

5 MC/10/0182

Date Received: 18 January, 2010

Location: 2 Ash Tree lane, Darland, Chatham, Kent ME5 7BZ

Proposal: Application for a new planning permission to replace an extant planning permission (MC2003/1285 - Re-development of existing site for residential purposes), in order to extend the time limit for implementation

Applicant: Ward Homes

Agent: Miss J Ashton Judith Ashton Associates The Studio, Sherbrook Cottage Silver Hill, Hurst Green Etchingham, East Sussex TN19 7QB

Ward Luton & Wayfield

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 31 March, 2010.

Recommendation - Approval subject to:-

- A) The applicant entering into a deed of variation from the initial Section 106 agreement to provide the following:
- i) contribution of £6,850 per pupil place required for secondary school provision and £6,000 per pupil place required for expansion of existing primary school or £7,000 per pupil place required for new build;
 - ii) the provisions of affordable housing at 25% of the total number of residential units proposed;
 - iii) a £20,000 contribution towards traffic calming measures and pedestrian safety improvements in the immediate area;
 - iv) a £20,000 contribution towards the improvement of play equipment on Luton recreation ground;
 - v) to require applicants to enter into Section 278 agreement for improvements to site access; and
- B) the imposition of the following conditions:-
- 1 The development to which this permission relates must be begun no later than the expiration of 3 years from the date of this renewal permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

- 2 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before any of the building(s) are occupied) and shall thereafter be retained. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order with or without modification) no development shall be carried out within Classes A, B, C, D, E, F and G of Part 1 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto.

Reason: To enable the Local Planning Authority to control such development in the interests of amenity, in accordance with Policies BNE1 and BNE2 of the Medway Local Plan 2003.

- 4 Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 5 to 8 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified in writing by the Local Planning Authority until condition 8 has been complied with in relation to that contamination.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety.

- 5 An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, including risks to groundwater, whether or not it originates on the site. The scheme shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes.
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety.

- 6 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety.

- 7 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of any development (other than development required to enable the remediation process to be implemented) unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given not less than two weeks written notification prior to the commencement of the remediation scheme works.

Following completion of the measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety.

- 8 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 8, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 6, which is subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in the approved remediation scheme a verification report providing details of the data that will be collected in order to demonstrate that the works set out in condition 6 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 7.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety.

- 9 Prior to the commencement of the development hereby permitted, details of the parking spaces and / or garages and sufficient turning area to enable vehicles to enter and leave the site in a forward gear shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

Reason: To ensure that the development does not prejudice conditions of amenity and highway safety.

- 10 The approved details of the parking / turning areas shall be completed before the commencement of the use of the land or buildings hereby permitted and shall thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space and garaging.

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking and in accordance with Policy T1 of the Medway Local Plan 2003.

- 11 Construction of the development shall not commence until details of the proposed means of foul sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be constructed in accordance with these approved details.

Reason: To safeguard groundwater sources in the area.

For the reasons for this recommendation for approval please see planning appraisal section and conclusion at the end of this report.

Site Description

The site is located on the western side of Ash Tree Lane, cut into Sugar Loaf Hill. Beacon Hill and the Luton Recreation Ground/Darland Bank lie to the southwest of the site, at a much lower level. The site occupies a prominent location set against the backdrop of the cliff/escarpment. The site is terraced and has been cleared. There was previously a mixture of parking areas, outside storage, and the office buildings for Ward Homes (both single and three storey's in height), along with a large warehouse style industrial building on site. Access to the site is from Ash Tree Lane, with the road dropping down into the site from east to west.

To the north of the site is Chatham Grammar School for Girls, with the relatively recently constructed gymnasium located on top of the escarpment, above the site. The properties in Beacon Road below comprise a mixture of two storey terraced, semi-detached and detached houses. To the south-east the land is designated as an Area of Local Landscape Importance, whilst the land to the north-west is protected as open space.

Proposal

This application effectively seeks to renew the outline approval for residential development on the site granted under planning permission reference MC2003/1285, and the reserved matters for 96 apartments granted under MC2005/0814 in order to extend the time limit for implementation.

The ability to apply for extensions to the time limits for implementing existing planning permissions which, if successful, results in a new planning permission was introduced by the Town and Country Planning (General Development Procedure (Amendment No.3) (England) Order 2009 for existing planning permissions which were granted on or before 1 October 2009, have not been implemented in any way and remain extant at the time of applying.

