP-GT3-XX-ZZ-D-A-08-0101_P02 - General Building Sections

BRP-GT3-XX-ZZ-D-A-08-0901_P03 - Existing Block Plan

BRP-GT3-XX-ZZ-D-A-08-0902_P06 - Proposed Block Plan

BRP-TFC-XX-XX-D-L-1001-P07

BRP-TFC-XX-XX-D-L-1002-P08

BRP-TFC-XX-XX-D-L-1003 - skate park and leisure centre-P03

BRP-TFC-XX-XX-D-L-1004 - main entrance and sculpture-P02

BRP-ENG-XX-XX-D-C-3001 Rev P04 - Proposed Drainage Plan

BRP-OAL-XX-EX-SK-E-0407 Rev P01 - Lighting Strategy

LLD3137-ARB-DWG-020

LLD3137-ARB-DWG-021

LLD3137-ARB-DWG-022

LLD3137-ARB-SCH-001-02

1006.01a - Adventure Golf - Existing Site Survey no aerial

1006.01 - Adventure Golf - Existing Site Survey

1006.02 - Adventure Golf - Layout Plan

1006.02a - Adventure Golf - Grading Plan

1006.03 - Adventure Golf - Cross Sections Plan

1006.04s - Adventure Golf - Landscape Plan

1006.05 - Adventure Golf - Typical Details Plan

1006.06 - Adventure Golf -Application Boundary Plan

1006.12 - Adventure Golf - Elevations

1006.13 - Adventure Golf - Elevation Examples

1006.33 – Adventure Golf - Materials Plan

Reason: In the interests of ensuring that the development is carried out in a co-ordinated manner.

Construction Management Plan (Pre-Commencement)

- (3) No development shall take place, including any works of demolition, until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The approved CMP shall be implemented and adhered to throughout the entire construction period of that phase.

The CMP shall provide details of:

- (a) Routing of construction and delivery vehicles
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage

- (f) Any requirements for temporary construction access
- (g) loading and unloading of plant and materials
- (h) storage of plant and materials used in constructing the development
- (i) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (j) measures to control the emission of dust and dirt during construction
- (k) a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To ensure that the impact of construction works on the strategic and local road network are managed, and in the interests of the amenities of the area and highways safety and convenience.

Contamination Investigation & Remediation

- (4) No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To reduce risk to controlled waters. Controlled waters are particularly sensitive in this location because the site lies on a secondary aquifer. Due to the vulnerability of the aquifer every precaution should be taken to prevent any pollution of groundwater.

Verification Report

- (5) No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To reduce risk to controlled waters. Controlled waters are particularly sensitive in this location because the site lies on a secondary aquifer. Due to the vulnerability of the aquifer every precaution should be taken to prevent any pollution of groundwater. This is in line with paragraph 180 of the NPPF.

Unexpected Contamination

- (6) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To reduce risk to controlled waters. This is in line with paragraph 180 of the NPPF.

Piling

- (7) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. Piling and investigation boreholes using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. This is in line with paragraph 180 of the NPPF.

Archaeology

- (8) Prior to the commencement of the development hereby approved, the applicant, or their agents or successors in title, shall secure implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed, and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification, which has been submitted to and approved in writing by the Local Planning Authority. For the purposes of clarity the condition will be in two parts. Part (i) relating to the submission of a WSI and part (ii) relating to the submission of a satisfactory report relating to the outcome of the watching brief.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with the Swale Borough Local Plan and the NPPF.

Flood Risk Assessment

- (9) The development shall be carried out in accordance with the submitted flood risk assessment (project number: 24-086; produced by: Odyssey on behalf of Willmott Dixon Construction; dated: May 2024) and the following mitigation measures it details:
- Finished floor levels shall be set no lower than 3.58 metres above Ordnance Datum (AOD).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants. This is in line with paragraph 170 of the NPPF)

Surface Water Drainage

- (10) Prior to the occupation of the development hereby approved, details of surface water drainage shall be submitted and approved by the Local Planning Authority in consultation with Southern Water (or successor utility provider).

The details shall demonstrate either:

- a) that the discharge surface water flow is no greater than existing levels if proven to be connected and it is ensured that there is no overall increase in flows into the surface water system. The details shall include a topographical site survey and/or a CCTV survey with the connection application showing the existing connection points, pipe sizes, gradients and calculations confirming the proposed surface water flow will be no greater than the existing contributing flows.

Or

- b) If (a) is not capable of being met, the details shall demonstrate that any sewerage network reinforcement required to adequately drain the development has been completed by Southern Water prior to occupation of the approved development.

