

MC/15/0081

Date Received: 12 January, 2015

Location: Former Kitchener Barracks, Dock Road, Chatham, Kent

Proposal: Change of use of the former Barrack Block to Class C3 (residential) and associated external alterations, change of use of the former Ordnance Store to use Classes A1 (shop), A2 (financial and professional services), A3 (restaurant and cafe), A4 (drinking establishment), B1 (Business), D1 (non residential institution) and associated works.

Applicant: J G Chatham Ltd

Agent: Mr J Bradburn Montagu Evans LLP 5 Bolton Street London W1J 8BA

Ward River

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 29 April, 2015.

Recommendation Approval subject to:

A) Resolution to approve subject to further survey work being undertaken and then if deemed acceptable, delegated authority being granted to the Head of Planning to approve subject to conditions and S106

B) The applicant / owner entering into an agreement under Section 106 of the Town and Country Planning Act to tie the permission into that granted under MC/15/0079

C) The imposition of the following conditions (delegated authority being granted to the Head of Planning to make minor amendments to the wording of the conditions if considered desirable before the issuing of the permission): -

- 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:
0061_GA_38 Rev B; 0061_GA_37 Rev B; 0061_GA_36 Rev B;

0061_GA_40 Rev B; 0061_GA_39 Rev B; 0061_GA_24 Rev C; 0061_GA_25 Rev C; 0061_GA_26 Rev C; 0061_GA_27 Rev C; 0061_GA_29 Rev C;

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

- 3 No development relating to the Ordnance Store shall take place until a scheme to minimise the transmission of noise from the use of the Ordnance Store premises, has been submitted and approved in writing by the Local Planning Authority. Noise from the premises should be controlled, such that the noise rating level (L_{Ar},Tr) emitted from the development shall be at least 10dB below the background noise level (L_{A90,T}) at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014. All works which, form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: In the interests of amenity and to avoid irreversible detrimental impacts to the listed building in accordance with BNE2 and BNE17 of the Medway Local Plan 2003.

- 4 No development above slab level shall take place until details of cycle and refuse storage for both the Barrack Block and the Ordnance Store 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 BNE2 and T4 of the Medway Local Plan 2003.

- 5 Prior to the occupation of the Ordnance Store a schedule of delivery times and opening hours shall be submitted to and approved in writing by the Local Planning Authority. The use hereby permitted shall then operate in accordance with the agreed schedule.

Reason: To regulate and control the permitted development in the interests of amenity in accordance with Policy BNE2 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), boundary treatment and lighting. All 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: To protect and enhance the appearance and character of the site and locality and to avoid any irreversible detrimental impact to the listed

buildings in accordance with policies BNE1, BNE5, BNE6 and BNE17 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 consent for the change of use of Barrack Block and Ordnance Store at the former Kitchener Barracks. This application comprises: -

- Change of use of the former Barrack Block to Class C3 (residential) and associated external alterations. This would result in the creation of two 3-bedroom dwellings and one 4-bedroom dwelling and involve the insertion of a dormer window within each front and rear roof slope of each property (6 dormers in total).
- Change of use of the former Ordnance Store to use classes A1 (shop), A2 (financial and professional services), A3 (restaurant and cafe), A4 (drinking establishment), B1 (Business), D1 (non residential institution).

This application should be read in conjunction with the other planning applications listed in the relevant history section below, which together form a suite of proposals for the redevelopment of the Kitchener Barracks site. Both of these buildings are listed and so there is an accompanying listed building consent application (MC/15/0094).

Relevant Planning History

MC/15/0079 Outline Permission with some matters reserved (appearance, landscaping, layout and scale) for the redevelopment of the former Kitchener Barracks for residential purposes (Class C3) including the change of use of the partly retained Khartoum Building together with associated works.
Registered

MC/15/0082 Application for demolition in a conservation area of unlisted structures including part of the Khartoum Building together with associated works.
Registered

MC/15/0094 Listed Building Consent for the change of the use of former barracks block to Class C3 (residential) and associated alterations, change of use of the former Ordnance Store to use Classes A1 (shop), A2 (financial and professional services), A3 (restaurant and cafe), A4 (drinking establishment), B1 (Business), D1 (non residential institution) and associated restoration works, restoration of boundary wall, demolition of ancillary structures associated works.
Registered

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.

