

MC/15/0079

Date Received: 12 January, 2015

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

Proposal: Outline application 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

Applicant: JG 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 secure:
 - i) Provision of 15% affordable housing on site
 - ii) Contribution of £450,000 towards education and the provision of school places within 1 mile of the development.
 - iii) Contribution towards healthcare improvements to GP surgeries within 1 mile of the site of £191 per person.
 - iv) Contribution towards Marlborough Road Community Centre of £55.80 per person.
 - v) Contribution towards the Great Lines Heritage Park and specifically improving connectivity between Brompton and Fort Amherst (Spur Battery) of £102 per person.
 - vi) Contribution towards Fort Amherst of £30,000

vii) Contribution towards waste and recycling of £155.44 per dwelling.

viii) Contribution towards the public realm improvements between the site and Chatham Town Centre, specifically in the area around the Brook Theatre of £100 per person.

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 Time Limits

Approval of the details of the layout, scale and appearance of the buildings, and the landscaping (hereinafter called “the reserved matters”) shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To accord with the terms of the submitted application and to ensure that these details are satisfactory.

2 Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted in writing to the Local Planning Authority for approval. Such application for approval shall be made to the Authority before the expiration of three years from the date of this permission and the reserved matters shall be carried out in accordance with the approved details.

Reason: To comply with Section 92(2) of the Town and Country Planning Act 1990.

3 The development to which this permission relates must be begun no later than the expiration of 2 years from the final approval of the reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

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

4 Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved plans:

0061_GA_132 Rev A and 0061_GA_14 Rev B received on 12 January 2015 and 0061_GA-42 Rev B received on 28 January 2015.

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

5 Design and Landscape

Any application for approval of reserved matters for a phase or sub-phase of the development hereby permitted shall be carried out in accordance with Kitchener Barracks, Chatham - Design & Access Statement, Rev - B dated March 2015, and as part of any reserved matters application a statement demonstrating compliance with this approved document shall be provided.

Reason: To ensure a satisfactory external appearance to the development in accordance with policies BNE1 and BNE14 of the Medway Local Plan 2003.

6 The details submitted in pursuance of Condition 3 for the first phase or sub-phase of the development shall include a design code for the entire site that covers the following topics: -

- Soft Landscaping
- Hard Landscaping
- Lighting
- Boundary Treatments

All reserved matters applications shall be submitted in accordance with this approved design code. As part of any reserved matters application a statement demonstrating compliance with this approved document shall be provided.

Reason: To ensure a satisfactory appearance to the development in accordance with policies BNE1 and BNE14 of the Medway Local Plan 2003.

7 The details submitted in pursuance of Condition 3 for each phase or sub-phase of the development hereby permitted shall include AOD levels.

Reason: To safeguard the visual amenities of the area to accord with policies BNE1 and BNE14 of the Medway Local Plan 2003.

8 No development of the external faces of an individual building shall take place in any phase or sub-phase until details and samples of all materials to be used on all external faces of that building in that phase or sub-phase have been submitted to and approved in writing by the Local Planning Authority. Each building shall thereafter be constructed in accordance with the approved details.

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

9 The development hereby permitted shall incorporate measures to minimise the risk of crime. Any reserved matters application submitted pursuant to Condition 3 for appearance or layout shall include details of such measures, according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED). The approved measures shall be implemented before the development is occupied and

thereafter retained.

Reason: In the interests of security, crime prevention and community safety and in accordance with policy BNE8 of the Medway Local Plan 2003.

- 10 The details submitted in pursuance of Condition 3 for landscaping for any phase or sub phase of the development hereby permitted shall include both hard and soft landscaping works within that phase or sub phase including typical landscaping treatment for the highway network, typical landscaping treatment for any open space areas, existing and proposed finished ground levels, car parking layouts, other vehicle and pedestrian access and circulation areas. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To ensure a satisfactory external appearance and provision for landscaping in accordance with policies BNE1 and BNE6 of the Medway Local Plan 2003.

- 11 Any application for the approval of reserved matters pursuant to condition 3 in relation to layout and landscaping for a phase or sub-phase of the development hereby permitted shall include: a tree survey; a tree retention / removal plan (with root protection area, the proposed layout, level changes and alignment of utility apparatus shown); an arboricultural impact assessment, a tree protection plan; arboricultural method statements designed to protect and safeguard trees identified for retention; a schedule of works to retained trees; and an arboricultural site monitoring schedule. All of these details shall accord with the British Standards 5837:2012 'Trees in Relation to Design, Demolition and Construction - Recommendations' (or any such subsequent revision) relevant to that phase or sub-phase.

Reason: To ensure the appropriate consideration of tree issues in accordance with policy BNE43 of the Medway Local Plan 2003.

- 12 Within 3 months of the commencement of development within any phase or sub phase of the development hereby approved full details of all hard and soft landscaping and any artefacts to be located within external areas. Hard landscaping works shall include all decking, paving and external hard surfacing material. Minor artefacts and structures shall include play equipment, seating, refuse receptacles, planters, tree grilles and any other decorative feature(s). Soft landscape works shall include details of planting plans, written specifications (including cultivation and other operations associated with grass and plant establishment, aftercare and maintenance), schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and implementation programme.

Reason: To ensure a satisfactory external appearance and provision for landscaping in accordance with policies BNE1 and BNE6 of the Medway Local Plan 2003.

- 13 All hard and soft landscape works shall be carried out in accordance with the approved details. The works relating to a phase or sub-phase shall be carried out prior to the occupation of any part of that development phase or sub-phase or alternatively in accordance with a programme submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and provision for landscaping in accordance with Policies BNE1 and BNE6 of the Medway Local Plan 2003.

- 14 Any tree and/or shrub planted pursuant to condition 10 and being removed or severely damaged, dying or becoming seriously diseased within 5 years of planting shall be replaced with a tree or shrub of similar size and species to that originally required to be planted.

Reason. In the interests of residential and visual amenity in accordance with policies BNE1 and BNE6 of the Medway Local Plan 2003.

- 15 Prior to the implementation of the approved landscape reserved matters for any phase or sub-phase hereby permitted a landscape management plan relevant to that phase or sub-phase, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan for the phase or sub-phase shall be implemented in accordance with the approved details and maintained thereafter.

Reason: To ensure a satisfactory external appearance and provision for landscaping in accordance with policies BNE1 and BNE6 of the Medway Local Plan 2003.

16 **Boundary Treatment**

Within 3 months of the commencement of development in any phase or sub-phase of the development hereby permitted, details and samples, where appropriate, of all boundary walls, railings, gates, fences and other means of enclosure relating to that phase or sub-phase shall be submitted to and approved in writing by the Local Planning Authority. The relevant phase or sub-phase of the development shall be implemented in accordance with the approved details and all approved details and samples shall thereafter be retained.

Reason: To ensure a satisfactory external appearance and a satisfactory external relationship with its surroundings in accordance with policies BNE1 and BNE6 of the Medway Local Plan 2003.