This application relates to MC2003/1285 that granted consent for residential development of the site with all matters reserved for future consideration. Time conditions imposed on the initial outline permission related to the time to submit reserved matters applications (3 years) and a time to implement (either 2 years from the date of the approval of the last reserved matter or 5 years from the date of the outline, whichever is latter). The developer has previously submitted reserved matters within 2 years of the date of the approval and the permissions were extant at the time of the current application. So this application relates to the extension of the 5-year implementation restriction. As such this application would allow the construction of those details approved under reserved matters application, MC2005/0814 that referred to siting, design, external appearance and landscaping along with the access arrangements approved under MC2005/0704.

The reserved matters application illustrated the construction of 96 apartments, to be provided in three blocks. Block A would be sited at the north-western end of the site, and would be a staggered block of four, five and six stories in height. It would provide 50 apartments in total, 49 of which would be two-bed, with 1 one-bed unit. Block B would occupy the central position within the site, and would be a staggered block of three, four, five and six stories. It would provide 30 apartments, 24 of which would be two-bed, and 6 would be one-bed. Block C would be located at the south-eastern end of the site, and would be a staggered block of two, three and four stories. It would provide 16 apartments, 8 of which would be two-bed, and 8 would be one-bed. In total there would be 15 one-bed units and 81 two bed units.

A total of 118 parking spaces are proposed for the site. 43 would be located behind block A and 4 in front; 16 spaces behind block B; and 8 spaces in between block B and C. The remaining 47 spaces would be provided in a three level car park located towards the front of the site, and which would take into account the change in levels, which would allow access on all three levels.

The existing access would be utilised for the residential use, with some improvements proposed. The alterations to the access were approved on appeal under application reference MC2005/0704. The junction improvements would include a ghosted right hand turn lane into the site. The access road within the site would be a 4.5m wide carriageway with a 2m footpath on its inner side.

Three separate refuse stores are located amongst the parking areas to the rear of the buildings. Cycle storage for 33 bikes is proposed; 15 of which would be located in a covered area between blocks A and B, with the other 18 being located within block B.

The materials proposed would be render in various colours (terracotta, teal green and off white) with portland reconstructed stone string courses. The roof would be copper green metal, with a similar coloured powder coated balconies, cladding and aluminium screens.

Site Area/Density

Site Area: 0.95 hectares (2.35 acres)

Density: 101 dph (40.8 dpa)

Relevant Planning History

MC2003/1285 Re-development of existing site for residential purposes
Approved 22 February 2005

MC2005/0704 Alterations to junction of site with Ash Tree Lane including
provision of right turn lane to facilitate residential development of
adjacent site
Refused, 17 March 2006
Allowed on Appeal, 30 January 2008

MC2005/0814 Application for approval of reserved matters pursuant to condition 1 (siting and design) of MC2003/1285 for demolition of existing buildings and construction of three blocks of flats comprising of 96 residential units, associated garaging and landscaping
Approved 22 March 2006

Representations

The application has been advertised on site and in the press as a major application. Neighbour notification letters have been sent to the owners and occupiers of the following properties: 1, 7, 8, 9 and 10 Corral Close; 149-159, 163, 165, 169-175, 181, 185-201, 209-225, 235, 237, 241-249 (Odds), 267, 269 Beacon Road, 102-148, 170-190 (Evens) 265, Beacon Road; 1-14 (Inc), Watchman's Terrace, 44 Beacon Hill and Chatham Grammar School for Girls, Rainham Road and Admirals Office, The Historic Dockyard. Medway Fire Services; PCT; Southern Water Services; SCOTIA Gas; and Kent Police Architectural liaison officer have been consulted

3 letters have been received from local residents raising the following objections to the development:

- 3-storey car park block would allow overlooking into the properties in Beacon Road
- Provision should be made at the entrance to prevent crashes / accidents
- Need for high boundary treatment between the site and dwellings in Beacon Road
- Overdevelopment of the site
- Access onto Ash Tree Lane and Beacon Road would cause increased traffic on roads that already struggle
- Negative impact on pedestrians and residents through noise disturbance
- Overshadowing of properties in Beacon Road
- Concerns with the structural stability of the site
- Need to have good provision for parking / traffic
- Anti-social behaviour would be made worse

1 letter of support has been received raising the following comments: -

- Broadly in favour of development
- Better traffic management required than used when demolition works were taking place
- Request day-to-day monitoring of traffic which would be of benefit for local people and commuters.

Kent Police Architectural Liaison Officer has raised no objection to the extension of time but is unable to comment on design from a crime prevention perspective due to lack of plans submitted.

Southern Water has no objections but commented that as no details have been provided regarding the means of disposal of foul drainage a condition is recommended.

