

MC/17/1884

Date Received: 26 May, 2017

Location: Land South of Ratcliffe Highway Junction with Bells Lane, Hoo St Werburgh, Rochester ME3 9JD

Proposal: Demolition of existing buildings and structures and redevelopment of the land south of Ratcliffe Highway, to provide 232 residential units in buildings of up to 3 storeys, retention of existing bowling green together with associated access, landscaping and open space.

Applicant: Bellway Homes Ltd

Agent: Ms Bruce Savills 33 Margaret Street London W1G 0JD

Ward Peninsula

Case Officer Majid Harouni

Contact Number 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 27 September, 2017.

Recommendation – Approval subject to;

A. A Section 106 Agreement under the terms of the Town and Country Planning Act 1990 to secure the following developer's contributions:

- i) 25% Affordable Housing on site: equating to 58 dwellings
- ii) Installation of a toucan crossing across A228 at the junction with Bells Lane to facilitate a safe crossing to Deangate sports grounds.
- iii) Make a financial contribution of £2,322,388.72 in total to be divided and spent in the following areas:

- Education and Nursery:

Nursery School	Hundred of Hoo Academy	£178,713.60
Primary School	Hundred of Hoo Academy	£379,962.51
primary phase 2		
Secondary School	Hundred of Hoo Academy	£323,671.77

- NHS

To be spent on surgeries Hoo St Werburgh with their planned development of securing premises fit for purpose to manage the additional cohort of patients depending on patient needs. £108,564.40

- Green space

To offset insufficient on site Green Space provision £544,583.80

To replace the loss of existing on site open space/sports provision, £530,000.00

- Waste and recycling

Towards renewal programme of bins at Cuxton HWRC £36,062.08

- To provide household containers for the collection of recycling – use once bags and 240ltr wheeled brown bins to each property for the collection of food and garden waste

- To provide information for residents regarding services provided including pest control, recycling information.

- Birds Disturbance Mitigation contribution £51,870.56

- Great Lines Heritage Park £28,988.00

- Highway Improvement £60,000.00

- Towards improvement at the A228 Peninsula Way junction with Main Road, Hoo.

- Community facility £79,972.00

- Towards a new community centre for Hoo Parish

B. To impose the following conditions:-

1 The development hereby permitted shall be begun before the expiration of 18 months from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

CB_56_069_001, CB_56_069_002 Rev , CB_56_069_003 Rev A,
CB_56_069_004 Rev A, CB_56_069_005 Rev A, CB_56_069_006 Rev A,
CB_56_069_007 Rev A, CB_56_069_008 Rev A, CB_56_069_002 Rev A,
CB_56_069_002 Rev , MBSK170807-1 Rev A

Flat Blocks

CB_56_069_C_BLA_P01, CB_56_069_C_BLA_E01,
CB_56_069_C_BLB_E01, CB_56_069_C_BLB_E02,
CB_56_069_C_BLB_P01,
CB_56_069_C_BLC_E01, CB_56_069_C_BLC_E0",
CB_56_069_C_BLC_P01, CB_56_069_C_BLC_P02,
CB_56_069_C_BLD_E01, CB_56_069_C_BLD_P01,
CB_56_069_C_BLD_P02,
CB_56_069_C_BLE_E01, CB_56_069_C_BLE_P01,
CB_56_069_C_BLF_E01, CB_56_069_C_BLF_E02,
CB_56_069_C_BLF_P01,

House type Character Area A

CB_56_069_A_GOU_E01, CB_56_069_A_GOU_E02,
CB_56_069_A_GOU_P01, CB_56_069_A_GOU_E03,
CB_56_069_A_GOU_E04, CB_56_069_A_GOU_P02,
CB_56_069_A_GOU_E05, CB_56_069_A_GOU_P03,
CB_56_069_A_4B5P_E01, CB_56_069_A_4B5P_E02,
CB_56_069_A_4B5P_P01, CB_56_069_A_3B5PT_E01,
CB_56_069_A_3B5PT_E02, CB_56_069_A_3B5PT_P01,
CB_56_069_A_3B5PT_E03, CB_56_069_A_3B5PT_E04,
CB_56_069_A_3B5PT_P02, CB_56_069_A_3B5PT_E05,
CB_56_069_A_3B5PT_P03, CB_56_069_A_3B4P_E01,
CB_56_069_A_3B4P_P01, CB_56_069_A_3B4P_E02, ,
CB_56_069_A_3B4P_P02, CB_56_069_A_3B4P_E03,
CB_56_069_A_3B4P_P03, CB_56_069_A_3B4P_E04,
CB_56_069_A_3B4P_E05, CB_56_069_A_3B4P_P04,
CB_56_069_A_3B4P_P05, CB_56_069_A_3B4P_E07,
CB_56_069_A_3B4P_P06, CB_56_069_A_2B3P_E01,
CB_56_069_A_2B3P_P01, CB_56_069_A_2B3P_E02,
CB_56_069_A_2B3P_P02, CB_56_069_A_2B3P_E03,
CB_56_069_A_2B3P_P03, CB_56_069_A_2B3P_E04,
CB_56_069_A_2B3P_E05, CB_56_069_A_2B3P_P04