Three letters of representation have been received raising the following concerns and queries:

- Impacts of noise on the properties of Brompton Hill and Brompton village which is in a quiet conservation area
- Concerns that parking in Brompton Hill area would be used by new residents and asked if the access to Brompton Hill would be pedestrian only
- Concerns over subsidence following the alterations and similarly regarding potential collapse of caves under the houses
- Pressures that the influx of people will have on existing services such as schools and GPs
- Construction and demolition impacts including dust and debris impacts
- Queries whether there sufficient parking space for the houses/ flats
- Impacts of traffic and access arrangements onto dock road, particularly at peak hour times
- Queries regards the methods used in the traffic and transport survey
- Object to the A4 use in the Ordnance Store due to amount of pubs in the area who are struggling to make a living.
- In favour of redevelopment of the site, however but concerned about the impacts of the commercial options A1, A2, A3, A4, B1, D1 and its impacts on the Brompton High Street which has suffered decline, and that this development will draw away businesses from the high street and kill of our efforts of revamping and rejuvenating our High Street and village and to limit the development to residential uses

All other matters raised not listed above are non material

Fort Amherst Heritage Trust (FAHT) have made the following observations and objections:

- Generally welcome the proposal to redevelop the site for residential use
- Concern regarding right of access to Khartoum Road and that these privileges in respect of the road are not reduced / restricted in anyway.
- Construction and occupation phase traffic via Khartoum Road from the increase in flow and the associated safety concerns from this and the delays incurred at the traffic lights at the bottom of this road.
- Concern that the activities of the fort including re-enactments will be curtailed as a result of noise complaints and seek assurances that there will be no threat to these activities.
- Reluctant acceptance of the demolition of the Western Block but replacement structures should be fully sympathetic in appearance
- Remains of the Buckley Institute Facade retained and further interpretation needed to ensure that the former military is not lost.
- Reservations regarding impact on underground structures and tunnels, which

should be protected from the development.

- A full survey and photographic record should be undertaken of all structures.
- Wish the ordnance store to be fully restored in a sympathetic way
- Concern over the commercial use and the traffic and economic impacts on Fort Amherst
- Concern over the loss of the potential use of the Ordnance Store building by FAHT

Historic England (English Heritage) have made the following comments:

- Content with the plans as currently shown for these buildings and structures, but they lack detail in various areas.
- Recommend that a schedule of works for listed elements of the scheme should be agreed and implemented by means of a S106 agreement or similar, before an agreed milestone/ trigger.
- The reuse of the listed buildings should also be sought.
- Ordnance Store has capability of reuse for a number of purposes ranging from a pub to Fort Amherst Trust heritage use. This would allow positive changes to the neighbouring monument.
- If minded to granted listed building consent, subject to mentioned requirements above, it is recommend that details of new windows and doors including dormer windows and rainwater goods along with facing materials and re pointing should be sought by condition

Development Plan

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. The Brompton Lines Conservation Area Appraisal 2006 is a material planning consideration.

Planning Appraisal

Principle of Development

Former Barrack Block

The application seeks the change of use of the Barrack Block to residential (C3 use) to provide two 3-bedroom houses and one 4-bedroom house. Policy H4 of the Local Plan is the key policy in this case. This policy generally seeks the provision of housing within urban areas. Policy H4 states residential development will be permitted through the (i) the use of vacant or derelict land or the change of use or redevelopment of existing buildings no longer required for non-residential use; or (ii) the redevelopment of existing residential areas and infilling in such areas (providing that a clear improvement in the local environment will result); or (iii) mixed commercial and residential uses in proximity to town centres; or (iv) the use of upper floors above commercial premises. In this case, the change of use of the former barracks block, which may be considered a building no longer required for non-residential use, is acceptable. The proposal seeks a viable residential development

location in close proximity to existing services and transport nodes in an urban location and brings back in to use a site currently under utilised and vacant. The proposal satisfies the principle Policy H4 of the Medway Local Plan 2003.

