

MC/14/1760

Date Received: 23 June, 2014

Location: Former Temple School, Brompton Farm Road, Strood, KENT
ME2 3NP

Proposal: Demolition of existing structures and construction of 68 dwellings, associated car parking, landscaping, access, a sub station and groundworks including changes to levels and construction of retaining walls

Applicant: Taylor Wimpey UK Ltd

Agent: Mr Bradley Barton Willmore The Observatory Southfleet Road
Ebbsfleet Dartford, Kent DA10 0DF

Ward Strood Rural

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 10 September, 2014.

Recommendation - Approval subject to:

- A) The applicant/owner entering into an agreement under S106 of the Town and Country Planning Act to secure:
- i) A contribution of £149,768 towards the improvement and maintenance of outdoor play areas,
 - ii) A contribution of £8,496.60 towards the upkeep and maintenance of the Great Lines Heritage Park
 - iii) A contribution of £273,416.80 towards the costs of new school places in the development catchment area to meet the demands which result from the development
 - iv) A contribution of £9,296.28 towards the creation (or upgrade) of youth, community, library and museum provisions
 - v) A contribution of £13,600 towards the improvement of local labour opportunities
 - vi) A contribution of £31,820.60 towards the investment in local GP practice premises, to support an demands placed by new residents,
 - vii) A contribution of £11,213.88 to provide brown bins, reusable bags

and waste information leaflets to the new dwellings, to provide new litter bins within the vicinity and to contribute towards a new compactor at Cuxton Household Waste Recover Centre

- viii) A contribution of £16,660 towards public realm improvements in Strood town centre
- ix) 25% affordable house

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:

081202-WIM-SE-A-E1, 081202-WIM-SE-A-P1, 081202-WIM-SE-B-E1, 081202-WIM-SE-B-E2, 081202-WIM-SE-B-P1, 081202-WIM-SE-C-E1, 081202-WIM-SE-C-P1, 081202-WIM-SE-D-E1, 081202-WIM-SE-D-E2, 081202-WIM-SE-D-E3, 081202-WIM-SE-D-P1, 081202-WIM-SE-E-E1, 081202-WIM-SE-F-E1, 081202-WIM-SE-F-E2, 081202-WIM-SE-F-P1, 081202-WIM-SE-G-E1, 081202-WIM-SE-G-P1, 081202-WIM-SE-H-E1, 081202-WIM-SE-G-P1, 081202-WIM-SE-J-E1, 081202-WIM-SE-G-P1, 081202-WIM-SE-AA-E1, 081202-WIM-SE-AA-P1, 081202-WIM-SE-AB-E1, 081202-WIM-SE-AB-P1, 081202-WIM-SE-AC-E1, 081202-WIM-SE-AC-P1, 081202-WIM-SE-BLK 1-E1, 081202-WIM-SE-BLK 1-E2, 081202-WIM-SE-BLK 1-E3, 081202-WIM-SE-BLK 1-E4, 081202-WIM-SE-BLK 1-P1, 081202-WIM-SE-BLK 1-P2, 081202-WIM-SE-BLK 1-P3, 081202-WIM-SE-CP01, 081202-WIM-SE-CS01, 081202-WIM-SE-GAR01, 081202-WIM-SE-GAR02, 081202-WIM-SE-GAR03, 081202-WIM-SE-SEC01, 081202-WIM-SE-SEC02, 081202-WIM-SE-SUB01, 081202-WIM-SE-SS01, 081202-WIM-SE-SS02, 081202-WIM-SE-SS03 as received on 23 June 2014,

081202-WIM-SE-01 'A', 081202-WIM-SE-02 'A', 081202-WIM-SE-03 'A', 081202-WIM-SE-04 'A', 081202-WIM-SE-05 'A', 081202-WIM-SE-06 'A', 081202-WIM-SE-07 'A', 081202-WIM-SE-E-P1 'A', 200-003 'H', 201-001 'D', 201-002 'C', 201-003 'E', 201-004 'D', CSa/2335/100 'D' and correspondence from Ian Keen Ltd and drawing 8326/01 'B' as received on 14 August 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, including bricks, tiles, rainwater goods, windows, doors, cills, and barge boards, have been submitted to and approved in writing by the Local Planning Authority. 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 there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping (hard and soft) including measures to enhance biodiversity and roosting opportunities for bats and retaining walls. All hard landscaping, planting, seeding and turfing comprised in the approved scheme of 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 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 Policies BNE1 and BNE6 of the Medway Local Plan 2003.

- 5 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to the Local Planning Authority for approval in writing prior to the 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.

- 6 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs a) and b) below shall have effect until the expiration of 5 years from the date of occupation of the building for its permitted use.

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any pruning approved shall be carried out in accordance with British Standard 3998 (Tree Work).

b) If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

c) The erection of fencing for the protection of any retained tree shall be

undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made without the written consent of the Local Planning Authority.

