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**Report of 20 November 2014**

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**Wouldham**                                **570187 154367**    **30 September 2014**    **TM/14/03341/FL**  
Burham Eccles                                **TM/14/03594/CNA**  
Wouldham

Proposal:                                Hybrid Application: A: Formation of a lit paved runway with parallel grass runway, formation of grassed bund, re-siting of helipads, erection of two hangars, a hub building with control tower and associated building, erection of fencing and gates, formation of associated car parking areas, fuel tank enclosure, family viewing area and a memorial garden (detailed submission) plus demolition of a range of structures (identified on plan) and removal of portable structures.  
and B: Identification of future development site (outline submission)

Location:                                Rochester Airport Maidstone Road Chatham

Applicant:                                Rochester Airport Ltd

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**1. Description:**

- 1.1 This report is unusual in a number of ways. It covers two applications, the full application TM/14/03341/FL made to this Council and the formal consultation by Medway Council, as neighbouring Authority on application TM/14/03594/CNA (Medway reference MC/14/2914).
- 1.2 It is also important to note that the content of the applications is identical – but two applications are required as, while the vast majority of the application site lies with in Medway Council area, a small section of the site lies within TMBC area.
- 1.3 Application TM/14/03341/FL is a hybrid application with full planning permission being sought for a number of changes to upgrade the existing airfield. These include, in (A):
- the formation of a lit paved runway with parallel grass runway to replace 02/20. The new runway would be of an almost identical length to the current one, although its width would be reduced from 32m to 25m
  - formation of a parallel grassed runway for use by historic aircraft;
  - formation of a landscaped bund to run parallel with the runways and mark the boundary with any development to the north west;
  - re-siting of two existing helipads;
  - formation of a new 10m wide taxiway;
  - erection of two hangars (5 and 6);

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- erection of a hub building with control tower and office/admin facilities;
  - car parking areas, fencing and gates, family viewing area and a memorial garden together with the removal of portable structures;
  - erection of a new hangar type building for MAPS use for the foreseeable future.
- 1.4 The second part of the application (B) is an outline proposal which identifies part of the site for future development, if /when it is required, in order to build in flexibility and allow for future developments in aviation. There is no time frame for development on this part of the site.
- 1.5 Other elements have been included that do not appear to require planning permission but are mentioned for the sake of completeness. These include the creation of a parallel grass runway for use by historic aircraft, the refurbishment of hangar 3 and the minor refurbishment of hangar 4.
- 1.6 The applicants' agent has identified several operational elements which include a limit of 40,000 aircraft movements per annum and a reduction in weekday hours from 24 hours to 0730-1930. There would also be a reduction in weekend and Bank Holiday hours from 24 hour operations to 0830-1730. Home based aircraft would retain the right to use the airport until dusk or 2100 hours.
- 1.7 Runway lighting would remain as existing, although replaced with all other lighting on site being designed to be low level and compatible with aircraft safety.
- 1.8 The second application TM/14/03594/CNA (Medway reference MC/14/2914) is a consultation by Medway Council which is required as the application site crosses the boundary between the two Authorities and is identical to that described above.

## **2. Reason for reporting to Committee:**

- 2.1 This is a locally significant project that has attracted significant interest amongst residents within both TMBC and Medway.
- 2.2 The application is being reported to Committee at this stage in order that the views of TMBC can be made known to Medway before the application is determined by their Committee. It is possible that the Medway Council consideration could take place as early as December 2014 but possibly January 2015. Inevitably, in order to meet a reporting timetable that would facilitate TMBC passing its comments to Medway in the above time frame, some aspects of this report are yet to be finalised.
- 2.3 In particular, as the proposal relates to aircraft movements over the Council's area, TMBC has instructed specialist consultants to assess the aircraft noise implications of the project. The findings of that investigation will be critical to the

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consideration of the matters in hand and will be presented in a Supplementary Report along with recommendations as to the determination of the Borough Council's position on the cases.