17 Equipped Play

The development hereby permitted shall provide for one Local Area of Equipped Play (LEAP) of 400sqm in accordance with those details approved under Condition 12. The LEAP shall be provided prior to the occupation of any part of the development.

Reason: To ensure the satisfactory provision of play equipment in accordance with Policy L4 of the Medway Local Plan 2003.

18 Historical Interpretation

Prior to the occupation of any phase or sub-phase of the development hereby permitted details of historical interpretation boards to be incorporated within that phase or sub phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include location, design, dimensions and materials. The approved items of interpretation boards shall be installed prior to the first occupation of the phase or sub-phase of the development to which they relate. The approved interpretation boards shall thereafter be retained.

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

19 Lighting

Within 3 months of the commencement of development within any phase or sub-phase of the development hereby permitted details of all external lighting relating to that phase or sub phase, including for open parking courtyard areas, enclosed parking spaces, any individual covered parking area and areas of communal open space, shall be submitted to and approved in writing by the Local Planning Authority. The details of the lighting shall include design, the exact position, light intensity and spillage and be illustrated on the associated landscaping plans for that phase or sub phase. The lighting shall be installed in accordance with the approved details prior to the first occupation of any part of the phase or sub-phase to which it relates. The approved lighting shall be retained in accordance with the approved details.

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

20 Highways

Prior to the occupation of any part of the development hereby permitted, details of the conversion of the existing vehicular access on Brompton Hill to

an access for pedestrians, cyclists and emergency vehicles only, to include the removal of the existing kerbed junction and tactile paving, the construction of a new section of footway and hard and soft landscaping, shall be submitted to and approved in writing by the Local Planning Authority. The pedestrian and cycle access shall thereafter be constructed in accordance with the approved details prior to first occupation of the development.

Reason: To provide a suitable means of pedestrian and cycle access in the interests of highway safety and the visual amenity of the local area in accordance with policies T3, T4 and BNE2 of the Medway Local Plan 2003.

- 21 Measures and initiatives to promote sustainable travel to future residents of the development shall be implemented and monitored in accordance with the details set out in the Framework Travel Plan.

Reason: To accord with policy T14 of the Medway Local Plan 2003.

22 **Environmental Health**

No development shall take place until an air quality assessment has been submitted to and approved in writing by the Local Planning Authority. The assessment shall include the following: -

1) An assessment of air quality at the application site and details of any scheme necessary for the mitigation of poor air quality affecting the residential amenity of this development.

2) An assessment of the effect that the development will have on the air quality of the surrounding area and any scheme necessary for the reduction of emissions. The assessment should quantify what measures or offsetting schemes are to be included in the development which will reduce the emissions from the development during construction and when in operation.

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: To safeguard conditions to amenity and avoid irreversible impacts to human health in accordance with policy BNE24 of the Medway Local Plan 2003.

- 23 No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include amongst other matters details of: hours of construction working; measures to control noise affecting nearby residents; wheel cleaning/chassis cleaning facilities; dust control measures; pollution incident control and site contact details in case of complaints. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of nearby properties and to avoid

any irreversible detrimental impacts to human health in accordance with policy BNE2 of the Medway Local Plan 2003.

- 24 No development shall take place until, a scheme for protecting the development hereby permitted from noise that implements the measures described in the noise assessment reference 14307 Revision A dated 17 February 2015, has been submitted to and approved in writing by the Local Planning Authority. 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: To safeguard conditions amenity in accordance with policy BNE2 of the Medway Local Plan 2003.

25 **Contamination**

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 26 to 29 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 29 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.

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

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

(ii) an assessment of the potential risks to:

- human health
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes.
- adjoining land,
- groundwaters and surface waters,

- ecological systems,
- archaeological sites and ancient monuments;

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

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

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

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

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

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

Following completion of the measures identified in the approved remediation scheme, a verification report 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.

- 29 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 26, and where remediation is necessary a remediation scheme

must be prepared in accordance with the requirements of condition 27, which is subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in the approved remediation scheme a verification report providing details of the data that will be collected in order to demonstrate that the works set out in condition 27 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 28.

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.

30 Flood Risk and Drainage

No development shall take place until a scheme showing details of the disposal of surface water, based on sustainable drainage principles, including details of the design, implementation, maintenance and management of the surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

Those details shall include:

- i. a timetable for its implementation, and
- ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To manage the risks of flooding pre and post construction and for the lifetime of the development.

- 31** No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To protect the underlying groundwater from the risk of pollution and in accordance with the requirements of the National Planning Policy Framework.

- 32** No development shall take place until details of the proposed 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 plans.

Reason: To protect the underlying groundwater from the risk of pollution and in accordance with the requirements of the National Planning Policy Framework.

33 **Archaeology**

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority. The final outputs from the programme of the building recording shall be integrated with the archaeological publication required under condition 37.

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

- 34 Prior to the submission of reserved matters referred to in condition 3, an Archaeological field Evaluation Report shall be submitted to and approved in writing by the Local Planning Authority. The archaeological field evaluation works shall be carried out in accordance with a written specification which shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of the development proposals in accordance with policy BNE21 of the Medway Local Plan 2003.

- 35 Plans and particulars of the reserved matters referred to in condition 3 shall include details of the foundation designs and any other proposals involving below ground excavations, which shall be informed by the outcome of the pre-reserved matters archaeological works approved under condition 34 above. Measures to preserve archaeology shall be agreed with the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of the development proposals in accordance with policy BNE21 of the Medway Local Plan 2003.

- 36 No development shall take place within any particular phase, and following agreement of the reserved matters details referred to in condition 3 above, until a specification for archaeological mitigations works within that phase shall be submitted to and approved in writing by the Local Planning Authority. The archaeological mitigation works shall be implemented in accordance with the approved specification.

Reason: To ensure appropriate assessment of the archaeological implications of the development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record in accordance with policy BNE21 of the Medway Local Plan 2003.

- 37 Upon completion of the archaeological mitigations works referred to in condition 36 above a Post Excavation Assessment Report shall be submitted to and approved in writing by the Local Planning Authority.

The report shall include a programme and timetable for the publication and archive deposition of the findings of the archaeological investigations. The archaeological publication shall be produced in accordance with the programme and timetable set out in the report. The archaeological publication and the deposition of the achieve shall be funded by the developer in accordance with the programme and timetable set out in the report.

Reason: To ensure appropriate assessment of the archaeological implications of the development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record in accordance with policy BNE21 of the Medway Local Plan 2003.

38 **Ecology**

No development shall take place until details of nest boxes for the breeding bird interest within the site 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 the retention of breeding bird habitats in accordance with policy BNE37 of the Medway Local Plan 2003 and to avoid any irreversible impact on ecology.

39 All landscaped clearance shall be undertaken outside of the bird-nesting season (1 March to 1 October) unless a report from a qualified ecologist has been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard conditions of ecology in accordance with policy BNE37 of the Medway Local Plan 2003 and avoid irreversible impacts to ecology.