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.

- 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 boundary treatment shall be completed before the buildings are occupied and shall thereafter be retained. The details shall also include any temporary boundary treatments required between the application site and the land subject to application MC/14/1599 during the demolition and construction phases. The permanent fencing shall be erected in accordance with the approved timescales. 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.

- 8 If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to and obtained written approval from the Local Planning Authority a method statement detailing how this unsuspected contamination shall be dealt with. The measures identified in the approved method statement shall be carried out prior to any further works being undertaken on the site (other than development required to enable the remediation process to be implemented) unless otherwise agreed in writing by the Local Planning Authority. Following completion of these measures 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 bringing into use 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.

- 9 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 - H of Part 1 and Classes A and B of Part 2 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.

- 10 Notwithstanding the submitted details, no development shall take place until details of the vehicle access, parking, internal access roads and pedestrian footpaths within the site have been submitted to and approved in writing by the Local Planning Authority. The details shall show enlarged visitor spaces, additional visitor spaces adjacent to plots 6 - 9, parking restrictions within the site, traffic calming features adjacent to plots 5, 10 and 38 and a footpath on the southern side of the access road outside plots 27 and 48 - 56 (Inclusive) and between plots 37 and 41. These details shall include a timescale for the construction of the vehicle access, parking, drop off, turning and internal access roads within the site. The development shall not be occupied, until the area shown on the subsequently approved layout for pedestrians, vehicle access, parking, loading and off-loading and turning spaces has been provided, surfaced and drained in accordance with the approved details. 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 that area of land or in such a position as to preclude its use.

Reason: Development without the provision of adequate pedestrian footpaths, access, turning and parking is likely to lead to hazardous conditions on the public highway and with regard to Policies T1, T2 and T13 of the Medway Local Plan

- 11 No development shall take place until details of pedestrian links with the footpath on the southern side of Brompton Farm Road have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to first occupation of the development and retained thereafter.

Reason: In the interests of highway safety and to provide a safe and convenient means of pedestrian access in accordance with Policies T2 and T3 of the Medway Local Plan 2003.

- 12 No development shall take place until details of vehicle sightlines from the proposed access junctions have been submitted to and agreed in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details and thereafter retained.

Reason: In the interests of highway safety in accordance with Policies T1 and T2 of the Medway Local Plan 2003.

- 13 No development shall take place until details of the means of foul and surface water sewerage disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To ensure appropriate means of foul and surface water sewerage disposal to serve the development.

- 14 No development shall take place until details of foundations design and any other proposals involving below ground excavation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that due regard is given to the preservation in situ of important archaeological remains in accordance with policy BNE21 of the Medway Local Plan 2003.

- 15 No development shall take place until details of external lighting have been submitted to and approved in writing by the Local Planning Authority. The site shall be lit in accordance with the approved lighting scheme before occupation of any building on site and thereafter maintained.

Reason: To safeguard conditions of amenity within the scheme of development permitted in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 16 No development shall take place until details of the slab levels of the proposed houses and flats and the internal finished floor levels of the residential units have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the visual amenities of the area to accord with Policies BNE1 and BNE2 of the Medway Local Plan 2003.

- 17 Prior to the commencement of the development hereby permitted, a construction code of practice covering the hours of operation for the construction, delivery times for materials to be used in the construction, methods for dealing with mud on the road, noise, dust, air quality and lighting for the construction phase of the development, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved construction code of practice.

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

- 18 No development shall take place until the developer has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed

and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification, which has been submitted to and approved in writing by the Authority.

Reason: To safeguard the archaeological interest in the site in accordance with Policy BNE21 of the Medway Local Plan 2003.

- 19 Prior to the commencement of the development, full details of the proposed crime prevention measures shall be submitted to and approved in writing by the Local Planning Authority. The details of the crime prevention methods as approved pursuant to this condition shall be implemented prior to the occupation of any of the residential units and shall thereafter be maintained.

Reason: In the interests of crime reduction and public safety and to ensure compliance with Paragraph 58 of the National Planning Policy Framework, the National Planning Policy Guidance on Design (specifically paragraphs ID 26-009-20140306 and ID 26-010-20140306) and Policy BNE 8 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 planning application seeks full planning permission for the construction of 68 dwellings comprising six 2-bedroomed; thirty eight 3-bedroomed; fifteen 4-bedroomed houses and three 1-bedroomed and six 2-bedroomed flats with associated access; parking and landscaping.

The height of the development would be between 2 and 3 storeys. The layout of the development would make use of a widened vehicular access from Brompton Farm Road and a central spine road rising towards the south-west corner of the site. The majority of the units are 2 storey, with some 2 storey's with converted lofts. A 3 storey block of units is proposed in the south-west corner.