### **3. The Site:**

- 3.1 The application site is located on the south western edge of the Medway towns and is under the ownership of Medway Council. It is stated that since 2000 the site has been leased to Rochester Airport Ltd (RAL) although the last lease expired in January 2014. Following extensive discussions and adoption of a Master Plan by Medway Council, RAL has now been granted a further 25 year lease. TMBC was engaged in the preparation of the Master Plan by way of officer level, Duty to Co-operate and working. Such technical working does not commit TMBC to any view on the current applications.
- 3.2 The majority of the project/application site falls within the Medway Council area with the exception of two small areas on the western side that fall within the Tonbridge and Malling Borough. As a result two identical applications have been submitted, one to each Authority with Medway being the lead determining Authority.
- 3.3 The two parts of the site that fall within TMBC area include part of the area which is reserved for future development (not within these applications) and the southern tip of one runway (within the application sites).
- 3.4 The site can be reached from several points leading from Maidstone Road (A229), Rochester Road, Laker Road and Marconi Way. The site is adjoined by retail and hotel development fronting Maidstone Road and also the Medway Innovation Centre, BAE Systems complex of industrial buildings. To the south of the site is the Woolmans Wood Caravan Park.
- 3.5 The airport site comprises a cluster of buildings and structures positioned towards the southern end of the site including hangars, workshops, café, portacabins and the control tower.
- 3.6 The airport currently has two cross wind grass runways, 16/34 and a lit and drained 02R/20L with a parallel relief runway 02L/20R. Runway 02/20 extends to some 830m in length and has a width of 32m. It is stated that the current use of these runways is split approximately 70% on vehicle runway 02/20 and 30% on 16/34. The airport is used by leisure flyers, for pilot training, emergency services, very light cargo traffic, surveys for utility companies, MoD and aerial photography. Due to the length and type of the runway and its surface the use is self-limiting in terms of the types of aircraft able to use the airport.
- 3.7 It is stated by the applicant that the airport currently handles some 32,000 movements per annum although this number will fluctuate according to weather and economic conditions. There are currently no restrictions on the number of

daily flights and on a busy day the applicant asserts that this could reach 400-500 movements. There are currently no planning restrictions on the days or hours of operation. Emergency services and the military are able to use the airport 24 hours a day. At present, there is no clearly defined "airside" or "landside" so that staff within the various buildings have to pass close to the end of runway 16/34 in order to access hangars, car parking and other buildings.

#### 4. Planning History:

TM/75/10668/FUL	Application Not Proceeded With	20 August 1975
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Access to hardstanding parking area for lorries at Rochester Airport.

TM/06/02286/A10	Approved	2 January 2007
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Article 10 Consultation by Medway Council for Application under Regulation 3 of the Town and Country General Planning Regulations 1992 for outline application for demolition of hangar 1 and disused buildings and construction of a innovation centre with access road and parking (revised application)

TM/06/02292/A10	Application Withdrawn	28 September 2006
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Article 10 Consultation by Medway Council for Application under Regulation 3 of the Town and Country General Planning Regulations 1992 for the creation of an all movement signalised junction with access road and car park and signage (revised application)

TM/06/03166/A10	Approved	2 January 2007
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Article 10 Consultation by Medway Council for Application under Regulation 3 of the Town and Country General Planning Regulations 1992 for formation of a deceleration lane and slip road and improvements to the on Maidstone Road

TM/06/03236/A10	No Objection	2 January 2007
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Consultation under Article 10 by Medway Council in respect of Application under Regulation 3 of the Town and Country General Planning Regulations 1992 for outline application for demolition of hangar 1 and disused buildings and construction of a innovation centre with access road and parking (revised application)

TM/07/02997/A10	Approved	30 November 2007
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Article 10 Consultation by Medway Council for reserved matters (namely design, external appearance and landscaping) for innovation centre incorporating a variation to condition 16 of MC2006/1254 to allow for building works to commence prior to the completion of highway improvements works and variation of condition 17 of MC2006/1254 to vary height limit from 12m to 13 m.

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TM/08/01537/A10    Approved

25 June 2008

Article 10 Consultation by Medway Council for revised access involving internal rearrangement of 132 space car park and associated plant and incorporating stand-by generator and chiller