House Type Character Area B

CB_56_069_B_GOU_E01, CB_56_069_B_GOU_P01,
CB_56_069_B_4B5P_E01, CB_56_069_B_4B5P_P01,
CB_56_069_B_3B5P_E01, CB_56_069_B_3B5P_P01,
CB_56_069_B_3B5P_E02, CB_56_069_B_3B5P_P02,
CB_56_069_B_3B4P_E01, CB_56_069_B_3B4P_P01,
CB_56_069_B_3B4P_E02, CB_56_069_B_3B4P_P02,
CB_56_069_B_3B4P_E03, CB_56_069_B_3B4P_E04,

CB_56_069_B_3B4P_P03, CB_56_069_B_3B4P_E05,

CB_56_069_B_3B4P_P04, CB_56_069_B_3B4P_E04,
CB_56_069_B_3B4PW_E01, CB_56_069_B_3B4PW_P01,
CB_56_069_B_3B4PW_E02, CB_56_069_B_3B4PW_P02,
CB_56_069_B_2B3P_E01, CB_56_069_B_2B3P_E02,
CB_56_069_B_2B3P_P01, CB_56_069_B_2B3P_E03,
CB_56_069_B_2B3P_P02, CB_56_069_B_2B3P_E04,
CB_56_069_B_2B3P_P03, CB_56_069_B_2B3P_E05,
CB_56_069_B_2B3P_P04, CB_56_069_B_2BC_E01,
CB_56_069_B_2BC_P01, CB_56_069_B_2BC_E02,
CB_56_069_B_2BC_P02, CB_56_069_B_4B_E01,
CB_56_069_B_4B_P01, CB_56_069_B_3B_E01,
CB_56_069_B_3B_E01, CB_56_069_B_3B_P01,
CB_56_069_B_3B_E03, CB_56_069_B_3B_P02,
CB_56_069_B_2B_E01, CB_56_069_B_2B_P01,
CB_56_069_B_2B_E02, CB_56_069_B_2B_P02,
CB_56_069_B_2BCH_E01, CB_56_069_B_2BCH_P01,
CB_56_069_B_2BCH_E02, CB_56_069_B_2BCH_P02,
CB_56_069_B_2BCH_E03, CB_56_069_B_2BCH_P03,

House Type Character Area C

CB_56_069_C_GOU_E01, CB_56_069_C_GOU_P01,
CB_56_069_C_3B4P_E01, CB_56_069_C_3B4P_E02,
CB_56_069_C_3B4P_P01, CB_56_069_C_3B4P_E03,
CB_56_069_C_3B4P_P02, CB_56_069_C_3B4P_E04,
CB_56_069_C_3B4P_P03, CB_56_069_C_3B4P_E05,
CB_56_069_C_3B4P_P04, CB_56_069_C_3B4PW_E01,
CB_56_069_C_3B4PW_P01, CB_56_069_C_2B3P_E01,
CB_56_069_C_2B3P_P01, CB_56_069_C_2B3P_E02,
CB_56_069_C_2B3P_P02, CB_56_069_C_2B3P_E03,
CB_56_069_C_2B3P_P03, CB_56_069_C_2BC_E01,
CB_56_069_C_2BC_P01, CB_56_069_C_3B_E01,
CB_56_069_C_3B_P01, CB_56_069_C_2B_E01,
CB_56_069_C_2B_P01, CB_56_069_C_2B_E02,
CB_56_069_C_2B_P02, CB_56_069_C_2BCH_E01,
CB_56_069_C_2BCH_P01,

Garage and Car Port Building types

CB_56_069_GAR_E01 to E08,

Cycle Storage building

CB_56_069_BIN_E02,

Refuse Bin Storage Building

CB_56_069_BIN_E01, E03 and E04,

Sub-station building

CB_56_069_BIN_E05,

Drainage Strategy Plans

E16-0680SK1001 Rev F, E16-0680SK1001

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

- 3 No development above ground floor slab level of any part of the development hereby approved shall commence until a schedule/sample of the materials and finishes to be used in the construction of the external walls, roofs, windows, doors and guttering of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Local Plan.