Development Plan Policies

South East Plan 2009

Policy BE1	(Management for an Urban Renaissance)
Policy CC4	(Sustainable Design and Construction)
Policy RE3	(Employment and Land Provision)
Policy H5	(Housing: design and density)
Policy T4	(Parking)

Medway Local Plan 2003

Policy S1	(Development Strategy)
Policy S2	(Strategic Principles)
Policy S6	(Planning Obligations)
Policy BNE1	(General Principals for Built Development)
Policy BNE2	(Amenity Protection)
Policy BNE23	(Contaminated Land)
Policy BNE34	(Area of Local Landscape Importance)
Policy ED3	(Other Employment Sites)
Policy H3	(Affordable Housing)
Policy H4	(Housing in Urban Areas)
Policy H5	(High Density Housing)
Policy L4	(Provision of Open Space in New Residential Developments)
Policy T1	(Impact of Development)
Policy T2	(Access to the Highway)
Policy T13	(Vehicle Parking Standards)

Planning Appraisal

The determining issues in relation to this application relate to:

- Principle of development;
- Density of development and housing mix;
- Street scene and design;
- Neighbour amenities;
- Highway matters;
- Contamination; and
- Infrastructure contributions

Background

The Government Guidance given in 'Greater flexibility for Planning Permissions 2009' states "LPAs should take a positive and constructive approach towards

applications which improve the prospect of sustainable development being taken forward quickly. The development proposed in an application for extension will by definition have been judged to be acceptable in principle at an earlier date. While these applications should, of course, be determined in accordance with s.38 (6) of the Planning and Compulsory Purchase Act 2004, LPAs should, in making their decisions, focus their attention on development plan policies and other material considerations (including national policies on matters such as climate change) which may have changed significantly since the original grant of permission.”

Principle of Development

The site was most recently used for commercial use and lies within an urban area as defined by the adopted Development Plan. Both national government guidance and local policy support the broad principle of residential developments within existing urban boundaries, on previously developed land and in sustainable locations. Accordingly the broad principle of residential development on site is considered acceptable and in accordance with policy H5 of the South East Plan 2009 and policy H4 of the Medway Local Plan 2003.

Loss of employment

One of the key considerations of this proposal is the loss of an existing employment use on site. The site is in use for employment, but is not allocated in the Local Plan as an existing employment site under Policy ED1. This being the case, this site falls for consideration under policy ED3 of the Local Plan that relates to employment sites not specifically identified. This policy allows for the alteration, extension or replacement of existing premises for employment use where they are not detrimental to local amenity. The preamble to this policy at paragraph 4.5.5 states that where sites, which by reason of their age, impact on local amenity, physical constraints, or poor infrastructure are less suited to modern employment use and providing a suitable alternative site can be found to relocate existing firms, it would be appropriate to consider the redevelopment for other uses to facilitate an improvement to local amenity and the environment of the area. The local plan clearly states that within the urban area the preferred reuse of such sites would be residential.

In response to both this policy and its preamble, the applicants agent stated in the supporting documented submitted with the outline consent that his client has “every intention of adhering to the spirit of what is set out...even though the policy itself does not impose any such requirement”. The applicants’ agent goes on to state that “The applicants’ proposal to redevelop the site residentially is very much a long-term proposition and there is no immediate intention to abandon the commercial use on this site. In the event that this does become a commercial requirement for Wards to leave this site, every effort will be made to find a site to which to relocate in the Chatham area. Chatham is a very convenient and central location for the Company’s area of operation and there would be inconvenience for the firm and its employees if it moved away from the Medway area.

Having considered the matter from the outset, the applicants are confident that, if relocation was decided to be a sensible strategy for the Company, a suitable alternative employment site could be found within the locality. Certainly, at the time the applicants would seek the assistance of the Council in its search for suitable alternative premises locally”.

In conjunction with policy ED3 of the adopted Local Plan, consideration of Policy H4 of the Local Plan needs to be given. Policy H4 of the Medway Local Plan permits housing development consisting of the use of vacant or derelict land or the redevelopment of existing buildings no longer required for non-residential use. The policy does not specify who determines whether a building is no longer required for non-residential use. Paragraph 5.519 recognises that some derelict or inappropriately located sites are likely to prove suitable for residential use. Whilst, the applicant has not specifically demonstrated that the site is unsuitable for employment use, it is clearly located on the edge of the urban area close to an ALLI and SNCI. The redevelopment of this site for housing could have significant advantages in terms of the impact on the visual amenities of the area generally. When measured against all the criteria in both policies ED3 and H4 and the reasoned justification (i.e. age, amenity, physical constraints, poor infrastructure, suitability for modern employment use, vacant or derelict land, market demand for employment, appropriateness of location and the identification of alternative sites) it is considered that the loss of employment is outweighed by the benefits gained.