**5. Consultees** (focussed on TM/14/03341/FL):

- 5.1 Burham PC: Would not like to see an increase in the number of flights over Burham or larger noisier aircraft using the new runway. Airport to close and become a business park providing more employment for Medway and the surrounding area.
- 5.2 Aylesford PC: No objection.
- 5.3 Wouldham PC: Supports the application.
- 5.4 KCC Highways: The current proposals subject to this application would not be likely to have any significant implications on the highway. The future development however of land currently used for runway 16/34 will require a transport assessment, should that be proposed in detail in due course.
- 5.4.1 The application includes the identification of the future development site and seeks outline permission for this. If this means the land can be developed thus generating significant levels of traffic, the details of this and the effects arising from this should be considered at this stage in a transport assessment.
- 5.5 Highways Agency: Directs that planning permission not be granted for a specific period expiring on 11<sup>th</sup> December 2014. The reason for this direction is that there is insufficient information presently available to the Secretary of State to ensure that the neighbouring trunk roads continue to serve their purpose as part of the national system of routes for through traffic in accordance with Section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety on these roads.
- 5.6 Environment Agency: Object to the application on the grounds that there is insufficient information to demonstrate that the risk of pollution to controlled waters is acceptable. The site is an extremely sensitive setting overlying a principle aquifer and in an SPZ of a public water abstraction point. There is no information on pollution control measures, fuel storage and re-fuelling areas or management of any de-icer equipment. There is no site contamination report indicating where previous pollution could have occurred, how this was addressed in the past or still requires to be addressed. The applicant should therefore provide information to satisfactorily demonstrate how these matters can be overcome.
- 5.7 Natural England: Having reviewed the application and in particular noise and visual impact, Natural England does not wish to comment on this development. The proposal relates to the Kent Downs Area of Outstanding Natural Beauty and it

is recommended that the advice of the AONB partnership organisation is sought regarding any impact upon the wider landscape setting.

- 5.8 Kent Downs AONB Unit: No response received at the time of preparing the report.
- 5.9 Kent Wildlife Trust: The application is the product of a fundamental review of operations and development at the airport at the start of a new lease period. It represents an excellent opportunity to consider how this extensive open area of land could be adapted and its habitats managed to achieve a significant enhancement of local biodiversity.
- 5.10 The ecological scoping survey report recommends a series of measures to achieve this goal and those that do not conflict with operational procedures are supported. The Trust is keen to see the implementation of the works to the pill box, broadening the native floral composition of the amenity grassland and adopting a Biodiversity Management Plan to steer the continuing maintenance of the grassland and other key habitat features. It is recommended that these measures are implemented by way of planning conditions. It is also considered that the applicants should be asked to consider the use of green/brown roofs to the buildings. A condition is recommended to prevent an increase in the number of flights into and out of the airport in any one year.
- 5.11 Kent Fire and Rescue Services: Confirm that the means of access is considered satisfactory.
- 5.12 KCC Heritage: No response received at the time of preparing this report.
- 5.13 Private Reps: To date representations have been received from 14 individuals, some living in Kent and some from other parts of the country including Maidenhead, Northamptonshire, Cheltenham and Farningham. A variety of comments have been received both for and against the application.

5.13.1 ***Support for the proposal***

- Asset to the economy and leisure facilities and the area generally.
- Haven for wildlife.
- Hard runway will help take off and reduce noise and provide improved accessibility.
- Useful training facility for pilots.
- Air traffic will be distributed more evenly over the year to the benefit of flying schools.
- Restrictions on the numbers and days/times of operation.

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- Other airports in Kent have been lost in recent years.
  - Airport is well placed to provide an essential emergency service to North Kent and the surrounding area.

#### 5.13.2 ***Against the proposal***

- Noise associated with helicopters, gyrocopters, microlights and night flights by emergency services.
- Masterplan is biased and not impartial.
- Waste of ratepayers money.
- Commercialisation of airport.
- Lack of Environmental Impact Assessment.
- Suggested cap on flight numbers will be exceeded.
- Increase in air/light and noise pollution to the detriment of the residents quality of life.
- The single direction runways will concentrate all air traffic over a highly populated area including several schools and nursing homes.
- Availability of runway for more and heavier aircraft.
- Recent development in the area has resulted in a reduction in the amount of space available for an emergency drop zone.

5.13.3 Various other matters have been raised about the procedures followed by Medway through the production of a Masterplan and the EIA screening opinion. This does not have any bearing on the consideration of these applications.

