

MC/14/0101

Date Received: 8 January, 2014

Location: Mid Kent College Site, Horsted Centre, Maidstone Road,
Chatham, Kent, ME5 9UQ

Proposal: Construction of an extra care block comprising 30 one
bedroomed and 13 two bedroomed units together with
associated facilities

Applicant: Countryside Properties (UK) Ltd

Agent: Mr R Tilley CgMs Ltd 140 London Wall London EC2Y 5DN

Ward Rochester South & Horsted

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 23 April 2014.

Recommendation – Approval with Conditions subject to:

- A) The applicant entering into a deed of variation to ensure it meets the requirements of the S106 of the wider Horsted Park scheme
- B) And the imposition of 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:
- A227_G_00_131D, 136E, 137D, 138D, 139D, 140D, 340D, 341C, 342C and 343C received on 8 January 2014.
- Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 No development shall take place until details and samples of all materials to be used externally have been submitted to and approved in writing by the Local Planning Authority, and the 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.

- 4 No development shall take place until sections and plans at a scale of 1:5 through walls and roofs showing eaves, verges, window/wall junctions and balconies have been submitted to and approved in writing by the Local Planning Authority and the work shall be carried out in strict accordance with those 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.

- 5 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 the first occupation of the building 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.

- 6 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping (hard and soft). The hard landscaping approved shall be undertaken prior to first occupation of the building. All planting, seeding and turfing comprised in the approved scheme of soft landscaping shall be implemented during the first planting season following occupation of the buildings or completion of the development, whichever is the earlier. Any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: Pursuant to condition 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Policy BNE1 and BNE6 of the Medway Local Plan 2003.

- 7 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The landscape management plan shall be carried out as approved.

Reason: Pursuant to condition 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Policies BNE1 and BNE6 of the Medway

Local Plan 2003.

- 9 No part of the building shall be occupied, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. 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.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking and to accord with Policy T13 of the Medway Local Plan 2003.

- 10 The development hereby permitted shall be undertaken in accordance with the Code of Construction Practice approved for the wider Horsted Park development under MC/11/2559.

Reason: In the interests of the amenities of nearby properties in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 11 No commercial goods related to the extra care building (including the restaurant) hereby approved shall be loaded, unloaded, stored or otherwise handled and no delivery vehicles shall arrive or depart within the application site outside of the hours of 07:00 to 19:00 Monday to Friday, 08:00 to 18:00 Saturday or at any time on a Sunday or Bank Holiday.

Reason: To protect the residential amenities of prospective occupiers in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 12 Prior to the installation of any external lighting on the site (not including street lighting) details of such lighting including its height, position, external appearance, any shielding, light intensity, colour, spillage (such as light contour or lux level plans showing the existing and proposed levels) and hours of use, together with a report to demonstrate its effect on nearby residential properties and of how this effect has been minimised, shall be submitted to and approved in writing by the Local Planning Authority. Only the external lighting approved pursuant to this condition shall be used on the site and it shall only be used within the hours approved pursuant to this condition.

Reason: In order to limit the impact of the lighting on the nearby residents with regard to policies BNE2 and BNE5 of the Medway Local Plan 2003.

- 13 No development shall commence, until a scheme for protecting the proposed development from transport, including aircraft and airfield related noise, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of acoustic protection sufficient to ensure

internal noise levels (LAeq,T) no greater than 35dB at night in bedrooms and 40dB at daytime in living rooms. The scheme shall include details of acoustic protection sufficient to ensure the communal garden noise levels of not more than 55dB (LAeq,T) during the daytime. The development shall be undertaken in accordance with the approved details and retained thereafter. Reason: To safeguard conditions of amenity in accordance with policy BNE2 of the Medway Local Plan 2003.

- 14 The development hereby permitted shall be undertaken in accordance with the programme of archaeological works for the wider Horsted Park development approved under MC/11/2559.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with policy BNE21 of the Medway Local Plan 2003.

- 15 No development shall take place until details of the slab level(s) for the building have been submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with the approved plans.

Reason: In the interests of visual amenity in accordance with policy BNE1 of the Medway Local Plan 2003.

- 16 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 17 to 19 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 19 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 in accordance with policy BNE23 of the Medway Local Plan 2003.

