

MC/13/1469

Date Received: 18 June, 2013

Location: Greatfield Lodge, Darnley Road, Strood, Rochester, ME2 2UU

Proposal: Proposed part demolition of existing communal facilities block and addition of first floor to create a two-storey building (block 3), addition of new storey to block 1 to create a three/four storey building and extension to front and external staircase to block 2 and other associated works to facilitate conversion of Greatfield Lodge Residential Hostel into 14 one bed and 10 two bed residential self contained flats (Resubmission of MC/12/2898)

Applicant: Malik and Partners

Agent: Mr Watkins Geoff Watkins Architects Ltd 8 Manorbrook  
Blackheath London London SE3 9AW

Ward Strood South

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**Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 8 January, 2014.**

**Recommendation - Approval Subject To Section 106**

- A) The applicant entering into an agreement under Section 106 of the Town and Country Planning Act 1990 to include the following contributions:
- i) A contribution of £11,230.80 towards health facilities in the Strood area.
  - ii) A contribution of £28,000.00 towards off site provision and/or maintenance of outdoor open space to be spent on improvements to Northcote Recreation Ground, Sycamore Road play area and/or Broomhill Park.
  - iii) A contribution of £4,200.00 towards waste and recycling to be used to provide adequate facilities to cover the impact of the development.
  - iv) An agreement that when any future stage of the development is undertaken (of all or any of the land outlined in blue on the submitted site plan) that it will include the provision of a minimum of 25% of affordable homes calculated on the basis of the number of dwellings across the site as a whole, the trigger being when 25 or more dwellings are proposed across the joint sites.

B) And the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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: HSP/FR1, HSP/FP2, HSP/FP3, 227/03 rev B, 227/04 rev A, 227/05 rev B, 227/06 rev A, 227/07 rev A, 227/08 rev B, 227/09 rev A, 227/10 rev A, 227/11 rev B, 227/12 rev A, 227/13 rev A, 227/14 rev A, 227/15 rev A and 227/18 received 19 June 2013 and 3033, 227/01 rev C, 227/02 rev A, 227/17 rev A, 227/19 received 22 November 2013

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

- 3 The development shall be implemented in accordance with the external materials stated in the Design and Access Statement dated June 2013.

Reason: To ensure a satisfactory external appearance in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 4 Notwithstanding the submitted drawings no development shall take place until details of hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority. The hard landscaping shall include details for the marking of car park spaces without white lining. The soft landscape proposal shall include a hedge which has a minimum width of 1m along the eastern side of the access road but must not result in the width of the access road being less than 3m. At such pinch points, the width of the hedge shall be reduced to allow the 3m road width.

Reason: To ensure conditions of visual amenity in the locality in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 5 No development shall take place until a landscape maintenance plan in respect of those details approved pursuant to condition 4 of this planning permission has been submitted to and approved in writing by the Local Planning Authority. The landscape maintenance plan shall include a schedule for a minimum period of five years and detail the arrangements for its implementation. Development shall be carried out in accordance with the approved landscape maintenance plan.

Reason: To accord with the provision of Section 197 of the Town and Country Planning Act 1990 and to ensure that the development does not prejudice the appearance or character of the site and the locality.

- 6 Notwithstanding the submitted drawings, no development shall take place until full details of tree protection measures have been submitted to and

approved in writing by the Local Planning Authority. The details shall include the method of protection and the location of the protective measures in relation to each tree. The approved tree protection measures shall be installed prior to commencement of development and retained for the duration of the construction works.

Reason: To accord with the provision of Section 197 of the Town and Country Planning Act 1990 and to ensure that the development does not prejudice the appearance or character of the site and the locality.

- 7 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 development shall be implemented in accordance with the approved details and prior to the occupation of any unit herein approved and shall be retained thereafter.

Reason: To ensure conditions of visual amenity in the locality and to safeguard the amenities of the occupants of the proposed development, in accordance with Policies BNE1 and BNE8 of the Medway Local Plan 2003.

