

Decision Notice

MC/22/2924



other - EP Team
Dalcour Maclaren
Units 3-4 Bredon Court
Brockridge Park
Twynning
Tewkesbury
GL20 6FF

Applicant Name:
c/o Agent

Planning Service
Physical & Cultural Regeneration
Regeneration, Culture, Environment &
Transformation
Gun Wharf
Dock Road
Chatham
Kent
ME4 4TR
01634 331700
01634 331195
Planning.representations@medway.gov.uk

Town and Country Planning Act 1990

Location: Halling Greensand Water Treatment Works , North Of Vicarage Road ,
Halling, Medway, Rochester

Proposal: Variation of condition 2 (approved plans) on planning permission
MC/21/3244 for alterations to the layout of the apparatus within the site and reduction of
the overall length of the perimeter fencing

Notification of Grant of Planning Permission to Develop Land.

Take Notice that the Medway Council in pursuance of its powers under the above Act
HAS GRANTED PERMISSION for the development of land as described above in
accordance with your application received complete on 13 December 2022.

SUBJECT TO THE CONDITIONS SPECIFIED HEREUNDER:

- 1 The development hereby permitted shall be begun before the expiration of three
years from the date of the planning permission ref MC/21/3244, that date being
03 January 2022.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990
(as amended).

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

Received 13 December 2022:

10-1221-E1702A-DRG-3005-01 (003) - NEW UV & SODIUM HYPOCHLORITE KIOSKS CIVIL WORKS SECTION A-A & B-B
10-1221-E1702A-DRG-6001-0B (004) - NEW UV & SODIUM HYPOCHLORITE KIOSKS ELEVATIONS SHOWING NEW KIOSKS AND FENCING
20825-NOD-04-XX-DR-C-08001 (004) - HALLING GREENSAND SITE LOCATION PLAN

Received 6 January 2023:

AMENDED 10-1221-E1702A-DRG-3006 REV 02 - NEW UV AND SODIUM HYPOCHLORITE KIOSKS DUCTS AND DRAW PITS OVERALL PLAN

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

- 3 The proposed kiosks and the associated equipment hereby permitted shall be painted in green coloured paint (BS381/C 282) within one month of their erection and thereafter maintained in that colour.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to the character of the open space, in accordance with Policies BNE1 and BNE30 of the Medway Local Plan 2003.

- 4 No development shall take place (including any ground works, site or vegetation clearance), until a method statement for the protection of nesting birds, reptiles, dormice, bats, badgers and hedgehogs during clearance and construction works has been submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include:

- a) Purpose and objectives for the proposed works
- b) Working method, including timings, necessary to achieve stated objectives
- c) Extent and location of proposed works shown on appropriate scale plans
- d) Persons responsible for implementing works, including times during construction when specialist ecologists need to be present on site to undertake / oversee works.

The works shall be carried out in accordance with the approved details.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on biodiversity of the site and area, in accordance with Policy BNE37 of the Medway Local Plan 2003.

- 5 Prior to the completion of the development hereby approved, full details of the ecological compensation and enhancement measures, including a long-term management plan, outlined in the Preliminary Ecological Appraisal prepared by South East Water and dated August 2021 (submitted under planning application ref MC/21/3244) shall be submitted to and approved in writing by the Local Planning Authority.

The approved details will be implemented in accordance with the submitted timetable and thereafter retained in accordance with the submitted long-term management plan.

Reason: To ensure that the development has no adverse effect upon protected species and in accordance with Policy BNE37 of the Medway Local Plan 2003.

Your attention is drawn to the following informative(s) :-

- 1 The applicant is reminded that this permission relates to planning permission only and does not constitute approval under any other legislation including Building Regulations. To obtain advice on current Building Regulations the applicant should contact the South Thames Gateway Building Control Partnership at Foord Annex, Eastgate House, High Street, Rochester, Kent ME1 1EW
- 2 In accordance with paragraph 38 of the NPPF Medway Council takes a positive, proactive and creative approach to development proposals focused on solutions. Medway Council works with applicants/agents in a positive, proactive and creative and manner by:

Offering a pre-application advice service;
Updating applicants/agents of any issues that may arise in the processing of their application;
Where possible suggesting solutions; and
Informing applicants/agents of any likely recommendation of refusal prior to a decision.

In this instance the application was acceptable as submitted and no further assistance was required.
- 3 This decision has taken account of the Application Form received on 13 December 2022; and drawing number AMENDED 20825-NOD-04-XX-DR-C-08004 P04 - HALLING GREENSAND PROPOSED SITE LAYOUT AND ELEVATIONS, received 6 January 2023.

Dave Harris

David Harris
Head of Planning
Date of Notice 7 February 2023

TOWN & COUNTRY PLANNING (APPEALS) (WRITTEN REPRESENTATIONS) (ENGLAND) (AMENDMENT) (REGULATIONS 2013)

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks** from the date of this notice for appeals being decided under the Commercial Appeals Service and **6 months** from the date of this notice for all other **minor and major applications**.
 - However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:
 - **28 days** from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
 - **28 days** from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).
 - Appeals must be made using a form which you can obtain from the Planning Inspectorate by contacting Customer Support Team on 0303 444 50 00 or to submit electronically via the Planning Portal at

https://www.planningportal.co.uk/info/200207/appeals/110/making_an_appeal

Commercial Appeals Service

- This type of appeal proceeds by way of written representations, known as the "Commercial Appeals Service". Third parties will not have the opportunity to make further representations to the Planning Inspectorate on these.

All other Minor and Major Applications

- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the

proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based on their decision on a direction given by him.

Purchase Notes

- If either the Local Planning Authority or the Secretary of State refuses permission to development land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.