- 17 The development hereby permitted shall be carried out in accordance with the Ground Investigation Report undertaken by Waterman dated September 2011 (report reference: 12613-4430-200 Rev 0).

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with policy BNE23 of the Medway Local Plan 2003.

- 18 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of any phase or sub-phase of the 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 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 in accordance with policy BNE23 of the Medway Local Plan 2003.

- 19 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 and where remediation is necessary a remediation scheme must be prepared in accordance with the Ground Investigation Report undertaken by Waterman dated September 2011 (report reference: 12613-4430-200 Rev 0), 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 the approved Ground Investigation 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 18.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with policy BNE23 of the Medway Local Plan 2003.

- 20 The development shall be undertaken in accordance with the details for the protection of the public water supply, the foul and surface water sewerage disposal and water infrastructure for the wider Horsted Park development approved under MC/11/2558.

Reason: In the interests of amenity

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

Proposal

The application seeks full planning permission for the construction of an extra care block comprising 30 one bedroom and 13 two bedroom units together with associated facilities. This block would constitute phase 1A of the wider Horsted Park development.

The main portion of the building would be 'U' shaped with a projection to the northern side. The building would be a maximum length of approximately 63 metres and 33

metres in depth. The block would wrap round a central amenity area and various hard and soft landscaped areas are proposed to surround the building including a village square to the northern side. The building would be 4-storey with the main element of the building having a pitched roof and measuring 16 metres with the northern projection having a flat roof and measuring 14.5 metres. Internally, as well as the 43 units, the building would include ancillary accommodation such as a restaurant, hair salon, hobby room, laundry, living room, refuse store and offices. The restaurant, hair salon and (subject to demand) the hobby/craft room would be available to use by the public. The restaurant would also spill out onto the village square on the northern side. The development would provide 14 car parking spaces for residents and 5 spaces for staff.

Site Area/Density

Site area: 0.41 hectares (1.01 acres)
Site density: 104 dph (42.57 dpa)

It should be noted that this density is an approximation and relates to this the main built up area of this phase only and not the entire development.

Relevant Planning History

MC/12/2359 Application for approval of reserved matters (access, appearance, landscaping, layout, and scale) for phase 2.1 for the construction of 80 one and two bedroomed flats pursuant to planning permission MC/12/1860 (Variation of condition 5 of MC/11/2865 which allowed for minor material amendments of MC/11/0001 - Outline application for residential (up to 336) dwellings and employment/service facilities, new highway accesses, public open space and ancillary works together with a variation of condition 37 of MC/11/2865 to allow for a reduction in parking provision).

Approved 2 January 2013

MC/12/1860 Variation of condition 5 of MC/11/2865 to allow a minor material amendment to allow alterations to elevations, change to footprint to extra care block and retained trees, together with variation of condition 14 (noise) and removal of condition 46.

Approved 24 October 2012

MC/11/2865 Variation of condition 5 of planning permission MC/11/0001 (Outline application for residential (up to 336) dwellings and employment/service facilities, including commercial office/residential building (2500 sqm), and including full application for Phase 1 (except for the appearance of block A - sub-phase 1A) for 154 dwellings, A1 retail and D1 community development, new highway accesses to

Maidstone Road and Horsted Way, public open space and ancillary works) to allow for minor material amendments to windows on plots 1-4 and temporary elevational change to plot 4 for its use as a temporary marketing suite

Approved 23 May 2012

MC/11/0001 Outline application for residential (up to 336) dwellings and employment/service facilities, including commercial office/residential building (2500 sqm), and including full application for Phase 1 (except for the appearance of block A - sub-phase 1A) for 154 dwellings, A1 retail and D1 community development, new highway accesses to Maidstone Road and Horsted Way, public open space and ancillary works

Approved 30 September 2012

Other small applications and condition discharge applications have been submitted for the site however these are not considered directly relevant to the proposal.

Representations

The application has been advertised on site and in the press and by individual neighbour notification letters to the owners and occupiers of neighbouring properties. Rochester Airport Ltd, Rochester Airport Consultative Committee, EDF, Southern Gas Networks and Southern Water have also been consulted.