40 No development including demolition shall take place until, updated reptile surveys have been submitted to and approved in writing by the Local Planning Authority. These surveys shall include, but not limited to, detailed visual inspection of the identified potential habitats and surveys to record any presence of species on site.

Reason: To safeguard protected species in accordance with policy BNE37 of the Medway Local Plan 2003.

41 Should the surveys submitted to the Council under Condition 40 identify the presence of protected species on site, an ecological mitigation strategy shall be submitted to the Council for approval, setting out the methods for ensuring that the impact on species is minimised. This strategy shall be submitted and approved by the Council prior to the commencement of development or any demolition occurring and thereafter implemented in accordance with the strategy.

Reason: To safeguard protected species in accordance with policy BNE37 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 outline permission with some matters reserved (appearance, landscaping, layout and scale) for the redevelopment of the former Kitchener Barracks site for residential purposes (Class C3) including the change of use of the partly retained Khartoum Building together with associated works. This application is considering access and a series of parameter plans only.

Access to the site is a matter for consideration under this application. The proposed access plan shows the main vehicle arterial route and entrance to the site would be taken via Khartoum Road, which connects with Dock Road to the immediate south west of the application site. Three further pedestrian and cycle access points are shown, two facing Dock Road along the western boundary and one from Brompton Hill to the north of the site. The parameter plan identifies the primary access through the site, as being along the existing Khartoum Road though this would not be a through route for vehicle traffic.

The parameter plans relate to Land Use and Density (Plan 1) and Building Heights and Retained Structures (Plan 2). Plan 1 zones the site into different development areas. Landscape is shown along the western boundary (Dock Road frontage) and within the centre of the site where the former Parade Ground was located. To the north and south of the former Parade Ground are zones with residential density of up to 45 dwellings per hectare. Along the Dock Road frontage there would be a central zone of higher density development, up to 200 dwellings per hectare. This would contain the partly retained Khartoum Block. To the north and south of this would be zones of 50 dwellings per hectare. This plan also identifies a non-residential element at the entrance to the site, which refers to the Ordnance Store subject to a change of use application (MC/15/0081). Plan 2 identifies the retained structures on site as being the Barrack Block, Ordnance Store, listed boundary wall around the northwestern corner, and eastern element of the Khartoum Building. This plan also identifies building heights across the site, which is laid out as being 3-storey in most areas and within the central western zone (around the existing Khartoum Block) to not exceed the existing heights of the Khartoum Building.

In addition to the parameter plans a proposed masterplan has been provided as an indication of how development could come forward within the parameters set out. The masterplan has a clear spatial hierarchy based on dominant green space features, indicating a further hierarchy of shared and private open space. The scale and massing will typically consist of higher buildings fronting onto Dock Road with two and three storey dwellings to the rear (or eastern element) of the site and will be formed on 6 distinct character areas. The eastern part of the site will be lower density and more suited to larger family type accommodation. The masterplan has been based on the provision of 267 dwellings consisting of the following mix: -

1 Bedroom Flat	2 Bedroom Flat	2 Bedroom House	3 Bedroom House	4 Bedroom House	Total
74	99	57	20	17	267

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.

Site Area/Density

Site Area: 4.77 hectares (11 acres)

Site Density: 56 dph (24.3 dpa)

Relevant Planning History

MC/15/0081	Change of use of the former barracks 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 restoration of boundary wall, demolition of ancillary structures and 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 to facilitate 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
MC/14/3481	Town and Country Planning Act (Environmental Impact Assessment) (England and Wales) Regulations 2011 - request for a screening opinion for the redevelopment for residential purposes and change of use of the Khartoum Building and former Barracks Block to Class C3 (residential), change of use of the former Ordnance Store to Class A1, A2, A3, A4, B1 and D1 and demolition of unlisted structures and associated works. EIA not required, 11 December 2014

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. The Environment Agency, Natural England, English Heritage have also been consulted.

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

Environment Agency has made the following comments:

- Consider that planning permission could be granted but would need a number of planning conditions to make it acceptable
- Encourage the use of SUDs in the final Design however where discharge to the network is proposed details should be confirmed with Southern Water
- Some areas could lead to areas of contamination and may need further investigation further to site clearance and demolition activities
- Identified a principle chalk aquifer and state that new and existing development should not contribute to, or be put a risk, from unacceptable levels of water pollution.
- A number of conditions have been recommended addressing the above points.
- Informative regarding CL:AIRE Definition of Waste: Development Industry Code of Practice and provides provided regarding disposal of contaminated soil and materials.

Historic England has made the following comments:

- Provided summary of the general historical significance of the site
- Generally accepts in principle the proposed redevelopment of the Kitchener barracks site, and is prepared to accept the demolition of the 1960s parts of the Khartoum building, but that its loss is only accepted if it can be demonstrated that the replacement buildings would be of appropriate design that is capable of preserving or enhancing the conservation area.
- Identifies the disadvantage that the current application does not include the design of the buildings and how a new design could preserve the significance of the conservation area,
- Need to condition that a scheme is approved before demolition is progressed.
- Listed buildings should all be repaired to an agreed standard as part of the overall development and that a schedule of works for these elements of the scheme should be agreed and required by means of s106 agreement or similar before an agreed milestone early in the implementation of the scheme.
- Appropriate steps to ensure that the ordnance store is put to a use that is consistent with its significance
- Welcome its proposed retention of Khartoum Road as a detailed part of the current scheme and pleased that the master plan repeats the strong military character and symmetry along a north south alignment across a central east west axis, has repeated this access.
- Pleased that the full length of the 1930s range is now to be retained and welcome

the approach of extending the building westwards

- The landscaping is reserved and would be willing to discuss how visibility of the Khartoum Building might be improved by removal of trees and treatment, while generally tree planting or other forms of landscaping may be advantageous to help create a less austere environment for a new community which resulted from military use.
- Welcome in principle the major elements including the parade grounds use as a public space, but the extent to which the parade ground could be impinged upon should depend on further archaeological investigations
- How the parade ground is landscaped to prevent it from becoming an inhospitable large area will need to be carefully considered as part of the future application.
- Parking should be avoided in the parade ground area and the buildings fronting the parade ground north and south do so directly i.e. without access roads between the houses and parade ground.
- May be preserved buried remains, which may be potentially of national significance. Therefore before the principle of the proposed type and quantum of development can be agreed, further information is required to understand potential impacts on the archaeological resource.
- The main concern is the parade ground, as it is not understood what might exist as buried remains or structures and whether the depth of any survivals would lead them to be affected by any aspects of the proposed development.
- Main drain from the first construction of the barracks but largely unknown, features of the site can be deferred until after determination of the current application.
- Further investigation is required regarding the unknown tunnels beneath the site, particularly the parade ground area.
- Should planning permission ultimately be granted for redevelopment of the site, it will need to be subject to a programme of archaeological works including building recording
- The site provides what may now be a unique opportunity to study the operation and living conditions of the British army through a period when it was subject to major change and a research agenda should be agreed.