The development has been laid out with two quads of housing in the centre and north of the site, with development running parallel with the southern and eastern boundaries. The housing tenure will be a mixture of private and affordable (both rented and shared ownership). The affordable provision will account for 25% of the 68 dwellings and will be sited in the southwest corner of the site. The affordable housing provision will comprise two 1-bedroom flats, six 2-bedroom flats, one 1-bedroom coach house unit, six 3-bedroom dwellings and two 4-bedroom dwellings.

A simple mix of materials has been selected, with elevations being finished in either facing brickwork, plain brown hanging tiles or white weatherboarding. Roof tiles are either brown or grey.

Parking is predominately provided in the form of allocated bays and garages to the front / side of dwellings, and some parking courtyards, access under 1-bedroom

undercrofts units, are incorporated within the development. The 3 storey block is served by a parking area. Ten unallocated road side visitors parking spaces are provided throughout the site.

The development retains landscaped parcels within the site, and these are broadly reflective of the existing open spaces between school buildings. The proposals seek to upgrade the planting within these areas. Pedestrian access will be created from the site down onto Brompton Farm Road by way of three footpaths.

Some regrading is necessary across the site to reflect the existing levels. This is achieved via the construction of retaining walls at two points across the site, and in locations along the northern site boundary.

All existing structures on site are to be demolished.

Site Area/Density

Site area: 2.91 hectares (7.19 acres)
Site density: 23 dph (9.45 dpa)

Relevant Planning History

- | | |
|------------|---|
| MC/13/3349 | Town and Country Planning Act (Environmental Impact Assessment) (England and Wales) Regulations 2011 - request for a screening opinion as to whether an Environmental Impact Assessment is necessary for the demolition of existing former school and construction of up to 70 residential dwellings with associated infrastructure open space and access
Decision EIA not required
Decided 10 January 2014 |
| MC/05/0603 | Construction of 2.1metre high security fencing and gates to boundary adjacent to Cliffe Road and Brompton Farm Road
Decision Regulation 3 Approval
Decided 20 May 2005 |

Representations

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

KCC Archaeology, KCC Ecology, Environment Agency, Kent Wildlife Trust, Medway Fire and Rescue, Natural England, EDF Energy, Southern Gas Networks, Southern Water Services Limited, Kent Police, Frindsbury & Wainscott Community Association, Frindsbury Extra Parish Council, Sport England and English Heritage have also been consulted.

Kent County Council Ecology (KCC Ecology) have written to state that within the Phase 1 Habitat Survey submitted with the application it is concluded that much of the site is of limited ecological interest but that there is some potential for ecological impacts in relation to bats and nesting birds. To provide more information to the potential for bats being present and affected, the bat surveys have been carried out. Unfortunately the surveys are not sufficient for them to reach conclusions in relation to the potential for bat use of the site. In particular, the transect method used to undertake the surveys means that the key potential bat roosting sites (as identified in the Phase 1 Survey) were not under observation through the survey. Accordingly, they were also unable to determine the location from where the observations or recordings occurred. At that stage KCC Ecology were unable to conclude that the development would not harm roosting bats.

Revised information has been submitted which has been subject to a more thorough methodology and which concludes that no bats were recorded emerging from or returning to any of the buildings or trees within the site boundary. As such, no constraints to the development exist with regards to roosting bats.

Furthermore, low numbers (no more than one at any time) of common and soprano pipistrelles and brown long-eared bats were recorded foraging and commuting close to buildings and trees. Common pipistrelle was the species most commonly recorded, however all species were recorded infrequently and no bat activity was recorded during either of the dawn surveys. A single distant noctule was recorded once during the surveys and was likely to have been commuting above the site.

Lastly, the report concluded that due to the low numbers of bats using the site, the retention of much of the foraging and commuting habitat within the site boundary and additional tree planting within the development, it is unlikely that foraging bats will be negatively impacted by the proposed development.

Kent Police have made the following comments:

The applicant / agent has considered crime prevention and has attempted to apply the seven attributes of Crime Prevention Through Environmental Design (CPTED) in the accompanying Design and Access Statement. The applicant / agent is encouraged to contact Kent Police prior to applications for Code for Sustainable Homes, BREEAM accreditation and Secured By Design assessment. Furthermore, the applicant's attention is drawn to the Kent Design Initiative (KDI) which would assist with Crime Prevention and Community Safety. A relevant condition which requires measures to minimise the risk of crime has been recommended by Kent Police.

English Heritage have written to indicate that they consider that the application should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.

Sport England have written to object to the development because the proposal is not considered to accord with any of the exceptions in Sport England's playing field policy. The policy aims to ensure that there is an adequate supply of quality pitches

to satisfy the current and estimated future demand for pitch sport within the area. The policy seeks to protect all parts of the playing field from development and not just those which, for the time being, are laid out as pitches. In this instance, the loss of the two tennis courts raises concern.