Former Ordnance Store

This aspect of the proposal seeks the establishment of a range of uses in the Ordnance Store building. This is understandable as a variety of uses may be appropriate for the building and the applicants wish to have a flexible consent to adapt to market conditions. However all of the uses therefore need to be assessed to establish whether they are appropriate on site. The access to the Ordnance Store is approximately 300 metres north of the core area of Chatham. Therefore for the purposes of this assessment, it is considered an 'edge of centre' site. The establishment of uses at this location needs to be carefully considered to ensure compatibility with the vitality and viability of Chatham Town Centre and Brompton High Street Local Centre. A number of policies need to be considered in this regard.

Policy R2 of the Local Plan states that the development of additional Class A1 convenience floor space will be permitted within the Core Area as a first choice, or on the edge of the Core Area if no suitable sites are available provided that it contributes to viability and is suitably accessed. Equally, Policy R13 - Retail Uses and Sequential Approach is relevant. This policy states that retail development outside the main retail centres will only be permitted when it is demonstrated that sites suitable for the proposed retail development are not available in accordance with the following sequence (i) within the core areas of Chatham, Strood, Gillingham and Rainham, (ii) then on the edge (within 200-300 metres of these core areas), or (iii) then within or adjacent to one of the local centres, village and neighbourhood centres. Additionally, Policy R12 states that within or on the edge of the core areas of Chatham, mixed use developments of an appropriate scale and incorporating high design standards and which contribute to the vitality and viability of the centre will be permitted.

The site is located on the edge of Chatham, approximately 300 metres from the boundary of the core area as defined on the proposal map. The site is also 0.5 kilometers from the Brompton High Street, which is a defined local centre in the local plan. It should be noted that the limitations/constraints on this building given its listed status, restrains the amount of development the building can accommodate. It has been demonstrated that a comparable unit within the core area of Chatham is not available. It is also considered that this is a single listed building therefore its listing is a restraining factor, if for example, it is compared to a new build retail development. The site does retain a link with the core area of Chatham and the Brompton High Street, as defined by the access linkages through the entire site. Equally it has good pedestrian access, with a dedicated car parking area, and is in close proximity to existing transport nodes. It is important to note the Ordnance Store, although listed is in a poor state of repair, with options for use particularly in a retail, limited. The statement submitted with the application argues that a more specialist retailer would seek the unit, and that given the unique features of the listed building which would restrict major alteration no comparison space can be achieved within the core area of Chatham. Given its location on the edge of core area, and the unique aspects of the building, the development of the A1 use is not contrary to viability of such centres,

and given the urban location is serviced by adequate linkages to surrounding services and transport nodes.

Regarding uses A2/B1/D1, the key local plan objective deals with Policy R11 which states that non retail uses should be concentrated in major centres, or if there are no sites available on the edge of these centres. This includes B1 office, leisure, entertainment uses, cultural and educational facilities, as well as health centres. They will only be permitted if there is no suitable centre or edge of centre site, easily accessible by transport, and would not undermine the vitality of the main centres listed in listed areas. Additionally, Policy CF2 is relevant here where community facilities defined as education health or recreational facilities will be permitted subject to (i) the size and scale of development being appropriate to the site; and (ii) the development having no detrimental impact on the countryside, residential amenity, landscape or ecology; and (iii) accessibility to the local population by a variety of means of transport, including public transport, cycling and walking.

As previously discussed, the application site is located within an existing urban area relatively close to existing population centres, as well as the proposed application site for the wider Kitchener Barracks redevelopment. The size and scope of the building for a change of use is defined by its listed status, and subject to conditions on noise and extraction of fumes, it cannot be expected that the uses would have detrimental impacts on residential amenity, landscape and ecology. The application is therefore consistent with Policy R11.