5.13.4 Reference has also been made to the operation of the airport in terms of safety standards as identified by the Civil Aviation Authority. In its document CAP 168 "Licensing of Aerodromes" (February 2014) the Civil Aviation Authority indicates that "*A proposal to use land as an aerodrome may be the subject to the requirements of the Town and Country Planning Acts and applicants are advised to consult the Local Planning Authority before embarking on any such project. The application for planning permission and the request for the aerodrome licence are not interdependent and are made separately.*"

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## 6. Determining Issues:

- 6.1 The applications must both be determined in accordance with the provisions of the relevant Development Plan, either that which covers the TMBC area or that which applies in Medway. However, one further key consideration is whether such development plans have been superseded or updated by the provisions of national policy, in these cases, The National Planning Policy Framework (NPPF).
- 6.2 NPPF provides the national policy context for determining planning applications. Amongst its aims the NPPF states that the planning system should do everything to support economic growth and should not act as an impediment for sustainable economic growth and should support existing business sectors. Planning authorities should seek to secure a high quality of design and a good standard of amenity for all existing and future occupants of land and buildings. Emphasis is also placed on conserving and enhancing the natural environment and minimising impacts on biodiversity.
- 6.3 The Tonbridge and Malling Core Strategy was adopted some time before the NPPF was published. Relevant policies are CP1, CP7 (development affecting an AONB) in so far as the part of the site in TMBC area is *quite close* to the AONB boundary which is on the southern side of M2 and planes from the site will take-off directly over the AONB boundary) , CP24 (standard of development). Also relevant are MDE DPD policy SQ6 (the impact of noise), NE3 (impact of development on Biodiversity) and SQ4 (air quality). (Both of the these latter policies are to be considered in light of the approach now adopted in NPPF.) There is no site specific policy relating to airfield related development in any TMBC planning policy.
- 6.4 In Medway there is a section in the Adopted Medway Local Plan 2003 which deals with the airfield. The adopted policy reads:

*“POLICY S11: ROCHESTER AIRFIELD*

*Rochester Airfield, as defined on the proposals map, is allocated for a high quality business, science and technology development comprising Class B1, B2 and B8 uses.*

*A development brief, approved by the council, will guide Development”*

- 6.5 Medway Council will need to consider the application that they deal with carefully to assess the proposal in light of this policy.
- 6.6 By way of background information the applicants have advised that two submissions were made for an Environmental Impact Assessment (EIA) “Screening Opinion” for the proposed works, or project, to Medway Council. After



the first submission a decision was reached that an EIA was necessary due to the characteristics of the site and the project and the need to identify any significant effects on nearby sensitive areas. This decision was reached following submissions made by Natural England (NE) and KCC. The concerns expressed by NE/KCC (as to whether EIA is required – not whether the proposal is acceptable) were addressed in more detail and a second screening submission was made. In August 2014, Medway Council issued a further “Screening Opinion” to the effect that, subject to certain constraints on flying practice, no Environmental Impact Assessment would be necessary. It is believed that there may be a challenge to this latest “Screening Opinion” by way of an approach to the Secretary of State. TMBC has received no formal notice of such a challenge and must rely on the later of the two “Screening Opinions”.

- 6.7 It is understood that Rochester Airport was first established in 1933 and has been fully operational as a General Aviation flying site ever since. Medway Council has worked for several years to identify a financially viable way to protect the airport and provide greater access for aviation and heritage/leisure uses. A full Statement of Community Involvement was prepared by Medway Council in January 2012 and summarises work to that date. A Master Plan was prepared and was the subject of further public consultation and adopted in January 2014. It is understood that the planning application follows on from feedback from the above consultations in the context of the Masterplan preparation.
- 6.8 In support of the proposal several documents have been submitted. These include a noise report, flood risk assessment, ecological appraisal, drainage design statement, desk based archaeological assessment, tree survey and arboricultural report. In determining the applications the project as a whole will be considered but the recommendations will inevitably have to reflect the parts of the site that fall within the relevant Council areas and the nature of the application in each.
- 6.9 Neither application, in respect of the runway improvements etc, appears to be supported by a specific and express policy aimed at promoting, facilitating or encouraging a proposal of the character of the overall project the subject of the applications. Nevertheless, the use of the site for flying is historically well established. So, the key is whether the new works, especially the hard surfacing and realignment of the runway (mostly in Medway and a small portion in TMBC area) will bring about different impacts from the current position and if so whether these impacts are or are not acceptable. The outline portion (B) of the proposals appears to be in broad compliance with Policy S11 of the Medway Local Plan 2003.
- 6.10 Noise - This Council has appointed a specialist independent Noise Consultant to assess the submitted Noise Report which seeks to clarify noise impacts from the overall project (which is facilitated by the small part of the hard runway that is proposed with the Borough). It is important that, should the flying facilities be enhanced, the noise climate remains acceptable having particular regard to

residential amenity with the Borough. This is a vital consideration because once a pattern of flying is committed by a planning permission then there is no residual power to control aircraft noise. Abatement Notice procedure, for instance, is not possible in respect of aircraft noise. The results of this independent noise assessment will be reported in a Supplementary Report.