The Environment Agency have written to indicate that they have no objection but offer the following comments;

- The use of SUDS is supported and a condition requiring surface water drainage details to be submitted is recommended,
- Although there is no identified significant risk to groundwater, a condition is recommended which deals with unexpected contamination,
- The site lies within a Source Protection Zone and a condition which restricts surface water drainage infiltrating into the ground is recommended.

Natural England have provided standing advice on protected species, local sites, biodiversity enhancements and landscape enhancements.

Southern Water have made the following comments:

- There is a public sewer and water distribution main crossing the site.
- No development or new tree planting should be located within 3 metres either side of the centreline of the public sewer,
- All existing infrastructure should be protected during the course of construction
- Southern Water can provide foul sewerage disposal to service the development.
- If granted permission conditions are recommended for details of foul and surface water sewerage disposal to be submitted and approved,
- The development lies within a Source Protection Zone and this requires consultation with Environment Agency.

Southern Gas Networks have written to advise on the presence of a Low/Medium/Intermediate Pressure gas main in the proximity of the site. SGN also give advice on excavation and safe digging practices.

Kent Fire and Rescue initially provided comment that the plans show that access roads do not meet the minimum requirements in regards to minimum turning circles between kerbs and that access to all points within the properties must be within 45m of a pumping appliance. However, following dialogue with Kent Fire and Rescue and amended details being submitted to them, they now confirm that fire fighting access is now considered to be satisfactory. Additionally, they have also confirmed that the 45 metre distance is also not considered to be acceptable.

Frindsbury Extra Parish Council have written to state that they have no objection in principle to the development but wish to make the following comments:

- Road safety. The Parish Council are concerned about the extra traffic that this development will generate. All traffic will enter and exit the site from Brompton Farm Road. Traffic calming measures, such as a 20mph speed limit and / or chicanes / pinch points should be added to the highway.

- **Parking.** The Parish Council welcomes the provision of unallocated parking spaces for visitors. Overspill parking onto Brompton Farm Road should be prevented.
- **Trees.** The Parish Council indicates that all trees on site are subject to tree preservation orders. Although this isn't the case, the Parish Council requests that no protected trees are damaged or felled during the construction period.
- **Communal Greenspace.** The Parish Council wishes to accept all communal greenspaces outside private back gardens for future maintenance.
- **Section 106 agreement.** The Parish Council ask that some section 106 monies are made available for improvements to community facilities, such as the Memorial Hall and the Parish Council's open spaces and play facilities in the locality,
- The Parish Council would like the road name into the development to be called Templar Drive.

One Letter of objection has been received with the following comments:

- Concern is raised regarding the speed of vehicles using Brompton Farm Road and the effect of further traffic using this road, and of the intensification of an existing access. Traffic calming is recommended.

One letter of support has been received.

Development Plan

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

Planning Appraisal

Principle

The application site lies within the urban area of Strood, as defined in the Policy H4 of the Local Plan allows for residential development within such areas including the use of vacant or derelict land or the change of use or redevelopment of existing buildings no longer required for non-residential use. The site became surplus to the requirements of Medway Council when the Temple High Schools closed and the site has been vacant since July, 2009. The education facility has been re provided elsewhere within Strood and no objection is raised to its loss. National guidance and local policy support residential development within existing settlement boundaries and in sustainable locations in favour over countryside sites. Paragraph 17 of the NPPF encourages the effective use of land by reusing land that has been previously development (brownfield land). Annex 2 (Glossary) of the NPPF states that the previously developed land is land, which is or was occupied by a permanent structure. This site is brownfield land and is in a sustainable location, which reflects requirements of Policies S1 and S2 of the Local Plan.

Part of the area to be developed is denoted as Protected Open Space by Policy L3

of the Local Plan. The Local Plan states that development which would involve the loss of existing formal open space, informal open space, allotments or amenity land will not be permitted unless sports and recreation facilities can be best implemented, or retained and enhanced through redevelopment of a small part of the site. However, its potential use for on-going recreational use is limited given the relatively small area demarcated on the proposal map and the site levels. It is therefore most appropriate to retain the open spaces as informal recreation, supplemented by a planting scheme, rather than to insist on a formal sports provision on these small areas. It is therefore considered appropriate that any small net loss of open space incurred as a result of this development is far outweighs by the overall benefit to the area that this scheme will bring. These open spaces will become well used pockets within the development and no objection is raised against Policy L3 of the Local Plan.

The proposed redevelopment of the site for residential use would therefore comply with the requirements of the NPPF and Policies H4 and L3 of the Medway Local Plan 2003 and is considered to be acceptable in principle.

Design

Paragraph 56 of the NPPF offers advice on the importance of design in the consideration of planning applications and in particular, it states, 'Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'.

At the local level, Policies S4, BNE1, BNE6 and BNE8 of the Local Plan all emphasise the importance of achieving high quality in landscape and urban design that results in safe and attractive environments. In particular, Policy BNE1 of the Local Plan supports development that respects the character of the locality.