Density of Development and Housing Mix

The reserved matters scheme comprises a mixture of 1 and 2 bedroom flats with a density of development of 110 dwellings per hectare. The site is considered to be a ‘stand alone’ development where it has little relationship to the style or type of housing in nearby locations. As such a flatted scheme is considered to be acceptable, and makes best use of previously developed land within the urban area as encouraged with Government Planning Policy Statements. Policy H5 of the local Plan states that where sites are located close to good public transport corridors then a greater intensity of development will be appropriate, and it is considered that this site falls within this category.

The site area falls below the 1-hectare threshold when Policy H10 (Housing Mix) would be applicable, however it is acknowledged in the supporting text that where higher density development is sought in response to Policy H5 the variety of house types would be likely to be restricted. In this instance, therefore, a wholly flatted development is considered to be acceptable.

Impact on the Street Scene

The development being proposed seeks to take advantage of the site characteristics, by proposing blocks of flats, which would be sited against the backdrop of the cliff/escarpment behind. The height of the flats takes into account the change in levels across the site, providing the tallest block (Block A – 6 storey’s) in the lowest part of the site and the smallest block (Block C – 4 storey’s) at the highest part of the site, near Ash Tree Lane.

The buildings also have various heights within each structure to provide a stepped elevation, which further breaks up the bulk of the buildings and would give interest to this prominent elevation. The blocks are well spaced within the site, so that they are not viewed as one continuous building against the backdrop. The distance between blocks A and B would be 24 metres, and between block B and C would be 12 metres.

The blocks of flats themselves have a modern design, which incorporates flat and curved roof designs, modern balconies and large glazed elements for the top floor flats in each case, and there is a continuity of design between the blocks. It is considered that the principle of providing modern buildings set against the backdrop of the cliff is acceptable, and would work well.

The site can be viewed from locations within Luton and approach roads towards the site, and at present the large unattractive shed style building provides the main focus of attention, with the three storey office building set to one side. The recent gymnasium for the school sits above the cliff top, and protrudes into the skyline. In contrast it is considered that the design and siting of these units would result in a development which comfortably sits within the site, and which would provide a much-improved appearance when viewed from these vantage points.

The applicants previously submitted Accurate Visual Representations (AVR's) of the site, to demonstrate accurately how the development would appear once constructed. It is considered that these images demonstrate the fact that the development would be acceptable when seen within the context of the whole hillside, and the current level of development here.

The car park would be located in front of block B, and would have a similar staggered appearance as the flats, taking into account the change in levels. Against the backdrop of the flats behind, it is considered that this would not be as stark as the plans suggest. The materials proposed for the car park would be a green concrete frame and panels, with stainless steel espalier wire support for planting cover. The colour of materials and the use of landscaping would help to blend the structure in with the surroundings.

The remainder of the parking, although predominantly located to the rear of the flats, would all be overlooked, therefore addressing concerns about security.

The previous planning application for reserved matters found that the scheme was in accordance with policies BNE1 and H4 of the Medway Local Plan 2003 and policy QL1 of the Kent and Medway Structure Plan (KMSP), which is now superseded by the South East Plan 2009. It is considered that while the KMSP is no longer applicable the terms of the saved Local Plan policies are relevant. There have been no significant changes to the street scene or area in general that overrides the previous determination of the scheme in 2007 where it was considered by the Development Control Committee that the scheme was acceptable in terms of street scene and design.

Neighbour Amenities

The blocks of flats are set back from the cliff edge within the site, and would provide views out across the valley. Given the set back from the cliff edge, the substantial change in levels and the distances involved, it is considered that the occupiers of the new flats would not be able to view into the gardens or rear windows of the properties in Beacon Road below. It is acknowledged that there is some amenity space located in front of Block A which would in theory allow residents to stand at the edge of the site and look down towards Beacon Road, however, even in this instance the distances involved are considered to be too great to substantiate concerns about loss of privacy. There would be a distance of 30m from the edge of the site in front of Block A to the rear elevations of Beacon Road properties, as measured in plan form, which doesn't take into account the change in levels.