- 8 No development shall commence until details of the refuse storage facilities including provision for the storage of recyclable materials and collection arrangements for the development have been submitted to and approved in writing by the Local Planning Authority. Details of the refuse storage facilities shall include elevations, plans and materials. No unit shall be occupied until the refuse storage facilities have been implemented in accordance with the approved details. The refuse storage facilities and collection arrangements shall thereafter be retained.

Reason: In the interests of visual amenity and to ensure a satisfactory provision for refuse and recycling in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 9 No unit herein approved shall be occupied until the area shown on the plan (drawing number 227/01 rev C received on 22 November 2013) for parking purposes has been provided. Thereafter no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to the reserved vehicle parking area.

Reason: To ensure that the development permitted does not prejudice conditions of highway safety or efficiency in accordance with Policies T1 and T13 of the Medway Local Plan 2003.

- 10 Prior to the first occupation of any unit within the development hereby permitted, details of all external lighting of the car parking area, including the exact position, details of light intensity and spillage shall be submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details prior to occupation and shall thereafter be retained.

Reason: To ensure a satisfactory external appearance and to ensure the provision of lighting does not result in glare or light overspill to residential properties in accordance with Policies BNE2, BNE5 and BNE39 of the Medway Local Plan 2003.

- 11 No vegetation clearance is to be undertaken during the period between the months of March to September in any calendar year unless a survey for nesting birds has been undertaken and submitted to and approved in writing by the Local Planning Authority. If nesting birds are found then measures to protect the birds shall be agreed in writing by the Local Planning Authority and followed during the construction.

Reason: To ensure satisfactory arrangements are made to safeguard the habitats in the interests of ecology in accordance with Policy BNE37 of the Medway Local Plan 2003.

- 12 No development shall take place until details of the location and design of the bat bricks/boxes/tiles have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to first occupation of the development and shall be retained thereafter.

Reason: To ensure satisfactory arrangements are made to safeguard the habitats in the interests of ecology in accordance with Policy BNE37 of the Medway Local Plan 2003.

- 13 No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include amongst other matters details of: hours of construction working; noise and vibration limitation and monitoring regimes; access points; screening/mitigation; wheel cleaning/chassis cleaning facilities; dust control measure; protection of surface and groundwater resources, including arrangements for the storage of oils, fuels or chemicals; pollution incident control; site illumination; and location of construction compound and offices. The construction works shall thereafter be carried out at all times in accordance with the approved CEMP.

Reason: In the interests of the amenities of the surrounding area and neighbouring occupiers in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 14 No more than 50% of the parking spaces within the development shall be allocated to individual dwellings.

Reason: To ensure an efficient and flexible parking arrangement that meets the demand generated by future residents and visitors in accordance with Policy T13 of the Medway Local Plan 2003.

- 15 No development shall take place until details of the cycle storage for each flat has been submitted to and approved in writing by the Local Planning Authority. The approved cycle storage shall be implemented in accordance with the approved details and shall be provided prior to the first occupation of development and shall be retained thereafter.

Reason: to ensure adequate cycle storage in accordance with Policy T4 of the Medway Local Plan 2003.

**For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.**

## **Proposal**

This application seeks full planning permission for the part demolition of the existing communal facilities block, the addition of a first floor to create a two-storey building (block 3), the addition of new storey to block 1 to create a three/four storey building and an extension to the front and an external staircase to block 2 and other associated works to facilitate conversion of the existing Greatfield Lodge Residential Hostel into 14 x one-bed and 10 x two-bed residential self contained flats.

## Site Area/Density

Site area: 0.34 hectares (0.84 acres)

Site density: 70.6 dph (28.6 dpa)

## **Relevant Planning History**

The current site together with the former Rochester and Strood Family Centre and Strood Day Opportunities Centre located immediately to the northwest, all owned by the current applicant, were previously used for community facilities although all are now vacant.