- 6.11 Lighting - Where illumination is needed adjacent to the aircraft buildings, high output floodlights will be used and directed at the ground using appropriate light reflections to control the spread of illumination. Low energy LED lights would be used to illuminate fixed aircraft ground routes. The level of illumination for buildings will be in accordance with CIBSE (Chartered Institute of Building Services Engineers) Lighting Guide and the level of illumination for aircraft manoeuvring areas will be in accordance with CAA CAP 168. In this respect the major impacts relate to that part of the project that lies in Medway Council area and Medway must satisfy itself that its assessment of the proposal reflects the position set-out on NPPF and Planning Practice Guidance. Further comment as to the potential visual impact in TMBC area will be provided in a Supplementary Report.
- 6.12 Site operation safety - The issue of safety in association with the operation of the airport has been raised by some residents. The submitted documents suggest that safety will be improved by the construction of a paved runway. The airport will continue to be licensed by the CAA and operate in accordance with their requirements – CAA document CAP168 deals extensively with safety (over 420 pages). Although the operation of the airport is not a matter that can be controlled by a planning permission, the applicants' agent has stated that the airport will continue to be subject to the scrutiny of and continuous assessment by the CAA.
- 6.13 Visual impact - The physical changes to the site will include the repositioning of the café, public viewing area and memorial garden. In addition, the positioning of the new control tower and re-cladding of the hangars should not materially harm the visual qualities of the area. The application site does not fall within the AONB, is located between 0.4 to 0.6km to the west of the airport and is separated from it by the M2 motorway and the HS1 route. It is considered that views across the airport will not be affected by the proposed development and there should be no harm to the character of the nearby AONB.
- 6.14 The existing vegetation will remain unaffected by the development. Low shrubs are proposed in the public access areas around the car parking to the hub and café/restaurant, public viewing area and memorial garden.
- 6.15 A low grassed bund will be provided from material excavated from the site works to the north west of runway 02-20, which would delineate the boundary from the area of the site to be developed by Medway Council in the future. For operational reasons the bund would be restricted in height and no extra material would be imported in to the site.

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- 6.16 On the face of it, and bearing in mind the current facilities at and around the Rochester Airport site and also bearing in mind the implications of Medway policy S11 I do not consider that the detailed elements or the outline proposals give rise to overriding concern in terms of visual impact.
- 6.17 Ecology - From an ecological point of view Kent Wildlife Trust has suggested a number of measures that could be implemented to enhance biodiversity at the site. These measures are welcomed and would need to be covered by safeguarding conditions.
- 6.18 Highways - The application has been considered in relation to the provision of parking and the impact upon the associated highway network. It is noted that the Highways Agency (responsible for traffic in relation to M2) has issued a Direction that planning permission should not be granted until after 11<sup>th</sup> December as they consider that a Transport Assessment is required in association with the outline proposal for part of the site. It is stated that this information is required in order to assess the impact of future development on the site. The KCC Highways has noted that the proposals would not be likely to have any significant highway implications on Kent roads (Medway Council is a highways authority in its own right) and that there would be little change in the overall context of traffic movements at the site. Parking will be provided within the site to vehicle standards. The future redevelopment of the land currently used for runway 16/34 will however require a transport assessment and this will need to be dealt with before a planning decision can be made by either Tonbridge and Malling Borough or Medway Councils.
- 6.19 Archaeology - At the time of preparing the report no response had been received from the KCC Archaeological Officer in respect of the part of the site in TMBC area. Any comments received will be included in the supplementary report. It is entirely conceivable that defence related
- 6.20 The Environment Agency has commented on the application in terms of the risk to controlled waters, ground water protection and land contamination. It is necessary for satisfactory information to be provided to demonstrate that the risks to controlled waters have been fully understood and can be addressed through appropriate measures. At the present time, an objection is raised by the Environment Agency as insufficient information has been submitted to demonstrate that the level of risk posed by this proposal is acceptable and the application has failed to provide assurance that the risks of potential pollution are understood. These matters will need to be brought to the attention of the applicants. My own officers agree that in light of the previous use of all parts of the site a full assessment of potential contamination is appropriate.
- 6.21 It is clear that Rochester Airport is an asset to the local area and provides recreational activities, heritage links and local employment. It also serves utility companies, the police and air ambulance and so is of benefit to the wider

community. The proposed redevelopment of the airport site will result in significant visual improvement throughout the whole site and will upgrade the disparate and largely unsightly, poor quality and temporary structures.