Southern Water has made the following comments:

- In providing records showing approximate position of the foul sewer and surface water sewer within the site, there will be need for the applicant to identify the exact position of the sewers before the layout of the development is finalised.
- No development or new tree planting should be located within 3 metres either side of the centreline of the foul sewer and surface water sewer
- No new soak ways should be located within 5m of a public sewer
- All existing infrastructure should be protected during the course of construction works
- Should sewer be found that might be in public ownership on the property, an investigation to ascertain its condition, the number of properties served and potential means of access should be carried out (Applicant encouraged to discuss the matter with SW).
- Investigations show inadequate capacity in the local network to provide foul and

surface water sewage disposal to serve the development; the development would increase flows to the public system and existing properties and land may be subject to a greater risk of flooding. Additional off site sewers or improvements to existing sewers will be required to provide sufficient capacity to service development

- Requested an informative and conditions to be attached to any approval
- Requirements of application for Southern Water who can provide a supply to the site.

Kent Police have made the following comments:

- Acknowledged attempts to address the Crime Prevention Through Environmental Design (CPTED) in the Design and Access Statement
- Request that the Kent Design Initiative is brought to the applicant's attention and that a meeting with the agent and applicant will be undertaken
- Request for the imposition of security conditions should the applicant not contact Kent Police

Southern Gas Networks have provided details of the mains records.

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 (the NPPF) and are considered to conform. The Developer Contributions Guide 2014 is a relevant Supplementary Planning Document (SPD), whilst the Medway Housing Design Standards 2011 (interim) and the Brompton Lines Conservation Area Appraisal 2006 are also material planning considerations.

Planning Appraisal

Principle of Development

The application site lies within the urban boundary of Chatham as defined on the proposals map of the Medway Local Plan 2003. Policy H4 is the key policy in this case. Policy H4 generally seeks the concentration of residential uses within urban areas, particularly on brownfield and vacant land. The policy states that within the urban area, as defined on the proposals map, residential development will be permitted consisting of:

- 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
- the redevelopment of existing residential areas and infilling in such areas (providing that a clear improvement in the local environment will result); or
 - (i) mixed commercial and residential uses in proximity to town centres; or
 - (i) the use of upper floors above commercial premises.

In this case, the change of use of the former Kitchener Barracks, 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.

Additionally Paragraph 49 and 51 of the NPPF 2012 states that housing applications should be considered in the context of a presumption in favour of sustainable development and local planning authorities should identify and bring back into residential use empty housing and buildings. The development of this site will enable a more compact and viable urban development that is more in favour of sustainable development, as opposed to Greenfield development and urban expansion. While bringing into use vacant properties and empty buildings, the proposals seek the greater concentration of residential development in the urban area of Chatham in close proximity to existing transport nodes and services. The proposals are satisfactory with regard to the NPPF 2012.

There is a small element of non-residential proposed with the Parameter Plan 1 identifying the area around the Ordnance Store for commercial uses. The appropriateness of such a range of uses is discussed in full in MC/15/0081 and no objection is raised.

Design & Impact on the Conservation Area

Overview

The site is located within the Brompton Lines Conservation Area and, as the former site of the original Infantry Barracks (1757), is of significance in itself and as a part of the military landscape protecting the Dockyard. Only a few buildings combined with fragments of the boundary walls of the original barracks remain although the spatial layout of linear blocks, the main road, parade ground and terracing remains intact. The most prominent building on the site is the imposing Khartoum Building, which was built in two phases during the 1930's and 1950's/60's, in a stripped down classical style. It is an example the standard 'H' shaped 'Sandhurst' barracks type of the time, but somewhat altered to fit on its steeply sloping site. Historic England (English Heritage) considered the building for listing, but declined to do so.

Elsewhere on site there are relatively large areas of underused space. In general the development of the site is less intensive as compared to the very compact layout of the 1757 barracks. The complex, especially the distinctive Khartoum Building, is a prominent part of the high ground above the naval Dockyard in views from many parts of Medway. The Brompton Lines Conservation Area Appraisal 2006 described complex as follows:

'Whilst most of the 18th century barrack buildings have been demolished the original plan form of the site survives. The military character derives from the large parade ground and the rectilinear layout of highly ordered and repetitive elements. The present barracks is a largely 1930s complex of imposing character and prominent in the landscape as a result, which preserve the basic boundaries, topography, and layout of the original barracks...'

Proposals and Parameter Plans

The parameter plans propose the site being developed primarily for residential purposes with the illustrative masterplan showing a combination of flats and houses. The Design and Access Statement and the illustrative masterplan show an arrangement of formal linear blocks and squares, generally running east to west and reflecting the original layout of the 1757 Barrack Block. The open space of the parade ground, a formal feature dating from the 1757 barracks, is to be largely preserved, along with the ceremonial stairs and retaining wall along the rear (west) edge of the site.

Most notably, the 1930's range of the Khartoum Building facing the parade ground (eastern portion) is to be preserved, but the rest of this block is to be replaced with apartment blocks at a similar scale. The height of which is indicated to not exceed the height of the existing eastern element. While the 1960s range (western portion) would also provide residential apartments, not to be higher than the existing 1960s range.

The remaining listed structures are to be incorporated into the new layout. These are:

- A single remaining 1757 Barrack Block, a small 2/3 storey structure with a modern extension, which would be converted to dwellinghouses, subject to a change of use application under MC/15/0081.
- The Georgian Ordnance Store at the entrance to the site, to be retained and converted for commercial use, also subject to a change of use application under MC/15/0081.
- Parts of the boundary wall, including the façade of the former Soldiers' Institute. The decorative archway of the façade is to be opened up to provide a new pedestrian entrance to the site, outlined in the listed building consent application, MC/15/0094.

Parameter plans indicate a division the site into different land use zones and housing densities. The highest density, 200dph (zones D, E, F, G - as identified on the Illustrative Masterplan) is proposed on the site of the present Khartoum Building. Other densities of 45dph and 50dph are proposed for the north and south flanks of the site (zones A+C and B+H – as identified on the Illustrative Masterplan). These densities give an indication of the house types proposed for these areas, apartments on the site of the Khartoum Building and terraced housing elsewhere. This would achieve a pattern of development, which in scale and type is not dissimilar to the previous development patterns on Kitchener Barracks: i.e. large Khartoum Building and smaller scale Georgian development.

The site has historically been divided into two parts by a formal avenue now known as Khartoum Road. The parameter plans show that this arrangement is to be retained. The parameter plans also show that a large landscaped area is to be left in the middle of the site. This corresponds with the present parade ground although there is some encroachment proposed from both the north and south to accommodate more residential areas, however, broadly the majority of it is retained, therefore maintaining the central core characterisation of the site. As outlined in the

Design & Access Statement, it is proposed to have an equipped play area in this location and condition is recommended to ensure this comes forward in future proposals.