The development shall be carried out and retained as such in accordance with the approved details.

Reason: To ensure that adequate waste water network capacity is available to adequately drain the development.

Sustainable Drainage Strategy

- (11) Prior to construction above damp-proof course of the development hereby approved, a detailed sustainable surface water drainage scheme shall be submitted to and approved by the local planning authority. The detailed drainage scheme shall be based upon the Flood Risk Assessment dated May 2024 and Drainage Strategy dated 18th November 2024 and shall demonstrate that the surface water generated by the relevant phase of the development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100-year storm, and in particular including the climate change adjusted 30-year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. The sustainable surface water drainage scheme shall also demonstrate (with reference to published guidance):
- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
 - appropriate operational, maintenance and access requirements for each drainage feature or SuDS component in that phase are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme for that phase shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding.

SUDS Verification

- (12) Prior to occupation of the development hereby permitted, a Verification Report, pertaining to the surface water drainage system, and prepared by a suitably competent person, shall be submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets, and control structures;

landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of the National Planning Policy Framework.

Noise

- (13) Prior to first operation of the plant and equipment associated with the development hereby approved a post completion noise survey must be undertaken at the maximum operating speed by a competent qualified acoustic consultant. The results of the survey report shall be submitted to and approved in writing by the Local Planning Authority.

The post completion testing shall assess performance against the noise levels as set in the Report Noise Survey and Assessment Report undertaken by Pace Consult dated 18th December 2023 (Report Ref: PC-23-0224-RP1).

If the post completion survey reveals that where the local authority's noise criteria has not been met further noise mitigation shall be implemented.

The final noise mitigation scheme shall be operated and maintained thereafter.

Reason: To safeguard the amenities of nearby residential properties.

Lighting Details

- (14) No external lighting shall be installed until a detailed scheme of lighting has been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. This scheme shall take note of and refer to the Institute of ILP Guidance Note 01/21 The Reduction of Obtrusive Light (and any subsequent revisions) and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. The scheme of lighting shall be installed, maintained and operated in accordance with the approved scheme unless the Local Planning Authority gives its written consent to any variation.

Reason: To safeguard the living conditions of nearby residential properties.

External Lighting Control Of Timing

- (15) The external lighting shall not be used until details of a timer control system to be fitted to the external lighting system and its hours of operation are submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the living conditions of nearby residential properties.

Highways Works

- (16) Prior to the first use of the development hereby approved, details of a delivery plan for the highways improvement works, including detailed plans for the two pedestrian crossing points on Beach Street, as indicatively shown on drawings BRP-TFC-XX-XX-D-L-1001 Rev P07 and BRP-TFC-XX-XX-D-L-1003 Rev P03, shall be submitted to and approved in writing by, the Local Planning Authority. The proposals shall be completed in accordance with a Section 278 agreement with the Highway Authority prior to first use of the development hereby approved, unless an alternative timetable for their provision has been submitted to and approved in writing by the Local Planning Authority, in which case the crossing points shall be provided in accordance with that timetable.

Reason: In the interests of highways safety and enhancement of the pedestrian environment within the vicinity of the site.

Construction Ecological Management Plan:

- (17) No development (including site/vegetation clearance) shall commence before a construction environmental management plan (CEMP (biodiversity) for the protection of the adjacent designated sites, and any protected and/or priority species on-site has been submitted to and approved in writing by the local planning authority. The CEMP (biodiversity) shall be based on the recommendations in section 4 of the Preliminary Ecological Appraisal by Lizard Landscape Design and Ecology, dated 14th May 2024 (reference: LLD3137-ECO-REP-001-01-PEA) and include the following:

- Risk assessment of potentially damaging construction activities to biodiversity;
- Identification of areas of vegetation to be retained and protected shown on appropriate scale plans, including reference to arboricultural method statement as required;
- Details of the practical measures (both physical measures and sensitive / anti-pollution working practises) to avoid or reduce impacts on the retained habitats;
- The location and timing of sensitive works to avoid harm to biodiversity features;
- The times during construction when specialist ecologists need to be present on site to oversee works;
- Details of any necessary protected species licences; and
- Responsible persons and lines of communication.

The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

Reason: To ensure that any adverse ecological impacts of development activities are avoided or suitably mitigated.

Biodiversity Net Gain

- (18) The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Assessment Ref: LLD3137-ECO-REP-002-04-BNG Rev 04 (dated: 18/11/2024).

Reason: To ensure the development delivers a biodiversity net gain on site.