- 6.22 It is understood that the Medway Council produced Masterplan for the airport sets out a strong case for its redevelopment in terms of policy S11 and economic benefits to the wider Medway area, albeit that the Masterplan carries only very limited weight at this time. The proposed development will allow for an improved operation notwithstanding the loss of the crosswind runway. The scale and nature of the proposals will be appropriate to the size of the airport. However because of the general effects of the airport flying proposals in particular it is necessary to consider the more specific impact of the development on the small sections of the land that fall within the Tonbridge and Malling Borough. It is noted that only a tiny section of the southern end of runway 01/20 and the aircraft holding area falls within TMBC area. This section of the runway lies adjacent to Rochester Road and close to the M2 with warehouse premises to the north. There are very few residential properties in the vicinity of this part of the airport site that fall within TMBC area.
- 6.23 The potential future development to the north-west of the operational site (which subject to the outline portion of this application) will undoubtedly add to employment opportunities for the area. However, such proposals will require careful and detailed consideration and in the absence of a greater level of information concerning the potential types of use and the amount of development intended it is not possible to comment in more detail at this stage on this aspect of the submission. Crucially, KHS have requested in their representations that a TA is required in order to make an informed judgement as to the acceptability of the principle of such development which I consider to be an entirely reasonable request in these circumstances.

## 7. Recommendations:

**Further details of the investigation of matters identified above, and in particular an assessment of the impact of aircraft noise on the TMBC area, together with detailed Recommendations will be provided in a Supplementary Report.**

Contact: Hilary Johnson

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SUPPLEMENTARY REPORTS

AREA 3 PLANNING COMMITTEE

DATED 20 November 2014

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Wouldham                      TM/14/03341/FL  
Burham Eccles                TM/14/03594/CNA  
Wouldham

**Hybrid Application: A: Formation of a lit paved runway with parallel grass runway, formation of grassed bund, re-siting of helipads, erection of two hangars, a hub building with control tower and associated building, erection of fencing and gates, formation of associated car parking areas, fuel tank enclosure, family viewing area and a memorial garden (detailed submission) plus demolition of a range of structures (identified on plan) and removal of portable structures and B: Identification of future development site (outline submission) land to the east of hangars 5 and 6 at Rochester Airport Maidstone Road Chatham for Rochester Airport Ltd**

Since the main Agenda was published a number of matters have arisen including matters of clarification, queries made to the applicant and representations received. As a result revised Recommendations are set out below but essentially application **TM/14/03341/FL is WITHDRAWN FROM THIS AGENDA** and will be reported to Committee at the appropriate time (when there will be a full opportunity for public speaking). However, there is a recommendation in respect of **comments to be made to Medway Council in respect of TM/14/03594/CNA**. The matters described below will form part of both the Borough Council's consideration of TM/14/03441/FL in due course and also the matters to be raised with Medway Council in respect of TM/14/03594/CAN.

KCC Archaeology: Archaeological and historical background: The proposed development site lies in an area of archaeological and historical interest relating to past discoveries of ancient archaeological remains in the general vicinity and arising from the site's more recent use as an airfield.

Past archaeological discoveries to the south and west of the site have revealed evidence for archaeological activity of prehistoric and Romano-British date. These remains include a Roman inhumation to the south of the airfield. The burial comprised a skeleton accompanied by grave goods, including two vases. It is possible that further evidence for prehistoric and Romano-British activity may extend into the site in question.

Rochester Airfield was itself established in the 1930s, initially developed by Rochester Council, the airfield was quickly taken over by Shorts Brothers who began flying from the site in c. 1934-35. The site was used for test-flights, a flying school and also hosted civilian flights to Southend.