The former Ordnance Store exists as a standalone building within its own walled grounds on the south flank of the south, overlooking the main entrance to the site. Although run down and currently hidden from view, this is a very fine listed Georgian building. This separate area of the site is zoned by the parameter plans as commercial/ non residential. It makes sense for a commercial zone to be located close to the entrance to the site. In addition, conversion to commercial use is likely to require less alteration to the building than conversion to residential.

In general, the pattern of land uses and densities indicated by Parameter Plan 1 is based on historic patterns of development. Parameter plan 2 shows the historic buildings and structures (as described above) to be retained. Maximum building heights are also indicated. As before, these are based on historic scales of development and are commensurate with the densities indicated. The overall concept is a reflection of the history of the site in that it preserves the underlying topography and layout of the site. The proposed buildings are similar in scale to historic buildings on the site, and if detailed with the restraint suggested by the Design and Access Statement, will retain a military feel to the site. The concept is capable of creating a development that is distinctive in its own right and which will preserve the character and appearance of this part of the conservation area. Overall, therefore, the proposal is to be supported.

Khartoum Building and undesignated Heritage Assets

The partial demolition of the Khartoum block is a key part of the proposal and so it requires separate consideration. It is unequivocal that the proposed demolition of a substantial part of the existing buildings on site would result in a categorical change to the building fabric in this area of Chatham. The site is located within the Brompton Lines Conservation Area and there is a need to ensure that any demolition on this scale is justified and the replacement design parameters are carried out in a manner that is consistent with the Conservation Area.

The National Planning Policy Framework 2012, states under paragraph 132 that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Whilst the Khartoum Building and general ensemble of buildings are not designated assets it is important to appreciate this paragraph, given the importance of the Brompton Lines Conservation Area, the sum of its parts which contribute to its designation, include the Kitchener Barracks site.

Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. While Paragraph 135 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application, in weighing applications that affect directly or indirectly

non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Paragraph 137 states that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Paragraph 138 states that not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

Policies BNE13 and BNE14 of the Medway Local Plan 2003 are equally compliant in this regard. Proposals to demolish a building which makes a positive contribution to the character or appearance of a Conservation Area will not be permitted unless it can be demonstrated that (i) the building is wholly beyond repair; or (ii) its design is inappropriate; or (iii) the character and appearance of the Conservation Area would be enhanced by its removal and replacement. Consent will be conditional upon no demolition occurring until a contract has been entered into for approved redevelopment of the site.

Similarly, saved Policy BNE14 identifies criteria for development within a conservation area, which are:

- Materials, features and details of buildings or structures which contribute to the character or appearance of the area should be retained or reinstated; and
- Traditional street patterns, building lines, open spaces and urban spaces, paving and roadway materials, boundary treatments and street furniture should be retained or reinstated; and
- The scale, height, mass, roofscape, materials, detailing, fenestration, plot width and depth, and visual appearance of new development should be sympathetic with existing buildings and their settings; and
- Trees, hedgerows and open spaces should be retained and protected; and
- Hard and soft landscape elements and traditional materials, which enhance the area, should be utilised.

The site is located within the urban boundary and is clearly visible from the Medway River, maintaining strong views for great distances with the urban fabric of the Medway Towns. An Outline View Assessment was submitted with the application, detailing how the building line would look in the landscape and townscape. This is particularly important given the need to ensure that any replacement buildings along Western Section of the Dock Road frontage are of a high quality design. The application is made with matters of appearance, landscaping, layout and scale being reserved for future consideration. However the applicant has provided an indicative layout and additional information in relation to these reserved matters. This provides

an adequate appreciation of the potential impacts of the development on the landscape and the character of the local area.

The retention of the key facade of the Khartoum Building, (Eastern Block) and the listed buildings and wall are to be retained and this is to be welcomed, as the demolition of the eastern range, with its characteristic facade and clock tower would have resulted in considerable disruption to the integrity of the Conservation Area. However, the remainder of the buildings on site, with the exception of the listed structures (See application MC/15/0094), are proposed to be demolished to accommodate the proposed redevelopment. There is a need to assess the demolition of the named structures not purely in isolation but rather their contribution as a non-designated asset to the Conservation Area.

Undoubtedly, there will be a level of negative impact on the heritage of the Conservation Area as result of the demolition proposed. The key aspects in considering the substantial demolition proposed is whether the building(s) is/are no long viable for further use, and correspondingly that the demolition of the ancillary structures and outbuildings is justified, particularly in relation to the Khartoum Building (Western Block) and buildings 6, 7, 8, and as a result of the public benefits that would be achieved would outweigh the harm caused. Equally, the replacement designs must be of particular quality that will make the removal of the buildings acceptable and that the area will be generally enhanced as a result.

Although not a heritage asset, the assessment of the demolition of undesignated structures can be usefully aided by the criteria set out in Paragraph 134 of the NPPF specifically by weighing the harm caused against the public benefits of the proposal, including securing its optimum viable use. In this regard there is robust consideration that the site is under utilised in its current form. The re-use of the site would bring back into use a large area of land in a central location, which would result a more compact urban form, which is beneficial in terms of proper planning and the provision of housing in more sustainable locations, in this case a central location close to existing services and the core area of Chatham. Whilst the impact is lessened, as the buildings in question are not designated individually but rather collectively contributes to the Conservation Area, there is keen appreciation that the demolition needs to be justified in terms of the benefits the redevelopment of the site will bring.

The retention of these elements would comprise the benefits that could be brought forward in terms of bringing a vacant site in a highly viable location back into use. Regarding buildings 6, 7, 8 the size of these units do not lend themselves to easily to conversion, being of a size that would not meet adequate housing standards exacerbated by its attachment to the listed wall, which allows only single aspect. The retention of these buildings would significantly reduce the number of units in this section of the site (as indicatively illustrated in the Masterplan), while their removal, it is considered, will better reveal the significance of these walls. Equally this section of the site is a considerable distance away from the Chatham core area, and whilst the commercial use of the Ordnance Store is acceptable, given its location and single isolated potential use and special characteristics, further commercial uses would begin to impact on the vitality of surrounding centres, therefore there is a concern regarding further commercial uses on the site, independent of the Ordnance Store.

With regard to the Khartoum Building issues would arise from its retention as it compromises the ability to provide dual aspect accommodation to the retained 1930s range, it would also significantly impact on the level of car parking provided, particularly as surface car parking would need to be provided, which would lead to a more hardened development, detrimental to the integrity of the Conservation Area. Similarly, there is duty on the Council to acknowledge and have due regard to Paragraph 173 of the National Planning Policy Framework, relative to viability and deliverability. The imposition for this building's retention would be a considerable policy burden that would question the viability of the site, particularly given the commitment to retain the listed structures on site and the eastern range of the Khartoum Block. With due regard to this Paragraph 173 and the reasons provided regarding the considerable disruption to unit numbers, proper layout and parking arrangements and its potential for reuse (as per Policy BNE13 of the Local Plan), the demolition is considered acceptable. However, this acceptability is conditional upon no demolition occurring until a contract has been entered into for approved redevelopment of the site.