The current school buildings are up to four storeys in height, are large and bulky, offer no architectural merit and do little to enhance the overall appearance of this part of Strood. The site rises above Brompton Farm Road and is therefore in a very prominent and relatively open position. A contrast exists between the residential two storey properties along the northern side of Brompton Farm Road and the functional school buildings which remain on site.

The site contains green spaces which form the existing Protected Open Spaces, plus mature hedges, trees and shrubs along most of the Brompton Farm Road boundary. This gives it an attractive 'green' quality which is maintained as a result of the development. The proposed site layout consists of irregular perimeter blocks of 'cottage style' houses. There is a mix of house types and a mix of parking arrangements in the form of on street parking, garages, and parking courts within each perimeter block. This creates an attractive layout which is befitting this area.

The layout has a number of qualities which particularly refer to the site constraints. A number of trees and hedges are retained along the northern boundary to help integrate the new development into its surroundings. This will be reinforced with further replanting and landscaping. A number of mature trees and hedges are used to form a focal point, backed by a crescent of houses, at the entrance to the site.

Moving westerly into the site, clumps of mature trees form the focal points of small open courtyards of houses. Along the eastern boundary, houses face outwards across a small access road to the open playing fields beyond, creating an attractive street.

Furthermore, the development has selected bespoke house designs to mark street corners or to terminate vistas within the street system. In addition, there is a hierarchy of streets and spaces, beginning with approach roads and moving down through narrower access roads, 'squares' at road junctions to narrower informal driveways serving several houses. This hierarchy provides a coherent structure and a sense of place to the layout. Lastly, the pedestrian routes runs through the development to Brompton Farm Road and will, again, help to integrate the development with its surroundings. Overall, the design is well considered and attractive.

In terms of the impact on the appearance of the street scene and the overall appearance of the area, the proposed re-development of the site would result in an improvement.

With the use of appropriate conditions it is considered that the development would be in accordance with the objectives of the NPPF and Policies S4, BNE1 and BNE6 of the Medway Local Plan 2003.

Sustainable and Inclusive Development

Paragraphs 50, 57, 61 and 69 of the NPPF identify the explicit need for development to achieve sustainable, inclusive and mixed communities which facilitate social interaction and create healthy communities. Planning decisions should aim to achieve places in which communities can meet, in which crime and disorder do not undermine the quality of life of local residents and in which there is safe and accessible developments, containing clear and easily identifiable pedestrian routes, and high quality public space, which encourage the active and continual use of public areas. The concept of sustainability is a 'golden thread' which runs through the NPPF. Policy BNE7 of the Medway Local Plan 2003 also relate to the issue of inclusive societies and access for all.

Achieving sustainable and inclusive development can result from any number of factors. Paragraph 50 of the NPPF examines the benefits which come from a good housing mix, whilst paragraph 57 talks about incorporating public and private spaces within the wider area. It is imperative that development functions well and adds to the overall quality of the area. An inclusive environment needs to be accessed and used by everyone. An important part of delivering this commitment is breaking down unnecessary physical barriers and exclusions imposed on disabled people by poor design of buildings and places.

The development has the benefit of a number of attractive and focally important, publicly accessible areas in which it is expected that residents will be able to meet and use. Pedestrian routes run through the site towards Brompton Farm Lane, resulting good levels of connectivity within the site and beyond. Furthermore, the development includes a wheelchair housing unit, which is specifically designed to

meet the needs of wheelchair users. It can be adapted to meet the requirements of particular individuals and is spacious enough to allow a wheelchair to manoeuvre. Very little of current housing stock is suitable for wheelchair users and it is recommended that the wheelchair unit be secured as part of the affordable housing provision within the legal agreement.

Housing Mix

Paragraph 50 of the NPPF states that key characteristics of a mixed community are a variety of housing, particularly in terms of tenure and price and a mix of different households such as families with children, single person households and older people. The housing mix is set out in the proposals section of the report above. Nine units will be flats, whilst 17 of the proposed 68 units will be affordable housing units. It is considered that the proposal provides a sufficient range of house types and sizes which meets the requirements of the NPPF and Policy H10 of the Medway Local Plan 2003.

Affordable Housing

Paragraph 50 of the NPPF identifies the requirement for Local Planning Authorities to provide high quality affordable housing. Policy H3 of the Medway Local Plan 2003 sets out a requirement for 25 per cent of the new housing within the application site to be affordable housing. The application proposes 25% affordable housing by way of three 1-bedroom and six 2-bedroom flats and six 3-bedroom and two 4-bedroom dwellings. This level of provision is in accordance with the NPPF and Policy H3 of the Medway Local Plan 2003 and is in accordance with the Government's objectives for affordable housing provision. The provision of affordable housing should be secured through a legal agreement accompanying any planning permission for the proposed development.