In the Second World War Shorts Brothers had a factory at the airfield which was used for the production of Stirling Bombers. Whilst no operational squadrons were based there a number of planes made emergency landings at Rochester. Although not an

operational military airfield, the Rochester site was an important manufacturing site and as such was bombed on a number of occasions. Anti-aircraft defences were installed at the site and there were a number of air-raid shelters to provide accommodation for factory workers. A number of buildings relating to Short's use of the site survive, including hangers, air-raid shelters and other ancillary buildings. Of particular note is Hangar 3, built in 1939, for No. 23 Elementary and Reserve Flying Training School. I welcome the proposals to retain this building as part of the airport redevelopment.

Recommendations: The submitted Archaeological Desk-Based Assessment concludes that the site has a "...low to moderate possibility that archaeological remains of regional significance could be extant within the proposed development area. There is a moderate to high possibility that archaeology relating to the Second World War may be uncovered, especially in the northwest part of the site earmarked for future development" and I would agree with this conclusion.

The Desk-Based Assessment goes on to make recommendations for actions required to mitigate the impact of the development works on the site's historical and archaeological interest. The recommended works include historic building recording, archaeological monitoring, evaluation and investigation. Such works could be secured through the inclusion of suitable planning conditions as part of any forthcoming planning consent.

### ***Planning policy considerations***

Paragraph 6.2 of the main report references the Medway Council produced Masterplan for the Airport, and its association with policy S11 of their adopted plan. It has now been established that this is no longer correct, so to clarify, policy S11 IS NOT A SAVED POLICY. It can, therefore play no part in the consideration of either planning application. However it must be noted that the Saved Policies of the Medway Local Plan 2003 includes an aviation related policy (T23).

An extract from the Medway Local Plan is set out below, including the policy text:

*"The local plan is proposing to develop a science and business park at Rochester Airfield which would result in the closure of one of the main runways. However, with the appropriate investment in the remaining runway and other aviation related facilities within the airport, the level of activity could increase. Policy T23 therefore sets out the criteria against which any future proposals for aviation related development will be measured. Such criteria would also apply to any proposals for new general aviation facilities within the plan area.*

### ***POLICY T23: AVIATION RELATED DEVELOPMENT***

*Development proposals at or affecting Rochester Airport and any proposed new aerodromes, will be considered against the following criteria:*

*(i) compatibility with existing or potential aviation operations;*

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*(ii) the scale and nature of the proposed development, taking account of the existing amount of activity on the site;*

*(iii) the economic and employment benefits of the development;*

*(iv) the proposals for a science and technology park at Rochester Airport in policies S11 and ED5;*

*(v) the impact upon residential and other noise sensitive properties;*

*(vi) traffic generation;*

*(vii) other environmental and social impacts; and*

*(viii) accessibility from the urban area of Medway.”*

### **Other factors**

By way of an update to Members on the current position in respect of the planning application for determination by TMBC, I can advise that since publication of the main Agenda, we have received some initial and detailed feedback from our independent noise consultant which identifies that a number of matters have emerged in his initial assessment that require further clarification in respect of matters of both appropriate noise policy considerations and application of noise testing/projection methodology. The technical points raised with the applicant have also been shared with Medway Council's case officer. The responses to these points will be referred to our independent noise consultants and the assessment on noise matters will form a key factor in the report that is eventually prepared for TMBC Committee on TM/14/03441/FL.

The applicant's agent has now clarified that the outline element of the application relates only to the area to the east of hangars 5 and 6. It was possible that, on one reading of the proposal description and accompanying documents, the land that currently forms part of runway 16/34 was also included in the applications – but this is not the case. An amended plan has been received with revised red and blue lines around the relevant pieces of land. The description of the planning application has also been amended so that it makes it clear that outline permission is sought on land east of hangars 5 and thus the proposal is a hybrid application. In association with the proposals for these two Rochester Airport applications various procedural matters have been raised by those making comment on the applications and which they believe should be viewed as material considerations in the determination of the applications. These are outlined below and should be drawn to the attention of Medway Council. Where appropriate they will also be addressed in the subsequent report to APC3.

### **Application status**

Mention has been made, by some parties, of the status of the full planning application. It has been implied that the application should be considered as a Nationally Significant

Infrastructure Project (NSIP) which would fall to be dealt with by the Planning Inspectorate and not the LPA. In planning terms whilst this application is of local significance, it is a conventional planning application to be decided by the relevant Local Planning Authority. It does not meet the relevant *statutorily defined criteria* to be treated as an NSIP.