MC/12/2898 Part demolition of existing communal facilities block and addition of first floor to create a two storey building (block 3), addition of new storey to block 1 to create a three/four storey building and extension to front and external staircase to block 2 and other associated works to facilitate conversion of Greatfield Lodge Residential Hostel into 14 one bed and 10 two bed residential self-contained flats.

Refused 21 March 2013

MC/12/1849 Outline application for residential development  
Approved 4 October 2012 (temporary until 30 September 2015 at  
the latest)

## **Representations**

The application has been advertised on site and by individual neighbour notification to the owners and occupiers of neighbouring properties.

Natural England, Kent Wildlife Trust, EDF Energy, Southern Gas Networks, KCC Biodiversity and Kent Fire and Rescue Service have also been consulted.

**KCC Biodiversity** has written raising no objection but request certain details are secured as part of any planning permission.

**Natural England** has written raising no objection to the proposal.

**3 letters** have been received raising the following objections:

- Overlooking and loss of privacy
- Security and personal safety

*There has been some misinterpretation regarding the description of the development and objections have been raised on the basis of the development of the site for a hostel. The proposal is for the change of use from an existing hostel use, not to a hostel.*

All other matters raised not listed above are non material

## **Development Plan Policies**

The Development Plan for the area comprises the Medway Local Plan 2003. The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework, 2012 and are considered to conform.

## **Planning Appraisal**

### *Background*

A similar application was submitted on 20 December 2012 and subsequently refused on 21 March 2013 for the following reasons.

- 1) *In the absence of an emergence survey for bats the potential impact of the development on bats, a protected species, cannot be determine, nor can proper consideration given to any associated mitigation measures. Such development would be contrary to Policies BNE37 and BNE39 of the Medway Local Plan 2003, Policy NRM5 of the South East Plan 2009 and Policy CS6 of the Medway Local Development Framework Submission Draft Core Strategy*

2012.

- 2) *In the absence of a suitable agreement to secure the provision of infrastructure/facilities required to serve the needs created by the proposed development, the proposals are considered unacceptable and contrary to Policy S6 of the Medway Local Plan 2003 and Policy CS35 of the Medway Local Development Framework Submission Draft Core Strategy 2012.*
- 3) *The proposed development would result in an unacceptable loss of privacy to neighbours to the west of the site, particularly 19 Portsmouth Close, due to the overlooking, particularly from the proposed balcony to Flat 13. This would be detrimental to the living conditions of these neighbours and would be contrary to Policy BNE2 of the Medway Local Plan 2003.*

This revised application has been submitted in an attempt to overcome the reasons for refusal set out above.

Since the previous application was determined, the South East Plan 2009 has been revoked and the Medway Local Development Framework Submission Draft Core Strategy has been subject to public examination with the result that the Core Strategy has been withdrawn. As such, these two documents are no longer applicable.

#### *Principles of Development*

The site is located within an urban area and therefore there is no overriding objection in principle to its further development. Paragraph 70 of the NPPF seeks to guard against the unnecessary loss of valued facilities and services particularly where this would reduce the community's ability to meet its day-to-day needs. Policy CF1 of the Medway Local Plan 2003 also refers to community facilities saying that development which would result in the loss of these facilities will only be permitted where exceptional circumstances exist such that it would be beneficial to redevelop sites, and that replacement facilities of a similar scale and kind will be sought. A development brief was produced at the time that the site was marketed for sale (the Darnley Road development brief). The brief confirmed that the services formerly operational at the site have all been relocated and that redevelopment for alternative uses was permissible.

As such the proposal is considered to be acceptable with regard to the provisions of paragraph 70 of the NPPF and Policy CF1 of the Medway Local Plan 2003.

In considering the proposed use for residential purposes, Policy H4 of the Medway Local Plan 2003 refers to housing in urban areas supporting the change of use of existing buildings no longer required for non-residential use. In this regard, the previous use of the building within the application site was for residential purposes but just of a different type. As such, it is considered that the proposal would be in accordance with Policy H4 of the Medway Local Plan 2003.