Regarding the potential change of use to A3 and A4, Policy R18 Take away, Hot food shops, restaurants, cafes, bars and public houses, will be permitted outside the defined retail areas, provided that they meet the following criteria:

- (i) there is no significant detrimental impact on neighbouring land uses or to residential amenity; and
- (ii) the presence of any similar uses in the locality, and the combined effect that any such concentration would have, would be acceptable in terms of environmental impact and highway safety; and
- (iii) the proposed hours of opening are acceptable in relation to the amenities of the area; and
- (iv) suitable refuse storage, disposal and collection facilities are provided; and
- (v) the proposal pays particular attention to meeting the provision of policies BNE2, BNE3, T1, T13 and T22 in respect of the mitigation of noise and general disturbance, for the proper extraction and treatment of fumes and smells, and arrangements for parking, servicing and access for people with disabilities

The option for these use classes in the area is limited, with the exception of the Command House PH, and Fort Amherst Cafe/heritage centre. As such, an A3 or A4 use would be reasonably isolated, although in a central location close to existing population centres. Therefore it is not considered that cumulatively there would be an over concentration of these uses at this location. The key residential receptors would exist north and east of the site, and potential future occupiers of the Kitchener Barracks site itself. Depending on the use involved, there will be a need to pay particular attention to opening hours, noise generated or potential fumes; however this can be dealt readily by condition.

It should be noted, that large residential developments should seek a level of mixed-use development that offers community services and amenities to its inhabitants in a way that does not result in impacts on existing centres. It is not considered that impacts on residential amenity would be significant, with suitable conditioning that would warrant a refusal. The site would also be generally accessible by a range of transport options given its largely urban location and generally the use of the building would be a benefit to the local area, therefore contributing not only to vibrancy of Chatham, but also the perception of the street scene. The proposal is considered acceptable in principle to Policies R2, R11, R12, R13, R18 and CF2 of the Medway Local Plan 2003.

Streetscene, Design and Conservation Area

The key consideration in this regard is the impact on the conservation area, as a result to the proposed change of use to the listed buildings. To facilitate these changes of use various external works will be required and these are detailed under the accompanying listed building consent application, MC/15/0094.

Considerable repairs are envisaged for the Ordnance Store, which is currently significantly derelict. The bringing in to use of this otherwise under utilised building will have positive impacts. The changes proposed for the Barrack Block would be minimal with the main ones being the insertion of dormer windows in the front and rear roof slopes. The parameters of the buildings as existing would be retained, and with suitable conditioning the proposals would see an improvement to both buildings and their contribution to the surrounding area. The dormer windows would not overwhelm the building and are considered in keeping in terms of scale and proportion. No objections are therefore raised with regards the visual appearance of the development and the provisions of policies BNE1 and BNE14 of the Medway Local Plan 2003.

Amenity Considerations

Consideration should be given to the impact of the development on existing neighbours and the standard of amenity which would be experienced by potential future residents of the site. All the properties would comprise a kitchen, living room, study, bathroom, storage and either 3 or 4 bedrooms.

The Medway Housing Design Standards have now been superseded by the National Housing standards, which although not adopted by Medway Council, do provide a good guide in terms of the acceptability of the internal amenity of properties. The National Standards are very similar to the former MHDS. The table below sets out the minimum standards as set out in the Medway Housing Design Standards (Interim) 2011 (MHDS) and how the proposed dwellings compare with the document.

Dwelling Number	Number of Bedrooms	MHDS Min Gross Internal Floor Area	Gross Internal Floor Area Proposed	MHDS Living / Dining / Kitchen Good Practice Minimum Floorspace	Living / Dining / Kitchen Floorspace Proposed	MHDS Bedroom Good Practice Minimum Floorspace (Double)	Bedroom Floorspace Proposed
1	3B5P	102sqm	138sqm	29sqm	43.5sqm	12sqm	12sqm 12.9sqm 12.1sqm
2	3B5P	102sqm	126sqm	29sqm	47.8sqm	12sqm	15.58sqm 14.15sqm 12sqm
3	4B6P	113sqm	219sqm	31sqm	73sqm	12sqm	14.9sqm 17sqm 14.84sqm

As the table above illustrates, the houses would meet the minimum requirements for overall space, bedrooms and living rooms. The lower floors of each house would have study areas with options for storage in such areas if required. The building is listed and a suitable design has been achieved, one that not only respects the integrity of the building but also provides ample living space as per the Design Standards.