No objections are raised with regards the justification for the demolition of the both the 1960s range of the Khartoum Building and the remaining outbuildings on site, the proposal is therefore considered acceptable with regards the aforementioned elements of the NPPF 2012 and Policies BNE13 and BNE14 of the Medway Local Plan 2003.

Design and Access Statement

The Design and Access Statement (DAS) submitted with the application identifies a number of character areas and a design code for the development. This approach has been considered satisfactory. The palette of materials will be an important consideration. The illustrative masterplan within the statement is worked out in some detail. It shows approximate numbers of apartments and houses, house types, and parking arrangements. From the level of information supplied the development would be capable of meeting design and parking standards.

The DAS shows a series of small-scale sections that show that new development platforms would be constructed to form flat ground for the construction of terraced housing at the northern and eastern flanks of the site. A variety of techniques are used to deal with the slope including retaining walls and split level houses. In general the changes in levels are more gradual than other proximate development. In addition roads and steps bisect the terraced houses to provide access up and down the slopes. However, it is not entirely clear how each development platform would intersect with adjacent roads and adjacent development parcels. A condition is therefore recommended requiring the submission of AOD levels, plus details of the retaining details of the intersection of development platforms with each other.

The DAS divides the site into a number of character areas based on building typology and place within the street system. A condition is recommended to ensure that reserved matters come forward in accordance with this document. Basic guidelines are laid down with regard to architecture, materials and landscaping. Although based on historic layouts, some urban design challenges remain. Houses face each other in the conventional way along the central spine road, but elsewhere

within Zones A, C, B and H houses back onto each other and are separated by changes in level. This is particularly the case with zone B. High quality hard landscaping, including high quality boundary treatment such as brick walls to gardens will be necessary in order to produce the requisite feeling of quality to these areas. A condition is also recommended to ensure that a further design code in relation to landscaping, garden boundary treatments and lighting be submitted alongside the first reserved matters application.

Although, the illustrative masterplan is indicative, the site is also on the edge of a town centre and in this context it is not unreasonable to seek higher density development in the form of flats. The site is also in a conservation area where it is reasonable to expect that the form of development will be generated by the character of the site and by the surrounding area, as is the case here. The general mix of houses versus flats as indicated in the parameter plans is justifiable, however a finalised layout will be required at reserved matters stage. It is important to note however, that there are a very high proportion of two-bedroom houses and this will need to be addressed at reserved matters stage, once a more definitive layout is confirmed and an informative is recommended to highlight this.

Design Summary

Overall, the parameter plans shows a coherent layout and are acceptable from a design point of view for an outline planning application. The submitted DAS shows the intention to provide a good balance between dwellings and open space and the more detailed elements of the scheme such as the creation of various character areas. A condition is recommended to ensure that development comes forward in accordance with the DAS and that further key elements such as boundary treatment is agreed with the submission of the first detailed application. The application is therefore considered acceptable with regards design and the impacts on the Conservation Area, and particularly polices BNE1 and BNE14 of the Medway Local Plan 2003 and the National Planning Policy Framework 2012.

Amenity Considerations and Noise

There are number of properties adjacent to the boundaries of the development site, and can be characterised as follows: -

- Residential properties to the rear along Khartoum Road and Amherst Hill, with further residential properties located north of the site at Hawkins Close and Brompton Hill, and to the south of the Historic Dockyard Site (Commissioners Court);
- Office buildings (Medway Council directly opposite the western boundary of the site);
- Petrol Filling Station directly opposite the western boundary the site; and
- Fort Amherst Heritage site and Café Shop located south of the site.

Of particular consideration are the properties immediately outside the site to the east and north. As this application seeks outline consent only it is not possible to undertake a detailed assessment. At reserved matters stage consideration should be given to the impacts on these properties, including the final layout, scale and

positioning of any windows together with boundary treatment and landscaping. Nevertheless, the indicative plans show that the layout of houses would ensure they were sufficient distance from these properties to result in an acceptable relationship. Due to the proximity of existing residents a condition is recommended to agree a construction environmental management plan before works start to ensure that the amenities of the residents are protected.

Any reserved matters application will also need to show that future residents of the development would enjoy good levels of amenity. The indicative masterplan submitted with this application shows the arrangement of internal and external spaces. 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. From the level of information supplied it appears that the scheme would be capable of meeting these standards and providing a good level of amenity, however this would be assessed in full at reserved matters stage.

A noise assessment has been submitted with the application, which identifies the main noise sources as being Dock Road together with any noise generated by the commercial use in the Ordnance Store. To ensure that the internal noise levels within any potential dwellings immediately fronting onto Dock Road are within those stated by BS8233 for the daytime and nighttime periods suitable protection will be required. A condition is recommended to ensure that mitigation is included in the detailed design proposals. Conditions have also been recommended for the change of use of the Ordnance Store under MC/15/0081.

Accordingly, subject to the imposition of appropriate conditions, no objections are raised with regard to residential amenity for existing and future residents. The scheme therefore accords with policy BNE2 of the Medway Local Plan 2003.

Air Quality

Whilst the site is not within an existing air quality management area the impact of the development on Dock Road / The Brook traffic should be assessed as it will add to the traffic flow in the area. This could potentially increase the size of the existing Chatham AQMA. An air quality assessment is therefore required and a condition is recommended to control this. Subject to the imposition of this condition no objections are raised with regards policy BNE24 of the Medway Local Plan 2003.

Contamination

A Phase 1 Desk Study and a Phase II Exploratory Investigation accompanied the application. The Desk Study includes a site history, site walkover, information on geology and hydrogeology at the site. The Exploratory Investigation involved the excavation of 20 trial pits and 13 boreholes with soil samples taken and tested for potential contaminants. In addition, gas and ground monitoring have been undertaken on the site.

Policy BNE23 states that development on land known or likely to be contaminated or

affected by adjacent or related contamination must 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. Appropriate measures to reduce, or eliminate, risk to building structures, services and occupiers of the site and of adjoining sites must be agreed. Such remedial measures must be satisfactorily implemented before the development is occupied.

The conceptual site model has been updated in light of the findings of the intrusive investigation and concludes that further intrusive investigations are required, specifically in the area of the electricity sub station and for additional gas monitoring. In addition, it is considered a detailed remediation strategy will need to be produced once the additional investigative works and gas monitoring have been undertaken. Generally, investigative reports submitted, as part of the application is acceptable, granted that the recommendations mentioned in the report are implemented. Subject to appropriate conditions, the application is in accordance with Policy BNE23 of the Local Plan.

Highways

Traffic Impact & Trip Generation

The application has been accompanied by a Transport Assessment (TA), which estimates that the proposed development would generate up to 113 vehicle trips during each peak period. The TA uses the TRICS database to estimate the proposed development impact in terms of trip generation, and this estimate is considered acceptable and reliable. The TA also estimates that the re-instating of the permitted use as barracks accommodation falling into a C2a use would generate 77 two-way trips in the morning and peak hour and 33 trips during the evening pick hours. The proposal estimates 71 and 52 pedestrian movements in the morning and evening peak times respectively, with 5 and 4 cycle trips estimated respectively.