#### *Street Scene and Design*

Paragraphs 56 and 58 of the NPPF promote sustainable development and high

quality design. Policies BNE1 and H4 of the Medway Local Plan 2003 seek to achieve high quality and require development to result in a clear improvement to the local environment and be appropriate in relation to the character, appearance and functioning of the built and natural environment.

The existing building is functional in appearance, typical of its time and use and now appears somewhat tired and past its best. In principle the alteration and complete re-cladding is welcomed in order to improve the appearance and visual impact within the surroundings.

From public roads there is limited visibility of the building, it being well set back from Darnley Road and at a lower level than and mainly tree screened from Hawthorne Road. However, a public footpath runs along the eastern/northeastern side of the site and neighbouring properties overlook the site. It is considered that the proposed design of the alterations would sit well within their setting, bearing in mind the limitations of the existing building which is being altered. The proposed material mix of render, weatherboarding and steel roofing is also considered acceptable, moving the building forward in time with a smart modern refurbishment. Overall the appearance of the site would therefore be enhanced.

An additional benefit of the proposed development is the improvement of the environmental performance of the buildings. The application submissions confirm that the proposed changes will enable the development to reach Level 4 of the Code For Sustainable Homes. As part of this, in addition to the overcladding of the envelope of the building, photovoltaic roof panels are proposed to be integrated into the roofing for the scheme. The submissions also state that the Lifetime Homes' checklist of assessment criteria will be applied to meet the standards required for parking, access to the dwelling, accessibility within the dwelling, disability provision and the potential future adaptability of the dwelling.

In summary the design including the environmental performance of the building and visual impact of the proposed development is considered acceptable with regard to paragraphs 56 and 58 of the NPPF and Policies BNE1, BNE4 and H4 of the Local Plan 2003. The internal design of the proposed flats will be assessed separately in the section below.

### *Amenity Considerations*

Policy BNE2 of the Medway Local Plan 2003 seeks to protect the amenities of surrounding residents as well as considering the amenities of the future occupiers of development.

The main neighbours likely to be affected by the development are those in Portsmouth Close to the west and those on Hawthorne Road to the east. To the rear (south) the majority of the site adjoins the side boundary of the Hawthorne Road Clinic although the Clinic is at a higher level behind a bank of trees. To the north is a public footpath, a triangle of unused land and rear garden land of properties in Darnley Road.

The scheme is based on the conversion of the existing building which helps to limit

the impact of the changes on the amenities of neighbours. The main change is the addition of an extra floor on top of most of the building except the eastern end, although some additions to the eastern end are also proposed including an external staircase to the front. However due to the positioning of the building in relation to neighbours, particularly the fact that it is set away from the side site boundaries (approximately 14m from the west and 5.5m from the public footpath to the east) and is at a lower level, it is considered that these additions would not result in harm to the amenities, of existing surrounding residents.

As part of the previous application, concern was raised regarding the loss of privacy for neighbours due to the proposed addition of two balconies to the second floor of the western side elevation of the building, the northernmost of which (flat 13) would have resulted in views across the rear garden of 19 Portsmouth Close and beyond. It was considered that this would result in an unreasonable loss of privacy and the application was refused as a result. The balcony to this unit has been removed as part of the current application and is therefore considered to overcome the issue.

Privacy to the eastern side, including towards 276 Hawthorne Road, is not considered to result in any harm to the amenities of the occupiers of this property. There are no side windows in the part of the building closest to this boundary. An external staircase is proposed to the front of the easternmost part of the building; however due to the angle of view and its limited use for access to a one 1-bedroomed flat, it is not considered that this would result in an unacceptable loss of privacy. In addition, the proposed balconies would not face towards the eastern side of the site, their positioning and the intervening distances meaning that there would not be a loss of privacy to this side.