1 letter has been received raising the following objections:

- Increase in traffic and parking pressure within the development.
- Loss of light to Condor House

All other matters raised not listed above are non-material

Southern Water has raised no objections to the application subject to the imposition of conditions.

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 (NPPF) and are considered to conform.

The Developer Contributions Guide 2012 is a relevant Supplementary Planning Document (SPD). The Medway Housing Design Standards 2011 (interim) are material planning considerations.

Planning Appraisal

Background / Principles of Development

Planning permission has been granted under the hybrid application for a mixed-use development of the site, which includes a substantial portion of residential accommodation. The hybrid application granted full permission for phase 1, some details for phase 1A and outline with all matters reserved for phase 2. The details for phase 1A that were approved relate to scale, layout, access and landscaping with only appearance being reserved for future consideration. The approved plans submitted with the hybrid application for Phase 1A showed an extra care block with 40 units, a community facility and a retail unit in this part of the site with associated landscaping and parking. Access to the phase was shown via the same access points as Phase 1, these being the retained former access to the college to the north and the new access towards the southern end both leading from Horsted Way / Maidstone Road.

Since the permission was granted the developers have been engaging with extra care providers and due to the extent of associated facilities required with an extra care block, such as a café, offices, hair salon etc the retail unit and community facilities have been removed from the proposal. However it should be noted that a café / restaurant has been proposed which would be open to the public as would the hair salon and hobby / craft room if there was a demand. As such the proposal includes a similar combination of mixes as the hybrid application. The design and layout of the building together with the changes in the mix of uses and activities proposed has resulted in the applicant submitting a full application rather than a reserved matters submission. However the broad principle of the extra care block as been previously agreed and so no objection is raised to the principle and location but consideration should continue to be given to matters of design, amenity and parking.

Street Scene and Design

The application site is a key site in Chatham because of its position at the top of Maidstone Road, acting as a gateway to the town. It is also located at the crest of the ridge overlooking the open Horsted Valley to the east and adjacent to Fort Horsted to the north. The prominence of the site demands a site-specific design of the highest order. This was recognised and reflected in the hybrid application and subsequent reserved matters application for phase 2.1. The basic architectural concept and the architectural detail of this scheme have been established by the outline application, which secured scale, landscaping, access and layout for phase 1A.

The basic footprint of the building has changed from the layout approved under the hybrid application. It is now an open 'U' shape with the open back facing adjacent housing to the east. As before, a continuous frontage would face west onto what would be a boulevard with more flats of a similar scale opposite. Again, as before, there is a projecting block and a village square to the north. The only slight disadvantage of the present proposals is that the open back of the block does not constitute a strong townscape feature though it is screened by other development. The outline application showed a 3-storey building measuring 6.5 metres to the eaves and 12 metres to the ridge where it faces over the houses to the east. The

extended gable ends facing over the same houses are now proposed to be 10.5 metres to the eaves and 16.5 metres to the ridge. The situation to the south is marginally different from that submitted at the outline stage, the buildings are four storey as before but the eaves are a little higher, as is the ridge. In addition, the footprint of the building has extended slightly so that it is now closer to the houses.

In design terms the building would clearly be of a greater scale than the housing the east. However the details approved at outline stage showed a marked difference between these two phases and the scale of the building now proposed would complement the flatted elements in phase 2, part of which has detailed consent. The layout and scale of the development would provide for a focal point in the centre of the site. The uses within the building and facilities available to the wider public would benefit residents creating a heart to the scheme. The fenestration and arrangement of buildings and windows would afford good levels of natural surveillance of the external area overcoming the need for CCTV, which was originally envisaged for the area.

The general design of the building would follow the architectural style of the consented elements of the development. However in order to ensure design quality further drawings of details at a scale of 1:5 is recommended to be secured by condition. Furthermore conditions are also recommended which relate to landscaping and landscape management. These conditions would help ensure the scheme complements the rest of the development.

Accordingly no objections are raised with regard to the impact on the character and appearance of the area and the provisions of policy BNE1 of the Medway Local Plan 2003.

Amenity Considerations

The development accords with the Medway Housing Design Standards and it meets the requirements of the Homes and Communities Agency who would provide funding for the development. This relates to the internal room sizes and external amenity area. As such the scheme would afford future residents good levels of amenity.