### ***Environmental Impact Assessment***

It is understood from Medway Council that a local resident has contacted the DCLG regarding the validity of Medway Council's Environmental Impact Assessment (EIA) screening opinion of 2<sup>nd</sup> September 2014. To date, TMBC has not seen any formal papers relating to such a challenge and are not aware of any response from the DCLG team. Any feedback that is received from Medway will be reported to the Committee members when application TM/14/03341/FL is considered by APC3, along with any relevant legal guidance.

### ***Rochester Airport Options Study***

Reference has been made to the Rochester Airport Options Study (August 2012), commissioned by Medway Council's Asset and Property Services and produced by TPS which outlined options for the future of Rochester Airport. This document examined potential aerodrome layouts to enhance the viability of Rochester Airport through the implementation of a paved runway and the release of land for commercial development by the closure of one of the airports existing main runways. This report includes details about capital expenditure associated with the options for the runway, aerodrome safeguarding and airport planning criteria. This document includes aspirations and compares options for the possible changes to the runways. This document was not submitted in support of the current application and would appear to carry little weight with regard to the current application before Medway for determination.

### ***Runway operational matters***

The proposed paved runway is not considered by some residents to be Civil Aviation Authority (CAA) compliant, as no approval documents have been provided by the applicants. Reference has also been made to other aspects of aerodrome safeguarding as outlined by CAA requirements, including Runway End Safety Areas (RESA), Obstacle Limitation Surfaces (OLS) and Emergency Landing Zones.

The operation and safeguarding procedures for pilots using Rochester Airport are matters that would be continue to be covered under CAA requirements, as they are at the present time. See paragraph 5.13 of the main report.

### ***Cost***

The cost of the proposed works to the airport is disputed and it is considered that the overall cost would be considerably higher than that referred to in the application documents. The cost of the proposals is not a matter that can be taken into account in



the determination of this planning application in absence of any evidence that the cost would prevent delivery of the proposal.

### ***Malicious emails***

A neighbour is of the opinion that there may be some malicious behaviour taking place to distort public opinion and comments on the application. It is implied that the views of those who may use the airport but who may not live locally have been encouraged. It is argued that such action would give the impression that there may be a higher level of support and that this may be an attempt to deceive others to wrongly misrepresent themselves.

Background investigations are taking place but it is not, as a matter of principle, inappropriate for correspondents remote from an application site to make comment on an application. In any event it is not the weight of numbers of comments that is relevant but the weight of argument on material planning matters that must be taken into account. This will be dealt with in the further report if necessary.

### ***Land Compensation Act***

It has been suggested by at least one local correspondent that the provisions of the Land Compensation Act 1973 may have some bearing as a material consideration in the Councils' planning decisions. This legislation contains provisions relating to the payment of compensation by the operator of relevant infrastructure if the use of that infrastructure has a negative impact upon surrounding land values. Legal advice has been taken and it is thought unlikely that this would be a material planning consideration. Even if it were material, the weight to be attributed to such considerations would be low.

### ***Noise***

The technical matters raised with the Agent thus far are set out on the attached letter/note. Once a detailed response is received it will be assessed by the TMBC consultant and if necessary further matters may need to be raised. The matters surrounding noise factor will have a significant bearing as to the timing of the report back on TM/14/03341/FL

One factor that TMBC will need further information upon is the clarification of the full range of Aircraft types, both fixed wing and rotary wing, that are physically able to utilise a runway of the type/size and configuration proposed.

A further matter relates to the likely effect of noise/disturbance of testing "dead engine" skills as the proposed scheme would only allow this to take place south of the airport (in terms of impact on TMBC) whereas at present does not need to occur on the same flight-path.

***Representations***

A number of representations have been received raising issues along the lines mentioned above. These and any other representations received subsequently will be dealt with in the substantive report in due course.

**REVISED RECOMMENDATIONS****TM/14/03341/FL****APPLICATION WITHDRAWN FROM AGENDA****TM/14/03594/CNA**

In light of the issues identified above, the following recommendation is put forward in respect of this Authority's formal consultation response to Medway Council:

**REVISED RECOMMENDATION:**

**The Borough Council requests that prior to any formal determination of TM/14/03594/CNA (Medway ref: MC/14/2914) Medway Council should consider the matters raised in the Supplementary Report above.**

**The Borough Council reserves the right to provide further formal comments to Medway Council on the receipt of the above information, or information from any other sources, that may arise in the interim period up to the next report on TM/14/03341/FL.**