The construction phase of a development, particularly a larger scale development as currently proposed, can cause problems such as noise and dust to local residents when they have a close relationship to the site. Although some disturbance is inevitable with such building works, a condition to require a management plan to deal with noise and dust issues during construction is recommended. It is considered that the finished development would not result in unreasonable noise and disturbance to neighbours, bearing in mind the fact that the site is in an urban area and was formerly used as a hostel.

In relation to the amenities of the future occupiers, the proposal has been considered against the Medway Housing Design Standards (interim) (MHDS) that were adopted as a material consideration in November 2011.

The table below shows how the scheme compares with the standards:

| Number of bedrooms | MHDS Min gross internal floor area | Gross internal floor area proposed | MHDS Living/ Dining/ Kitchen<br><br>Good practice Minimum | Proposed Living/ Dining Kitchen floorspace | MHDS Bedroom<br><br>Good practice Minimum | Proposed Bedroom floorspace |
|--------------------|------------------------------------|------------------------------------|---|--|---|-----------------------------|
|                    |                                    |                                    |   |  |   |                             |

|      |       |                                   | floorspace |                                     | floorspace                     |  |
|------|-------|-----------------------------------|------------|-------------------------------------|--------------------------------|--|
| 1b2p | 50sqm | Range between 50.3sqm and 53.0sqm | 23sqm      | Range between 19sqm and 27sqm       | Double 12sqm                   | Range between 9.45sqm and 13.95sqm   |
| 2b3p | 61sqm | Range between 61.1sqm and 64.5sqm | 25sqm      | Range between 26.12sqm and 33.18sqm | Single 8sqm<br><br>Double 12sq | Range between 7.46sqm and 9.99sqm<br><br>Range between 10.73sqm and 13.02sqm |
| 2b4p | 70sqm | 72sqm                             | 27sqm      | 31.62sqm                            | Double 12sqm                   | 9.8sqm & 12.8sqm   |

Drawing 227/16 provides details of the gross internal floor area for each flat and states the number of bedrooms and people. However, the information on this plan does not match that information given on the drawing numbers 227/03/B, 227/04/A, 227/05/B and 227/06/A which show the floor plans of the proposal at a larger scale. The larger scale floor plan drawings show 14 x 1b2p flats, 9 2b3p flats and 1 x 2b4p flats. The larger scale floor plan drawings are taken as the proposed development given that the issue of flat sizes was raised during the consideration of the previous application.

All flats meet the floorspace standards in terms of gross internal floorspace.

In relation to the bedrooms, there are 6 x 1b2p flats that do not meet the standard; in every 2b3p unit one of the two bedrooms does not meet the standard and one of the bedrooms in the 2b4p unit does not meet the standard. However, assessment based on area follows the good practice standards of the document. The baseline standards of the document set out minimum widths for a single bedroom and a double bedroom. When considering the proposal against the baseline standards and taking account that the proposal is a conversion and that the standards allow for flexibility with conversions, the proposal does meet the baseline standards for bedrooms.

In relation to the living/kitchen/dining floorspace, all flats proposed with the exception of 2 x 1b2p flats meet the standard. However, assessment based on area follows the good practice standards of the document. The baseline standards of the document set out minimum widths for living rooms. When considering the proposal against the baseline standards and taking account that the proposal is a conversion and that the standards allow for flexibility with conversions, the proposal does meet

the baseline standards for living/kitchen/dining rooms.

It is also noted that the floor to ceiling heights would not all comply with the baseline standard of the MHDS which require a minimum floor to ceiling height of 2.4m. However the standards do note that exceptions may be made where the conversion of an existing building is being undertaken as at present. In the areas where a height of 2.4m cannot be achieved, the height proposed will be between 2.3m and 2.4m. This is not considered to be unreasonable in the circumstances.