Habitat Management and Monitoring Plan

- (19) Prior to the commencement of the development (except for demolition works) a Habitat Management and Monitoring Plan (the HMMP) to be prepared in accordance with the approved Biodiversity Gain Plan shall be submitted to, and approved in writing by, the local planning authority. The HMMP shall include:

- (a) a non-technical summary;
- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- (e) the monitoring methodology and frequency in respect of the created or enhanced habitat.

The habitat creation and enhancement works set out in the approved HMMP shall be completed in the first available planting season following the commencement of development.

Reason: To ensure the development delivers a biodiversity net gain on site.

Habitat Management and Monitoring Plan Monitoring

- (20) Monitoring reports shall be submitted to the Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site.

Arboricultural Impact Assessment & Tree Protection Compliance

- (21) The development hereby approved shall be carried out in strict accordance with the construction control measures to protect retained trees and tree groups (including hedgerows) within, and adjacent to, the site in accordance with British Standard (BS) 5837:2012 'Trees in Relation to Design, Demolition and Construction – Recommendations' as set out within the approved Arboricultural Method Statement (Ref: LLD3137-ARB-REP-001, dated: 07/05/2024) and Tree Protection Plans: (ref: LLD3137-ARB-DWG-020 Rev 01, LLD3137-ARB-DWG-021 Rev 01, LLD3137-ARB-DWG-022 Rev 01).

Reason: To safeguard the existing trees to be retained and to ensure a satisfactory setting and external appearance to the development.

Landscaping Details

- (22) Prior to first use of the development hereby approved, a detailed scheme and timetable for the soft landscaping and boundary treatments to be installed shall be submitted to and approved in writing by the Local Planning Authority. The planting and boundary treatments shall be completed on the site in accordance with the approved details and timetable.

The soft landscaping scheme shall include proposed trees, shrubs, and other features, planting schedules of plants (which shall include indigenous species and of a type that will encourage wildlife and biodiversity), noting species, plant sizes and numbers where appropriate, measures to prevent tree vandalism, and measures to protect the advance planting from construction on the remainder of the site for the duration of such works. Details of the boundary treatments shall include the material, appearance and height of the proposed fencing.

Reason: In the interests of visual amenity and to integrate the development into the surrounding landscape/context.

Landscaping retention

- (23) Upon completion of the soft landscaping works, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within the next planting season, unless otherwise agreed.

Reason: To ensure the retention and maintenance of strategic landscaping, in the interests of visual amenity.

Materials

- (24) No development beyond the construction of foundations in connection with the extension hereby approved shall take place until details of the external finishing materials to be used on the building extensions hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity.

BREEAM

- (25) Prior to the first use of the extensions to the Leisure Centre Building hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the works to the Leisure Centre building have achieved a BREEAM 'Very Good' rating.

Reason: In the interest of promoting energy efficiency and sustainable development.

Hours of use of adventure golf area

- (26) The adventure golf area shall not be used other than between the following times on any given day:
- November – March: 10am to 6pm
 - April – October: 10am – 8pm

Reason: To safeguard the amenities of nearby residential properties.

Adventure golf course obstacles

- (27) Notwithstanding the details submitted and prior to any works above ground level being carried out in the area identified for the adventure golf course, final detailed plans of all elements of the golf course scheme setting out the dimensions and materials of the proposed above ground installations, shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, the development shall only be undertaken in accordance with the approved details.

Reason: In the interests of certainty as to what is permitted and to safeguard the visual amenity of the area.

Informatives

Southern Water Informative

Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by the Local Planning Authority in consultation with Southern Water.

Biodiversity Gain Plan

Your attention is drawn to the legal requirement for a Biodiversity Gain Plan to be submitted and approved by the County Planning Authority prior to the commencement of the development. For guidance on the content of the process and the content of the Plan please see the link: [Submit a biodiversity gain plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan).

Please note that where the Biodiversity Gain Plan requires delivery of significant onsite biodiversity enhancements, registered off-site biodiversity gains or the use of statutory credits it may be necessary for the Plan to be secured by a section 106 legal agreement (or a conservation covenant) to secure the planning obligations. Where appropriate, measures to secure the planning obligations should be addressed as part of the information submitted with the Biodiversity Gain Plan.

Please note that on receipt of a valid Biodiversity Gain Plan the planning authority has 8 weeks to approve or refuse the biodiversity gain plan. This timeframe needs to be taken into account when planning for implementation of the development hereby permitted. This timeframe may vary, particularly where a legal agreement is required. Once the plan is approved, the development can commence.

The submission of a Biodiversity Gain Plan attracts a planning fee for the written confirmation of compliance with the biodiversity gain condition.