The applicants have carried out daylight, sunlight and overshadowing tests in relation to the existing and approved neighbouring dwellings at plots 59, 60, 87 and 88. These tests show that the only room to fail the daylight element of the assessment would be the hallway to plot 88. In terms of overshadowing the assessment shows the amenity areas to these properties as largely having good levels of sunlight. Unfortunately plot 88, which is the closest plot, would have the least sunlight serving the rear garden. However the change in the building height from that approved at outline stage has not changed this significantly and so no objections are raised.

Conditions were imposed on the original application requiring a noise assessment in relation to road traffic and aircraft noise and a code of construction traffic and so similar conditions are recommended under this application to protect amenity. Furthermore as the building would receive deliveries associated with the commercial elements of the building a condition is recommended to reflect the hours of delivery

that was seen appropriate at outline stage. This would protect the amenity of future occupiers of the building and wider Horsted Park scheme.

Accordingly the application is considered acceptable with regard to residential amenity and the provisions of policy BNE2 of the Medway Local Plan 2003.

Highways

The access to the development would be via the existing two approved access points onto Horsted Way / Maidstone Road. The principle of the development in terms of highway impact and access was established at the outline stage in the hybrid application. The TRICS database indicates that the proposed extra care development would generate in the region of 7-8 vehicle trips during each peak period, which would not materially impact on conditions of highway safety or capacity.

Medway Council's Parking Standards indicate that the proposed development should provide up to 1 parking space per unit, which equates to 43 spaces, plus one space per staff member. A total of 19 spaces are proposed, an average of 0.44 spaces per dwelling, which complies with the standard but falls some way short of the maximum. In order to justify the level of parking proposed, the applicant has provided details of other extra care developments with comparable parking provision and evidence from seven sites in Kent, where parking demand ranged from 3% to 20%. The TRICS database provides an arrival and departure profile for the proposed development, which can be used to estimate the parking demand generated throughout the day. This profile indicates that there would be a maximum of around 8 cars on the site at any one time during a typical weekday. The proposal for 19 spaces would therefore allow spare capacity for a greater number of visitors at weekends. Notwithstanding this, it is estimated that the development would generate 20 trips by public transport per day, and 50 pedestrian trips. The proximity of the site to existing residential areas and local bus service 101, which operates along the A229 every 15 minutes, would facilitate and encourage the use of alternative modes to the car. In light of this, it is considered that the development makes an appropriate provision for car parking.

Accordingly the application is considered acceptable with regards highway safety and parking and the provisions of policies T2, T4 and T13 of the Medway Local Plan 2003.

Other Matters

The original Horsted Park development contained various conditions, some of which are relevant to this application. Some of these have already been discussed. However conditions relating to the approved works in relation to contaminated land and archaeology should be reflected by amended conditions to ensure consistency across the development. Furthermore the conditions requested by Southern Water relating to water infrastructure, the public water supply and foul / surface water, which were also on the outline consent, should be imposed.

Local Finance Considerations

There are none relevant to this application.

S106 Matters

The Community Infrastructure Levy Regulations 2010 provide that in relation to any decision on whether or not to grant planning permission made after 6 April 2010, a planning obligation (a S106 agreement) may only be taken into 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.

A S106 was signed in relation to the original hybrid application for the wider Horsted Park development. This application is a full application due to the building not complying with the parameters set at outline stage. However it is an integral part of the wider scheme and so a deed of variation is required to link this application into the original S106 and to meet the terms of the document as previously set out. On this basis no objections are raised with regards policies S6 and H3 of the Medway Local Plan 2003.

Conclusions and Reasons for Recommendation

This application follows the general approach articulated in the indicative plans submitted with the outline application. The scale and layout of the building would differ from that set at outline stage but overall the design would be appropriate for the gateway location. The development would not cause detrimental impacts with regard to outlook, light and privacy for residents and would afford future residents good levels of amenity. The scheme would utilise the previously approved accesses onto the highway and provide sufficient parking. Accordingly the application is considered in accordance with the aforementioned development plan policies and is recommended for approval.

This application would normally fall to be determined under officers' delegated powers, but is being reported for Members' consideration due to previous phases of the development having been determined by planning committee.

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/dconline/AcolNetCGI.gov>