Given that this proposal promotes the principles of sustainable development through the conversion of an existing building and that the development would meet the baseline standards set out in the MHDS, it is considered to be in accordance with the provisions of Policy BNE2 of the Medway Local Plan 2003.

### *Trees and Landscaping*

A Tree Preservation Order (TPO) protects many of the trees on the site. The landscaping scheme (which includes the trees) has been revised following discussions with officers. The trees shown for removal have been agreed as necessary to facilitate the proposed works and no objection is raised to the proposed development subject to the protection of the remaining trees during construction. Whilst a tree protection plan has been submitted, it does not contain enough detail to be included as an approved plan. However, given that there is confidence that adequate tree protection measures can be put in place, it is recommended that a condition be imposed requiring details of the tree protection measures to be submitted and agreed.

The landscaping of the site will be a key feature of the development and some relatively minor changes such as reducing the width of the access road to allow space for the establishment of a hedge along the site boundary could achieve this. It is recommended that a condition be imposed requiring the inclusion of a hedge along the access road.

Subject to the recommended conditions there is no objection to the scheme with regard to trees and landscaping matters when considering the proposal against the provision of Policies S4, BNE41 and BNE43 of the Medway Local Plan 2003.

### *Ecology*

Paragraph 118 of the NPPF states that, 'when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity' and Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment. Policies BNE37 and BNE39 of the Medway Local Plan 2003 also seek the protection of wildlife habitats and protected species. An Extended Phase 1 Habitat Survey Report has been submitted with the application. With regard to bats, an emergence survey has been carried out on site. No bats were recorded emerging from the building but bats were recorded foraging within the site around the trees and scrub around the edge of the site. As these areas are to be retained, no further information is required. However, due to the presence of bats on site, any lighting scheme should be designed to take account of the Bat Conservation Trust's *Bats and Lighting in the UK* guidance and in

accordance with the submitted bat survey, bat tiles and/or boxes should be incorporated into the development. As such it is recommended that conditions be imposed requiring details of any lighting scheme and the location of bat tiles and/or boxes be submitted for approval.

In relation to breeding birds, it is recommended that a condition be imposed to ensure any suitable habitat that is to be removed as part of the development is only done so outside of the breeding bird season.

With the inclusion of the recommended conditions, the proposal is considered to be in accordance with Policies BNE37 and BNE39 of the Medway Local Plan 2003.

### *Highways*

Each flat is likely to generate an average of 3 vehicle trips per day, with the overall development predicted to generate a maximum of 7 vehicle movements per hour. The existing access is considered satisfactory to accommodate this low level of traffic and there will be no material impact on the capacity or safety of the highway network.

Medway Council's Parking Standards require a minimum of 29 spaces for residents and 6 spaces for visitors for the proposed development. The application proposes 27 spaces to serve the dwellings. This is likely to accommodate the demand generated by future residents and visitors provided that no more than 50% of the spaces are allocated to individual dwellings (unallocated spaces allow more flexibility of use by site residents/visitors, generally decreasing the proportion of unused spaces at any one time). Furthermore, Darnley Road is served by local bus services, with convenience stores and other local amenities within a mile of the site. In these circumstances the proposed development of parking provision is considered sufficient for the site.

The layout of the parking spaces is also considered acceptable, although it is not necessary to mark out the full length of the bays by white lining and in the way shown on the plans. The definition of each parking space can be secured more appropriately through surfacing that can be secured as part of the recommended landscaping condition. In addition provision is made for cycle parking/storage within the lower ground floor of the building. The suitability of the layout for access for refuse and emergency vehicles has been clearly demonstrated by a swept path analysis and is considered acceptable.

Taking the above into account the proposal is considered to be in accordance with Policies T1, T4 and T13 of the Medway Local Plan 2003.

### *Local Finance Considerations*

None relevant to this application.

### *Section 106*

New residential development can create additional demand for local services, such

as for health and refuse services. Policy S6 of the Medway Local Plan 2003 says that conditions and/or legal agreements should be used to make provision for such needs. Policy H3 also identifies the requirement for developers to provide 25% affordable housing for schemes over 25 units.