There are no existing residential properties within the immediate area of the Barrack Block as it is within the Kitchener Barracks site and so the change of use of the building would not cause harm to existing residents. However, it is essential that these 3 houses be considered in the context of the larger development of Kitchener Barracks (outline application MC/15/0079). The Barrack Block residential element is categorised as Block W in these proposals. It has been integrated into the proposals insofar as the proposed street layout and building line is shown along its current trajectory. There are 4 windows on each of the side elevations, one set of which would overlook the former parade ground, which would be a retained open space. The daylight and sunlight aspects appear to have been considered as part of the wider framework proposals. The houses would have dual aspect, and would receive adequate daylight and sunlight given the orientation of the building.

The Ordnance Store proposals relate to a range of potential uses, but again, due to its location, there would be no detrimental impacts to existing residents. Its conversion has been designed to complement the proposals for the wider scheme but the residential development included under the outline application (MC/15/0079) would result in residential properties being located close to it. With regards A1, A2, B1, D1 uses, there are considered to be no significant impacts that would impinge on the residential uses of the wider site, relative to matters such as noise, lighting, daylight or privacy. An A3 or A4 use could have considerations in terms of opening hours and odour / fume extraction and plant noise. Given the listed status of the building, further details for any alterations would be required, which would include a flue system if required by the use. Conditions are recommended to ensure that an agreed schedule of delivery and opening hours are agreed before occupation of the building and that sufficient noise mitigation is installed to ensure that the final use

does not impinge on residential amenity.

With suitable conditioning, the level of amenity afforded to the occupiers of the properties and neighboring properties, both existing and future is considered secure. Accordingly, and bearing in mind the above standards, the development is considered acceptable Policy BNE2 of the Medway Local Plan 2003.

Highways

The adopted residential parking standards require 2 parking spaces for each 3 bedroom and 4 bedroom house and so there is a requirement for 6 spaces for the conversion of the Barrack Block. Five parking spaces have been proposed which is one short of the requirement. However as detailed in the outline application (MC/15/0079), the indicative masterplan for the wider scheme exceeds the parking requirements by 5 spaces and includes 66 visitor spaces. On this basis it is considered that overall there would be sufficient parking for the development. The adopted parking standards for the Ordnance Store relate to maximum provision and the 13 spaces proposed accord with this policy for all of the proposed uses. It is appropriate for suitable cycle storage to be provided as part of the development, the storage should be secure and accessible, and a condition is recommended to control this. A traffic assessment has been provided with the application looking at access arrangements, levels of anticipated trip generation and accident data and no objections are raised with regards the access to the site. The scheme therefore accords with policies T1, T4 and T13 of the Medway Local Plan 2003.

Ecology

A Phase 1 Habitat Survey has been submitted with the application. Subsequently a specific species survey was requested. This placed considerable emphasis on potential bat roosts in the Ordnance Store. A subsequent survey was undertaken in March 2015 to identify any potential bat roosts. The Ordnance Store was identified as one of the buildings with gaps and holes in the tiles and roof. These gaps offer potentially suitable roosting opportunities for crevice dwelling bat species. Given the above, it is considered that further specific surveys would be required to determine whether any bats are present roosting beneath the tiles of the Ordnance Store Building. Although mitigation may be possible, there is a need for the emergence surveys to fully inform the determination of this application. This surveys need to be undertaken in the May to September period. As such this application is being recommended for approval subject to these surveys taking place to ensure full consideration of the application against policy BNE37 of the Medway Local Plan 2003.

Conclusions and Reasons for this Recommendation

The change of use of the Barrack Block to residential would be appropriate for the area. Furthermore the range of uses proposed for the Ordnance Store would not cause harm to the vitality and viability of either Chatham or Brompton and could have the potential to offer future residents suitable facilities. The Barrack Block is considered a suitable size for conversion into three dwellings. Overall the level of external changes are minimal and no harm would be caused to the appearance of

the area. The proposal is therefore considered acceptable with regards policies H4, R2, R11, R13, R18, CF3, BNE2, BNE14, BNE17, T1 and T13 of the adopted Medway Local Plan 2003. As discussed above the recommendation is to ensure that further ecology work be carried out before the application is determined.

This application would normally fall to be determined under officers' delegated powers, but is being reported for Members' consideration due to the number of letters of representation expressing a view contrary to the officers recommendation.

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://publicaccess.medway.gov.uk/online-applications/>