

TABLED UPDATE FOR DEFFERED ITEM 1

Reference and address: 23/500263/REM, Land At Wises Lane, Borden.

Further Representations

1. Two new representations have been received from Jill Fairbrass and Gillian Poluchowicz objecting on similar grounds to previous objections set out in the original report, the original Tabled Update in August and summarised under paragraph 4.1 of the deferred report. Namely that noise and light from the facility would adversely impact on local wildlife and the Borden Nature Reserve (BNR). Traffic generation, particularly for juniors training on Sundays who would not walk to the facility. Impact of flood lighting on surrounding area and the BNR. Loss of BMV. Displacement of cars on to surrounding roads on match days.

(Officer Response: Attention is drawn to paragraphs 4.3 and 4.4 of the deferred report on parking. Floodlighting is addressed in paragraph 4.5 to 4.7 of the deferred report. i.e., that there is no flood lighting proposed. Sittingbourne Rugby Club (SRC) have clarified the times for matches and Junior Training to be during day light hours as set out under paragraph 4.5 of the report. The Ecological impact is addressed in paragraph 4.8 to 4.9 of the deferred report. Members are also asked to note that the distance from the BNR boundary to the proposed building is 161m and extensive landscaping as set out under paragraph 7.7.2 of the August committee report (Appendix 1) would also mitigate the visual impact of the proposal).

2. Two repeat objections have been received from Lee Small and Sally Relf expressing concerns about coach parking/running area and traffic congestion which does not introduce new material concerns.

(Officer Response: The issues are addressed paragraph 4.3 and 4.4 of the deferred report)

3. Borden Parish Council have also emailed on the 6th and 8th November seeking clarity on the following matters discussed with the applicant at the Borden Parish meeting on 2nd October:-

2. *The light overspill is subject to a separate planning condition following the advice of a lighting expert.*
3. *The planning department is confident that the sound and lighting conditions will result in no detrimental impact to the flora, fauna and protected species within the Nature Reserve.*

I would also be grateful if you could please confirm the following:

- *As EHO has said that the Nature Reserve is not in their remit, who specifically will now assess instead of EHO?*
- *From the meeting Ben took away an action to, Look at reducing lighting by considering lowering light levels and/or putting film on windows. Take the lighting issue back to Swale planning with a view to making the building lighting and light*

overspill subject to special conditions and the recommendation of a lighting expert.

- *To confirm my understanding from your email the film on windows to reduce the light spill onto the Nature Reserve will be put into condition 2?*
- *What is the position of the lighting expert to assess the light spill onto the Nature Reserve please?*

(Officer response:

On point 2 above it is correct that. recommended Condition 7 of the Deferred report address this point for further approval in consultation with the EHO and KCC Ecology to ensure light spill is adequately contained from external lighting. Noise is subject to Condition 6 for a 'management plan' to be approved. The EHO will be consulted on potential noise, notwithstanding that the Community Use Agreement required under the existing S106 agreement (referred in paragraph 7.13.3 of the August committee report) would also add another layer of moderation to operations, including hours of operation. On this basis officers are reasonably confident that there are sufficient safeguards in place to light and noise impacts.

On point 3 above further advice has been sought from KCC Ecology. The Ecologist advises that use of tinted windows would provide sufficient mitigation for light spill from the building. Due to the distance and because there are measures that can be put in place to minimise any light spill through other conditions any impact from the lighting will be minimal.

On the remaining bullet points KCC Ecology advice above applies. Condition 2 on facing materials can include suitable tinted glazing to window systems to secure diffuse internal lighting/light spill from the building.

Members are also asked to note that the club house balcony is intended to observe matches on match days. SRC have confirmed matches are played during daylight hours as are training sessions for juniors (paragraph 4.5 of the Deferred report refers).

4. **Recommendation: To approve the reserved matters subject to conditions as set out in the deferred report with Condition 2 amended as follows: -**

Prior to the construction of the development above ground details of all external finishing materials, including roofing materials and window systems including reveals and utilising tinted glass, shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.