The Community Infrastructure Levy Regulations 2010 provide that in relation to any decision on whether or not to grant planning permission to be made after 6 April 2010, a planning obligation (a s106 agreement) may only be taken in to account if the obligation is: -

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

The obligations/contributions requested in the current case comply with these tests because they have been calculated based on the quantum and location of the development.

As part of the previous application a request was made for the following contributions:

- a contribution of £11,230.80 towards health to be put towards the development of a Community Healthy Living Centre in the Strood area;
- a contribution of £45,687.60 towards off site provision and/or maintenance of outdoor open space to be spent on improvements to Northcote Recreation Ground, Sycamore Road play area and/or Broomhill Park;
- a contribution of £4,200.00 towards waste and recycling to be used to provide adequate facilities to cover the impact of the development;
- an agreement that when any future stage of the development is undertaken (of all or any of the land outlined in blue on the submitted site plan) that it will include the provision of a minimum of 25% of affordable homes calculated on the basis of the number of dwellings across the site as a whole, the trigger being when 25 or more dwellings are proposed across the joint sites (this trigger from the Medway Local Plan 2003); and
- associated costs.

However during the consideration of the previous application, the applicants asked that the requested Section 106 payments be waived in this instance as they say that the profitability of the scheme is marginal at best. A financial statement was submitted in order to justify this position.

The financial information was examined by a suitable expert and it was concluded that the proposed development would be viable on the basis of the full financial contributions requested, despite the assertions of the applicant/agent. The application was refused on this basis.

Following the previous decision, discussions took place regarding a revised application including negotiations on the requested contributions. The applicants were able to successfully demonstrate through the submission of a financial appraisal a case for reduced contributions. As such should planning permission be

forthcoming, the contributions to be secured through a section 106 legal agreement would be as follows:

- A contribution of £11,230.80 towards health provision to be put towards the development of health facilities in the Strood area.
- A contribution of £28,000.00 towards off site provision and/or maintenance of outdoor open space to be spent on improvements to Northcote Recreation Ground, Sycamore Road play area and/or Broomhill Park.
- A contribution of £4,200.00 towards waste and recycling to be used to provide adequate facilities to cover the impact of the development.
- An agreement that when any future stage of the development is undertaken (of all or any of the land outlined in blue on the submitted site plan) that it will include the provision of a minimum of 25% of affordable homes calculated on the basis of the number of dwelling across the site as a whole, the trigger being when 25 or more dwellings are proposed across the joint sites.

These contributions are the same as those requested before with the exception of the open space contribution, which is now agreed at £28,000.00 rather than the previously requested £45,687.60.

With regard to affordable housing the Design and Access Statement confirms that although the current scheme does not include any, falling below the trigger of 25 units in the Medway Local Plan 2003, this is done in the clear knowledge that future proposals for the remainder of the larger site would be deemed to be part of a single overall development and would be liable to bear the full application of any future standard across the board. This is considered to be a reasonable position but would need to be secured by the legal agreement.

## **Conclusions and Reasons for Recommendation**

It is considered that the proposal would result in a development that is appropriate for its context and is acceptable in terms of design and appearance, residential amenities, ecology, highway safety and parking. The development is considered acceptable for the reasons outlined above and accords with the provisions of the NPPF and Policies S4, S6, H3, H4, H5, BNE1, BNE2, BNE4, BNE37, BNE39, BNE41, BNE43, CF1, T1, T4 and T13 of the Medway Local Plan 2003. It is therefore recommended that the proposal be approved subject to the imposition of appropriate conditions as set out above.

The application would normally be determined under delegated powers but is being reported to Committee due the number of objections received contrary to officer recommendation.

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## **Background Papers**

The relevant background papers relating to the individual applications comprise: the

applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://planning.medway.gov.uk/donline/AcolNetCGI.gov>