Landscaping, Open Space and Public Realm

The proposed landscaping scheme shows the retention and improvement of tree planting and open spaces throughout the site. The trees and hedges help to soften the streetscape and help to reduce the visual impact of the development from Brompton Farm Road. The landscaping is considered to be in accordance with Policies S4 and BNE6 of the Medway Local Plan 2011.

Refuse

One of the significant issues facing the region is the growing amount of waste and how to manage it. A new approach and a change towards how waste is dealt with will be required. Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10) is still relevant and identifies that priority should be given to reduction, re-use and recycling before disposal is considered. This approach is reflected in the Waste Management Plan for England (2013) which supports the planning framework for waste adopted within PPS10. Both documents are noted within paragraph 5 of the NPPF.

In relation to the houses sufficient space is provided for at least 3 x 240 ltr wheeled

bins per house. All bins are to be kept within gardens however the collection is from the front of the properties so residents will be expected to position their bins in an appropriate collection point on the designated day for collection in the normal manner. A waste collection plan has been submitted as part of the application. This plan indicates the bin collection points and the routes residents would have to take to deposit their refuse at these points. For the flats in apartment blocks a communal refuse and recycling store is provided.

It is considered that the proposal provides adequate storage space for refuse and that it has been designed into the scheme so that it is not a prominent feature within the street scene. The proposal would be in accordance with PPS10 and Policy BNE1 of the Medway Local Plan 2003.

Crime Prevention in Design

Policy BNE8 of the Medway Local Plan 2003 relates to Security and Personal Safety. It is essential that all sections of the community, especially those who may be vulnerable to crime should feel safe and secure. It is an integral part of the design process to achieve this and developments should seek to design out crime in line with the advice contained in paragraph 58 of the NPPF and paragraphs ID 26-009-20140306 and ID 26-010-20140306 of the National Planning Policy Guidance (NPPG). The applicants have designed the scheme with crime reduction / prevention measures in mind and the development has given due reference to Crime Prevention Through Environmental Design (CPTED) matters. Subject to the imposition of a condition which requires details of crime prevention methods to be submitted, the development complies with the NPPF, NPPG and Policy BNE8 of the Local Plan.

Amenity

In general terms it is considered that the provision of a residential use in an existing residential area is appropriate and would not generally cause concerns for nearby residential properties. The site is well screened by planting along Brompton Farm Road and this will aid the relationship to those adjacent properties. A concern is raised about the relationship between plots 20 and 21 with nos. 218 - 224 Brompton Farm Road, particularly as the proposed dwellings will be elevated from the road. In response, a revised scheme of landscaping is suggested.

The proposed layout forms a perimeter block arrangement and this achieves an appropriate rear elevation to rear elevation distance between houses within the development. This separation distance is considered acceptable in terms of protecting the amenity of the future occupiers of the development in relation to privacy. All houses benefit from private amenity space in the form of a rear garden area, and all of these spaces have a minimum depth of 10m. These separation distances ensure that all residents achieve good levels of outlook and light to habitable rooms. The Medway Housing Design Standards have been applied to the internal provision, and this is set out in the below table.

Type - Private	MHDS	Proposed
A (4 bed, 6 person)	107m ²	142m ²
B (4 bed, 5 person)	100m ²	102m ²
C (3 bed, 4 person)	87m ²	90m ²
D (3 bed, 4 person)	87m ²	85m ²
E (3 bed, 5 person)	87m ²	85m ²
F (3 bed, 4 person)	87m ²	88m ²
G (2 bed, 3 person)	77m ²	78m ²
H Coachouse (2 bed, 3 person)	50m ²	67m ²
J (3 bed, 5 person)	96m ²	104m ²

Type - Affordable	MHDS	Proposed
IA Flat (1 bed, 2 person)	50m ²	53m ²
1W Flat (1 bed, 2 person, wheelchair unit)	50m ²	63m ²
2 / 1 Flat (2 bed, 3 person)	61m ²	69m ²
2 / 2 Flat (2 bed, 3 person)	61m ²	62m ²
2 / 3 Flat (2 bed, 3 person)	61m ²	66m ²
2 / 4 Flat (2 bed, 3 person)	61m ²	62m ²
AA Coachouse (1 bed, 2 person)	50m ²	61m ²
AB (3 bed, 4 person)	87m ²	104m ²
AC (4 bed, 5 person)	96m ²	102m ²

All revisions to the accommodation schedule exceed the Standards, apart from the house types 'D' which is some 2m² below the required Standards. House type 'E' has been revised to a 3 bed, 4 person unit and is now reflective of the internal layout of house type 'D'. Both dwellings types comply with the Standards when assessed through the 'Alternative Methodology' wherein a schedule of furniture has been comfortably plotted in the units.