Census data suggests that development traffic would distribute fairly evenly on to the adjoining local network, with marginally more trips heading to the north. The TA uses this distribution pattern to assess the impact of development traffic on four junctions in the area, comparing the baseline situation (supported by traffic survey data) with the predicted performance of the junctions in 2019 when development flows are added. A comparison with the fallback position (the permitted C2a use) is also made. The proposed development is predicted to add up to 107 vehicle movements onto the Dock Road/Khartoum Road junction during the peak periods. The junction assessments demonstrate that, whilst all arms are subject to some delay, the development traffic would have a very small impact on vehicle queues and overall junction capacity. Similarly, this number of vehicle movements would not have a material impact on the other junctions between Wood Street to the north and Whiffens Avenue to the south. The TA demonstrates that capacity constraints would exist at these junctions by 2019, although it notes that the capacity of the signalised junctions on this section of the network could be improved by increasing the cycle time of the traffic signals from 90 seconds to 120 seconds. The Council's Traffic Signals Engineer will consider this in a future period. Given the urban location, combined with conclusions of the TA, it is considered that overall; the proposed development would not have a detrimental impact on conditions of highway capacity

or safety.

Access

The application does not propose to change the existing vehicular access to the site from Khartoum Road. The existing vehicular access from Brompton Hill would be converted to an access for pedestrians and cyclists. Whilst not shown in detail at this stage, this should include the removal of the existing kerbed junction and tactile paving on Brompton Hill and the construction of a new section of footway, with a dropped kerb for emergency access. There would also be an opportunity to introduce some alternative hard and soft landscaping if desired. A condition is therefore recommended to require further details of the pedestrian/cycle access from Brompton Hill. Two further pedestrian accesses are proposed on to the elevated footway adjacent to Dock Road on the western boundary, and pedestrian access from Khartoum Road is retained.

Internal Layout

Whilst an indicative masterplan layout has been submitted, an assessment of the internal road layout, parking provision, footpaths and cycle facilities would be undertaken as part of any future 'reserved matters' application. This should be based on hierarchy of streets, permeability and character areas.

Road Safety Assessment

The TA includes an appraisal of accident data in the vicinity of the site. In the past five years there have been four serious highway collisions in the vicinity of the site, of which it has been identified that all the causes of all accidents should be attributed to individual error or abnormal conditions. The vast majority of the accidents were slight in nature (92%). This is also the case for Dock Road. This represents a reasonable safety record for a section of road that carries around 25,000 vehicles per day and, as such, there are considered to be no existing safety issues that could be exacerbated by the development proposals.

Pedestrians and Cyclists

The site has a relative proximate location to existing amenities and services, including bus station, railway station and the core area of Chatham. Part of National Cycle Route 1 runs along Dock Road, adjacent to the site, with pedestrian footpaths located on each side of the Dock Road carriageway. Pedestrian and cycle access into the site would be provided at the main vehicular access, and also to the northern access at Brompton Hill. Two further pedestrian access points would be provided onto the elevated footway adjacent to Dock Road.

A Framework Travel Plan has been submitted with the TA, which has been prepared to minimise the number of single occupancy car trips to and from the development, by increasing the proportion of walking, cycling and public transport, to reduce the need to travel to and from the site, and to promote sustainable travel choices for the residents of the site (detailed below).

Adequate cycle storage should be provided. Large residential developments need to provide secure cycle/large item storage facilities as a means of increasing cycle use as a more prominent modal share. A minimum requirement of 1 space per dwelling is required as per the Medway Council Interim Residential Parking Standards. The layout of the site has considered cycle and pedestrian movements, and a condition is recommended to ensure that further details on secure and individual cycle storage comes forward at reserved matters stage.

Public Transport

The application site is located in a relatively central location, within the urban boundary of Chatham. The nearest bus stop is located on either side of Dock road, immediate outside the southwest boundary of the site. In addition the Waterfront Bus Station is located within 400m of the south of the site. A number of services, including peak hour services are currently in operation. Furthermore, the Chatham Railway Station is located approximately 10mins walk, which has frequent services to the wider southeast area as well as London Stations (St. Pancras, Victoria, Charing Cross). Broadly speaking it is considered that the site is well connected by public transport.

Travel Plan

The Transport Assessment includes a Framework Travel Plan. Managed by a travel plan co-coordinator and Travel Plan Steering Group, it will raise awareness of the impacts of travel decisions and deliver sustainable transport objectives with reductions in car usage (particularly single occupancy journeys) and increased use of public transport, walking and cycling. A number of options and action areas have been identified ranging from marketing an community including the provision of a Welcome Pack, travel planning during sales, community travel events to Methods for car sharing, secure cycle storage, and the dissemination of transport information. A monitoring system for the travel plan is also referenced. A condition is recommended to ensure the development is carried out in accordance with this document.

Parking

Development proposals will be expected to make vehicle-parking provision in accordance with the adopted standard. The current standards seek 1 vehicle space for 1-bed flats, 1.5 space for 2 bed, and 2 for 3 bedrooms and above. However, should be noted that reductions of the standard will be considered if the development is within an urban area that has good links to sustainable transport and where day to facilities are within easy walking distance. In this case, based on the indicative mix submitted, the Council's Parking Standard require a total of 448 spaces to be provided, comprising 382 spaces for residents and 66 spaces for visitors. The Transport Assessment and Parking Plan indicate that 453 car parking spaces can be provided and so would exceed the requirements. Notwithstanding this, the parking provision will need to be re-examined when the reserved matters applications are submitted.

Highways Summary

Access is being considered within this application with the vehicular access taken from Dock Road / Khartoum Road and pedestrian / cycle accesses along Dock Road on the western boundary and Khartoum Road to the North. This approach is considered acceptable. The indicative masterplan shows one possible arrangement of streets and spaces but future reserved matters applications would detail the layout of the development together with vehicle and cycle parking. Subject to the imposition of appropriate conditions the scheme is considered to comply with policies T1, T3, T4, T13 and T14 of the Medway Local Plan 2003.

Archaeology

Before any alterations, demolitions or other refurbishment or conversion works are undertaken at the site it would be appropriate for the works to be preceded by a comprehensive programme of historic building recording and a condition is recommended to ensure this.

Given the sites long military use it is likely that a range of below ground archaeological remains will be present at the site, which reflect over 250 years of military activity and change. These relate to the former buildings of the Chatham Infantry Barracks and the below tunnels and structures. In addition the site is identified as having potential to contain pre-military archaeological remains, although later military works will likely have affected the survival of such remains. A phased archaeological programme is therefore recommended for the pre-military archaeology and other near surface remains. This would need to take place prior to reserved matters so that the results can inform detailed design. However the information submitted with the application indicates that the indicative masterplan would be capable of implementation without damaging these remains. Subject to a series of appropriate conditions no objections are raised with regards archaeology and the provisions of policy BNE21 of the Medway Local Plan 2003.