- 4 No development above ground floor slab level of any part of the development hereby approved shall commence until full details of both hard and soft landscaping for both sites have been submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include existing and proposed contours and finished ground levels and minor artefacts and structures (e.g. street furniture, refuse or other storage units, signs, lighting etc.). Soft landscaping details shall include planting plans that should include planting of native species that help to enhance biodiversity and habitat; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme. Development shall be carried out in accordance with the approved details. The scheme shall include full details of all proposed boundary treatments and shall be designed using the principles established in the Council's adopted Landscape Character Assessment. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of each dwelling house or flat block buildings or completion of the development, whichever is the earlier. Any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

- 5 Prior to the commencement of any development, a scheme for the protection of trees and hedges to be retained on both sites shall be submitted to and approved in writing by the local planning authority All trees and hedgerows to be retained must be protected by barriers and or ground protection in accordance with BS5837 (2012) "Trees in relation to Construction Recommendations". No work shall take place on site until full details of protection have been submitted to and approved in writing by the Local Planning Authority. The approved barrier and/or ground protection measures

shall be erected before any equipment, machinery or materials are brought onto the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed nor fires lit, within any of the area protected in accordance with this condition. The siting of barriers/ground protection shall not be altered, nor ground level changed, nor excavations made within these area without the written consent of the Local Planning Authority.

Reason: To Safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development in compliance with Policy BNE 43 and NPPF.

- 6 No development above ground floor slab level of any part of the development hereby approved shall commence until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, and SuD's areas shall be submitted to the Local Planning Authority for approval in writing prior to the first occupation of the development. The landscape and Sud's management plan shall be carried out as approved.

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

- 7 Prior to the commencement of the development hereby permitted (including demolition works) a construction and environmental plan, that should details in respect of the following shall be submitted to and approved in writing by the Local Planning Authority:

- i) the parking of vehicles of site operatives and visitors
- ii) the routing of construction traffic throughout the construction process and the mechanism for securing adherence to approved routes. (no construction vehicle shall use Bells Lane to access either of the sites).
- iii) loading and unloading of plant and materials
- iv) storage of plant and materials used in constructing the development the erection and maintenance of security fencing
- v) wheel washing facilities
- vi) measures to control the emission of dust and dirt during construction
- vii) a scheme for recycling/disposing of waste resulting from the construction works

The development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety and amenity of the area and in compliance with Policies BNE2 and T1 of Local Plan.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) (Order) 2015 as amended no development

within Schedule 2, Part 1, Classes A, B, C, D, E and F shall be carried out without the permission of the Local Planning Authority.

Reason: To enable the Local Planning Authority to control such development in the interests of amenity, in accordance with Policies BNE1 and BNE2 of the Medway Local Plan 2003.

- 9 Prior to the commencement of any development, details shall be submitted to, and approved in writing by, the Local Planning Authority showing the existing and proposed site levels and the finished floor /slab levels of the buildings hereby permitted. The development shall be carried out in strict accordance with the approved details.

Reason: In the interest of visual amenity of the surrounding properties and in compliance with Policy BNE2 of the Local Plan.

- 10 No development shall take place until a scheme showing details for 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 (if applicable):

- 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 surface water during and post construction and for the lifetime of the development.

- 11 Prior to commencement of development, including works of ground clearance or site preparation, full details of the access to the sites off Ratcliffe Highway, including a timetable for implementation of the different stages of its construction, shall be submitted to and approved in writing by the local planning authority. The accesses shall be constructed in accordance with the approved details and timetable.

Reason: In the interests of highway safety and residential amenities of the adjoining properties and in compliance with Policies BNE2 and T1 of the Local Plan.

- 12 None of the dwellings hereby permitted shall be occupied until the car parking, garaging and visitor spaces associated with that particular unit as shown on the drawing CB-56-069-006 Rev C of accommodation have been constructed in accordance with the approved plans. The respective spaces shall thereafter be retained at all times for their designated purpose.

Reason: In the interests of residential amenities and highway safety and in compliance with Policies BNE2 and T13 of the Local Plan.

- 13 No tree felling/vegetation clearance works, or other works that may affect nesting birds, shall take place between 1 March and 31 August inclusive. In the event that works are required to be carried out during the nesting period, a prior survey to establish the absence/presence of nesting birds should be undertaken by an appropriately qualified ecologist. A report of the assessment, together with proposals for any required mitigation/compensation shall be submitted to and approved in writing by the local planning authority prior to any works being undertaken. Thereafter, the works shall be carried out in accordance with any necessary mitigation/compensation measures.