The previously approved reserved matters application shows blocks of flats set back from the cliff edge within the site, providing views out across the valley. Given the set back from the cliff edge, the substantial change in levels and the distances involved, it was previously considered that the occupiers of the new flats would not be able to look into the gardens or rear windows of the properties in Beacon Road below. It is acknowledged that there is some amenity space located in front of Block A which would in theory allow residents to stand at the edge of the site and look down towards Beacon Road, however, previously the distances involved were considered to be too great to substantiate concerns about loss of privacy. There would be a distance of 30 metres from the edge of the site in front of Block A to the rear elevations of Beacon Road properties, as measured in plan form, which doesn't take into account the change in levels. The previous decision concluded that the proposal would accord with policy BNE2 of the Medway Local Plan 2003.

It is considered that there have been no significant changes to the neighbourhood amenities that override the previous determination of the scheme either at outline or reserved matters stage in 2005 and 2006 where it was considered by the members that the scheme was acceptable in terms of amenity.

Highways

Access into the site was previously considered under planning application MC2005/0704, which involves junction improvement works to create a ghosted right hand turn lane when approaching from the north and two islands in the road to improve pedestrian crossing facilities. The access road within the site would be a two-way carriageway of 4.5m in width, with a gated entrance point by Block C.

118 parking spaces are provided within the site, which for 96 apartments gives a ratio of 1.23 spaces per unit. Each unit will be allocated one dedicated parking space, with the remainder (22 spaces) being given over for visitors. The site is situated within walking distance of the main A2, with good links to public transport along here in both directions, and the services provided both in this area and in Luton. As such this level of parking provision is considered to be acceptable.

Six spaces are also allocated for disabled parking, close to the main entrance of each block. Three would be provided outside Block A, two outside Block B and one outside Block C. This level of provision and the location of the spaces are considered to be appropriate. Adequate provision for cycle parking has also been included on site, which would meet the requirements of the adopted parking standards.

The amended plans show an enhanced level of footpath provision within the site, giving access to the blocks from all the parking areas, which would ensure pedestrian safety. Speed restraint measures in the form of rumble strips are included on the access road, to reduce speeds within the site, and these are considered to be acceptable.

At the submission of this application to extend the time of implementation the parking standards were the same as those standards in force when the site layout, numbers of units and parking ratio were previously approved in 2006. As such members considered the parking provision to be acceptable and so no objection is raised against the provisions of policy T13.

Contamination

Having regard to the nature of the site's past usage, it is recommended that any forthcoming permission for the development of this site should be subject to a condition requiring a contamination investigation to be undertaken in accordance with Policy BNE23 of the adopted Local Plan.

Infrastructure Contributions

The application is for more than 10 units and therefore, in accordance with the Council's Guide to Developer Contributions the Council would be seeking developer contributions. As a result of the relevant consultations and examination of the previous Section 106 agreement the following have been requested: -

- contribution of £6,850 per pupil place required for secondary school provision and £6,000 per pupil place required for expansion of existing primary school or £7,000 per pupil place required for new build
- the provisions of affordable housing at 25% of the total number of residential units proposed
- a £20,000 contribution towards traffic calming measures and pedestrian safety improvements in the immediate area
- a £20,000 contribution towards the improvement of play equipment on Luton recreation ground;
- to require applicants to enter into Section 278 agreement for improvements to site access

The applicant has confirmed they consider the financial requests acceptable and as such if the application were deemed acceptable it would be subject to the applicant entering into a deed of variation of the initial Section 106 agreement to secure the provision of financial contributions. Accordingly no objection is raised to the proposal

under Policy S6 of the Medway Local Plan 2003.

Conclusion and reasons for approval

The proposed development is considered to be an acceptable redevelopment scheme for this site, which would enhance the appearance of the area. The site is visible from many vantage points and the development of a residential scheme of a high standard of design would be a substantial visual improvement. The landscaping scheme seeks to address the chalk cliff face and soften the appearance of this, as well as providing a suitable landscaped appearance for the site, for the future occupiers. The external materials proposed are considered to be appropriate for the site and would ensure the buildings blend in with their setting against the hill. The distances involved between the proposed flats and the existing housing further down the hill, combined with the change in levels between these two areas would ensure a loss of privacy would not occur for the existing residents. An appropriate level of parking has been accommodated on the site. The proposal is therefore considered to be acceptable, and in accordance with Policies BE1, RE3, CC4, H5 and T4 of the South East Plan 2009 and Policies BNE1, BNE2, H4, H5, T3 and T13 of the Medway Local Plan 2003.

This application would normally fall to be considered under the officer's delegated powers but has been reported for Members consideration due to the amount of letters of representation received contrary to the officers recommendation.