The relationship between the northern element of the proposed SEN school site and the amenities of the future occupiers of this development have been considered. On this basis, the school site has been retained at a height that is considered to be respectful of the relationship with this site and as such no loss of amenity is

considered to occur. Officers are satisfied that the future residents of the development will be able to use their private amenity areas without fear of being overlooked. It is recognised that external lighting can have an impact on amenity and details of lighting will be required by condition, both within this site and via the adjacent SEN development. Furthermore, a number of other conditions will be imposed in an attempt to mitigate the harm from the SEN site. Accordingly, the development accords with Policy BNE2 of the Medway Local Plan 2003.

Noise

Paragraph 123 of the NPPF and Policy BNE2 of the Local Plan seek to protect the amenity of occupiers in terms of unacceptable noise levels. The most likely source of noise to affect this proposal is road traffic related noise. No noise assessment has been submitted but local conditions are unlikely to generate unacceptable noise levels. The development accords with the objectives of paragraph 123 of the NPPF and Policy BNE2 of the Local Plan.

Drainage and Flood Risk

The site overlies a principle aquifer and is within a Source Protection Zone 3 for a water abstraction system. Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. The submitted drainage plan indicated the construction of a number of deep bore soakaways on the adjacent playing field. These form part of the sustainable drainage system (SuDS) which will be adopted across the site. Southern Water have advised that these cannot dispose into a public foul sewer. Full details of the foul sewerage and surface water disposal approach will be requested by a condition to secure compliance with the NPPF.

Contaminated Land

Paragraphs 120 and 121 of the NPPF and Policy BNE23 of the Medway Local Plan 2003 requires proposals for development on land known or likely to be contaminated to be accompanied by the findings of a detailed site examination to identify contaminants and the risks that these might present to human health and the wider environment.

Given the previous use of the site as a school, it is considered that there is potential for the site to have suffered some contamination. The applicants have submitted a Phase II assessment, ground investigation and summary of soil contamination in support of their application. On the basis of the sampled information, only slightly elevated levels of Benzo(a)pyrene were noted. To overcome any minute levels of contamination, 300mm of topsoil will be used to cover any made ground. With the imposition of a condition which deals with unsuspected contamination, the proposal is considered to be in accordance with the NPPF and Policy BNE23 of the Local Plan.

Trees

An Arboricultural Report including a tree survey, arboricultural impact assessment and tree protection specification has been submitted as part of the application. The site, and adjoining land contains many trees, some of which are covered by a Tree Preservation Order. These trees make a significant contribution to the character and appearance of the area. A number of trees are scheduled for removal, although these are of fairly low visual and arboricultural value and as such their removal is considered acceptable. Those trees worthy of retention have been selected and these existing trees are supplemented with replacement planting, the details of which will be required by planning condition. The entrance into the site and the open spaces will be strengthened with new trees. In summary the impact of the development on trees is generally considered to be acceptable. The replacement planting will be sought for the few trees which would be removed and the existing amenity value of the planting throughout the site will be retained where appropriate. There development conforms with Policies BNE41 and BNE43 of the Local Plan.

Ecology

Under Section 40 of the Natural Environment and Rural Communities Act (2006), *“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”*. In order to comply with this ‘Biodiversity Duty’, planning decisions must ensure that they adequately consider the potential ecological impacts of a proposed development.

The National Planning Policy Framework states *“the planning system should contribute to and enhance the natural and local environment by...minimising impacts on biodiversity and delivering net gains in biodiversity where possible.”* Paragraph 99 of Government Circular (ODPM 06/2005) Biodiversity and Geological Conservation - Statutory Obligations & Their Impact Within the Planning System states that *“It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision.”*

Natural England has published Standing Advice on protected species and Ancient Woodland. This advise is issued in accordance with:

- Article 16 of the Town and Country Planning (Development Management Procedure)(England) Order 2010 SI2010/2184;
- Section 28(i) of the Wildlife and Countryside Act, 1981;
- ODPM Circular 06/2005: Biodiversity and Geological Conservation - Statutory Obligations and their impact within the planning system; and
- The NPPF.

When determining an application for development that is covered by the Standing Advice, Local Planning Authorities must take into account the Standing Advice. The Standing Advice is a material consideration in the determination of applications in the same way as a letter received from Natural England following consultation.

A Phase 1 Ecological Habitat Survey Report has been submitted with the application. KCC Ecology confirm that the site has limited potential to be suitable for bats and nesting birds. Those methodology of the bat surveys undertaken with the Phase 1 Report means that KCC were unable to agree that there are no constraints to the development with regards to roosting bats. Further survey work was undertaken and submitted in the form of a revised Phase 1 report. This was undertaken in accordance with suggested survey guidelines and the results show very low numbers and frequencies of bats. The report outlines how ecological protection measures will be incorporated, and a condition is recommended which requires these ecological enhancements to be incorporated into the development. In these circumstances there is no objection to the development from an ecology perspective, including with regard to Policies BNE37 and BNE39 of the Local Plan.