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 advice is issued in accordance with:

- Article 16 of the Town and Country Planning (Development Management Procedure)(England) Order 2010 SI2010/2184;
- Section 281 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 Habitat Survey accompanies the application, which was undertaken on the 20 August 2014. Dominate plant species and habitats, as was evidence of protected species. No protected species were identified on site during the survey however there are habitats on site that have the potential to support protected species. During the course of the application there was an identified need to undertake more species specific surveys, particularly with regard to bat roost potential in the trees on site and the buildings identified for change of use and demolition. A further survey work was recommended, specifically to address bat roost potential in buildings and vegetation. This survey was carried out in March 2015 and sought species-specific surveys including a faunal survey (bats, badgers, birds etc) as well as a tree survey. The habitat survey did not identify potential for reptiles subject to the current maintenance of the site continuing and so a condition is recommended for a further survey to take place prior to any demolition works starting. The site does contain suitable bird nesting habitat particularly with mature trees and hedgerows present. There is a need to ensure that any tree and hedge clearance is undertaken outside of nesting season or in another case, an ecological clerk will be required and a condition is recommended to cover this. Hedgehog foraging potential has been identified. However, generally the habitats on site show evidence of heavy management and therefore potential is somewhat limited. There is no evidence of badgers within the site.

The Phase 1 Habitat Survey identified the potential of buildings on site to support bat roosts. A further survey specific to Bat Roosting was undertaken in March 2015. This survey identified that no trees within the site have developed features suitable for bat roosting. Although no evidence of bats was recorded some buildings still offer potential suitable roosting for crevice dwelling bats. Emergence / re-entry surveys are recommended and these have been carried out however the most appropriate time to carry out such surveys is May to September. Accordingly this application is recommended for approval subject to these surveys taking place and no objections being raised.

Designated Sites

There is one statutory site within 2km away from the site – Tower Hill to Cockham

Wood Site of Special Scientific Interest (SSSI). The Medway Estuary and Marshes Special Protection Area and Ramsar are located within 2.5km of the development site to the North East. Sites within this zone of influence may lead recreational impact from the proposed development on these designated sites. The Ecological Assessment submitted with the application discusses the impacts on these sites. Particularly the applicants have highlighted the relationship between the site and nearby open space such the Great Lines Heritage Park, the walking distance to the SPA and that not all residents will be new to the area. Work is ongoing with regards the impact of development on bird disturbance in North Kent but currently the level of information provided by the applicant is considered sufficient with regards the habitat regulations and an appropriate assessment is not required.

Ecology Summary

The ecological work that has been submitted with the application is considered sufficient to conclude no detrimental impacts on the designated sites and conditions are recommended to protect breeding birds. Future landscape proposals could have the opportunity to enhance biodiversity in the area and this would be considered at reserved matters and condition stage. No objections are therefore raised with regards policy BNE37 of the Medway Local Plan 2003, however further survey work is required with regards bats.

Trees

A tree survey and arboricultural report was submitted with the application. The site does have a number of mature trees and boundary hedgerows, some of which make an important contribution to the character of the area in this part of Chatham. Of particular importance are the trees along Khartoum Road. The retention of the parade of trees along the parade ground opposite the Khartoum Building, with the exception of those in the location of the new steps is important. This has been noted in the tree survey and arboricultural report as submitted. There are also a number of trees located to the rear [from TO663 – TO695] identified for retention. These trees are in a relatively poor condition and should not be retained, given their structural flux, and should be removed / replaced along a suitable means. Overall the details submitted show the key trees that require retention however some poor specimens may benefit from removal and replacement planting as part of any future landscaping proposal. A condition is therefore recommended to require a tree survey at reserved matters stage so that tree retention can be assessed when the layout of the development is being considered. Subject to this condition no objections are raised with regards policy BNE43 of the Medway Local Plan 2003.

Flood Risk and Drainage

A Flood Risk Assessment and Drainage Strategy accompanied the application. The site is not at risk from coastal or river flooding. It is proposed that surface water discharge is reduced by 30% for the 1, 30, and 100 year + climate change event, however, it is understood that the impermeable area would increase marginally. Surface water discharge of the redeveloped site should therefore be designed so as not to exceed the existing 2 year rate as a minimum. The storage requirements should be revisited during detailed design and other source control measures should

also be considered. Subject to an appropriate condition no objections are raised with regards flood risk.

Local Finance Considerations

There are none considered relevant to this application.

S106 Matters

New residential development can create additional demand for local services. Policy S6 of the adopted Local Plan states conditions and/or legal agreements should be used to make provision for such needs.

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.

The obligations proposed comply with these tests because they have been calculated based on the quantum and location of the development. The contributions have been partly reflected in a formulae based approach, as final quantum of the development is not known. The contributions are based on an occupancy level of 2.45 people.

- i) Provision of 15% affordable housing on site
- i) Contribution of £450,000 towards education and the provision of school places within 1 mile of the development.
- ii) Contribution towards healthcare improvements to GP surgeries within 1 mile of the site of £191 per person. Based on the current mix of units this would result in a contribution of £124,942.65.
- iii) Contribution towards Marlborough Road Community Centre of £55.80 per person. Based on the current mix of units this would result in a contribution of £36,501.57.
- iv) Contribution towards the Great Lines Heritage Park and specifically improving connectivity between Brompton and Fort Amherst (Spur Battery) of £102 per person. Based on the current mix of units this would result in a contribution of £66,723.
- v) Contribution towards Fort Amherst of £30,000
- vi) Contribution towards waste and recycling of £155.44 per dwelling. Based on the current mix of units this would result in a contribution of £33,193.16.

- vii) Contribution towards the public realm improvements between the site and Chatham Town Centre, specifically in the area around the Brook Theatre of £100 per person. Based on the current mix of units this would result in a contribution of £65,415.

The level of affordable housing that would be secured, as part of this application is lower than the policy position of 25% due to the vacant building credit, which is achieved through the demolition and reuse of the existing buildings on site. Based upon this calculation the developer is required to provide 14.6% affordable housing and 15% has been offered.

As discussed above a condition is recommended to secure open space and equipped play provision on site.

The applicants have confirmed the above contributions are acceptable and on this basis no objections are raised with regards policy S6 of the Medway Local Plan 2003.

Conclusions and Reasons for Recommendation

This application seeks outline planning permission with access being determined at this stage together with parameter plans. The parameter plans identify the key buildings for retention and the arrangement of development and density across the site. These plans would secure the key aspects of the development and allow for flexibility when at reserved matters stage. The indicative masterplan included in the design and access statement shows ones potential way of bringing forward development on the site. The scheme has been assessed against various planning policies including aspects such as amenity, ecology and highways. The scheme is considered to accord with the aforementioned development plan policies and paragraphs of the NPPF. However due to the need for further bat surveys to take place this recommendation for approval is subject to the findings of these surveys being acceptable.

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/>