Highways

Traffic Generation & Access

The Transport Statement submitted with the application uses the TRICS trip generation database to estimate that the proposed development would generate up to 37 vehicle trips during the peak periods. An assessment of the site access junction indicates that this amount of traffic could be comfortably accommodated with no detrimental impact on highway capacity and, taking in to consideration the previous use of the site access, no objection is raised in respect of Policy T1 of the Local Plan.

The development proposes to utilise the existing point of access on to Brompton Farm Road, with the junction widened to accommodate two-way traffic flow. Visibility in each direction exceeds the 43 metres recommended by 'Manual for Streets' and vehicle tracking demonstrates suitable provision for large vehicle access and egress. Whilst Brompton Farm Road carries around 9,000 vehicles per day, the accident database indicates that there have been only three slight accidents in the past three years, which suggests there are no inherent safety issues that would be exacerbated by the proposed development. It is therefore considered that the alterations to the junction are acceptable in respect of Policy T2 of the Local Plan. Pedestrian access is proposed at four locations, which would ensure good connectivity with the surrounding area.

Overall, the proposed development will not generate any material increase in traffic on the local network and the proposed highway works will significantly improve pedestrian accessibility and reduce traffic speeds. On this basis, the application is considered to accord with Policies T1, T2 and T3 of the Local Plan.

Internal Road and Parking

The internal road is particularly tight and in some instances the forward visibility fails to achieve the required sightlines for 20mph traffic set out within the 'Manual for Streets' guidance. This is evident adjacent to plots 5, 10 and 38. In order to reduce the speed of vehicles in these locations and to compensate for the limited visibility, a series of traffic calming measures are recommended to be installed. Details of traffic

calming features are therefore requested via condition.

All houses are proposed to have at least two off-street car parking spaces, and the 8 flats are proposed to have 11 spaces. This element of the parking provision complies with the Council's minimum Standards and, given that average car ownership in the vicinity of the site was 1.72 per dwelling at the time of the last Census, is likely to meet the demand generated by future residents. Cycle storage for the flats is provided in accordance with the Council's Parking Standards.

The Council's Parking Standards also indicate that the development should provide 17 visitor spaces. Whilst the application proposes only 10 formal visitor spaces, some of the driveways could accommodate 3 cars and the informal layout of the shared private driveways would also accommodate visitor parking. Notwithstanding this, the size of a number of the visitor spaces do not comply with the Council's size standard of 2 metres by 6 metres. Furthermore, the lack of visitor parking in the vicinity of plots 6 - 9 would have the potential to generate indiscriminate parking on the adjoining footway. A condition is recommended which overcomes these concerns and revises the visitors parking provision. The arrangements for vehicle parking are considered acceptable and no objection is raised in respect of Policy T13 of the Medway Local Plan 2003.

It is therefore considered that the proposed development would accord with Policies T1, T2, T3 and T13 of the Medway Local Plan 2003.

Other Matters

The comments regarding the loss of the tennis courts from Sport England are noted, however these are not areas which fall under the definition of playing fields or pitches as set out within the The Town and Country Planning (Development Management Procedure) (England) Order 2010. The loss of these tennis courts will be mitigated, in part, by a significant contribution towards the improvement and maintenance of other outdoor play spaces in the local vicinity. The Council's Greenspaces Section have indicated that the funding will partly go towards improvements towards the Quixote Crescent play area. Alternate schemes at the Cliffe Road or Hancock Close play areas have been identified as potential substitutes. Under the terms of the National Planning Policy Guidance 'Determining a planning application', paragraph 22, and The Town and Country Planning (Consultation) (England) Direction 2009, Members are advised that it is not considered that referral to the National Planning Casework Unit is required.

S106 Matters

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 (a) necessary to make the development acceptable in planning terms;(b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development.

In addition to the S106 requirements referred to in the affordable housing section, a

need has been identified for contributions towards open space, the Great Lines Heritage Park, children's services, community facilities, training and workforce development, health, waste and recycling and public realm improvements. These needs have been accounted for via the contributions set out at the head of the report. The applicant has confirmed agreement to meet the requested contributions. The scheme is therefore considered to be in accordance with Policies S6 and L4 of the Medway Local Plan 2003.

Local Finance Considerations

None relevant.

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 and parking. The development is considered acceptable for the reasons outlined above. It is therefore recommended that the proposal be approved subject to the imposition of appropriate conditions and the terms of a section 106 as set out above. The proposal accords with the objectives of the NPPF and Policy S4, H3, H4, H5, H10, BNE1, BNE2, BNE6, BNE7, BNE8, BNE23, T1, T2, T3, T4, T13 and L4 of the Medway Local Plan 2003.

The application would normally be determined under delegated powers but is being reported to Committee due to the fact that this site is closely related to MC/14/1599, which is also on this agenda, and to ensure consistency in decision making.

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>