Reason: In the interests of wildlife habitats and in compliance with Policy BNE37 of the Local Plan.

- 14 Prior to any works starting on site a detailed reptile mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. The mitigation strategy must provide the following information:

- a) Translocation methodology in accordance with good practice guidelines
- b) Map with location of the 2 proposed receptor sites with preferred option and specific details of size, land owner, connectivity to further habitats, explanation of why this is a sufficient carrying capacity habitat for the present reptile that will be translocated to it, take into account any anticipated impact from recreational activities from residents, secured long-term through a management regime and be free from future development
- c) Reptile surveys of the chosen receptor site (to start now and to be updated next spring)
- d) Details of ecological enhancements to increase carrying capacity of the receptor site and location on a map. The receptor site must be prepared and managed appropriately prior to any translocation, and thereafter retained.
- e) Map with detailed boundaries location of the construction works to start prior to reptile translocation exercise, including detailed location where the reptile exclusion fencing and Heras fencing will be set up to protect reptiles present on site
- f) A detailed precautionary approach with a watching brief from the ecologist if part of the hedgerow in the middle of the field in the west part of the application site has to be lost to allow large engine to work on site
- g) Timetable of the whole mitigation strategy including the proposed construction work phases, the reptile surveys, the translocation exercise and the monitoring of the reptile population

All works must be carried out in accordance with the approved mitigation strategy and any mitigation measures shall be retained throughout the life of the development site.

The map with the detailed boundaries location of the construction works to

start prior to reptile translocation exercise will be included in the Construction Environmental Management Plan and a tool box talk will be undertaken to contractors involved in the construction works.

Construction works on site may commence prior to the reptile translocation exercise only in the delimited boundaries area where reptiles have not been recorded (centre of the fields) in accordance with the approved mitigation strategy.

Reason: In the interests or protection of wildlife and protected species and in compliance with Policies BNE37 and BNE39 of the Local Plan.

- 15 Prior to the commencement of development (and vegetation clearance), the full bat mitigation strategy, as detailed in the Protected species Survey Report and in the letter from the ecologist dated from the 25th of August 2017, along with measures to enhance the site for bats shall be implemented in full, and shall be thereafter retained.

Reason: In the interests or protected species and in compliance with Policy BNE39 of the Local Plan.

- 16 No development above ground floor slab level of any part of the development hereby approved shall commence until details of the specification of bird boxes on the buildings and their precise locations have been submitted to and approved in writing by the Local Planning Authority. The approved bird boxes and position shall be erected/installed before individual dwelling houses are occupied and the boxes shall be retained in perpetuity.

Reason: In order to compensate for the present potential wild life and birds nest sites in accordance with Policy 37 of the Local Plan.

- 17 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

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

- 18 Development shall not commence until a drainage strategy detailing the proposed means of surface and brown water disposal and an implementation timetable have been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable. The works shall be carried out in accordance with the approved details before the dwellings and parking areas are occupied and shall be so retained at all times thereafter.

Reason: To ensure that the development permitted does not prejudice conditions of amenity in accordance with policy BNE2 of the Local Plan.

- 19 Works of demolition, site clearance, or construction, including the use of plant and machinery on the site, shall not take place other than between 08.00-18.00 hours Monday to Friday and 09.00-13.00 hours on a Saturday, and at no time on Sundays or bank/public holidays.

Reason: In the interests of residential of the adjoining properties and in compliance with Policy BNE2 of the Local.

- 20 If, during development (including the demolition works), contamination not previously identified, is found to be present on the development hereby permitted, then no further development shall be carried out until remediation works, in accordance with a Method Statement for remediation, including a timetable that has previously been submitted to and approved in writing by the local planning authority, have been completed and a verification report demonstrating completion of the works set out in the Method Statement has been submitted to and approved in writing by the local planning authority. The Method Statement shall detail how the unsuspected contamination shall be dealt with. The verification report demonstrating completion of the works set out in the Method Statement shall include results of any sampling and monitoring. It shall also include any plan for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the local planning authority.

Reason: In the interests of residential amenities of the future occupiers of the dwellings and occupiers of the surrounding properties and in compliance with Policy BNE2 of the Local Plan.

- 21 Means of vehicular access to the development hereby permitted during the construction period shall only be from Ratcliffe Highway except for the construction of the vehicular access to the land on the eastern side of Bells Land and construction of car parking area associated with Bowling Green.

Reason: To ensure that the development permitted does not prejudice conditions of highway safety or efficiency and amenities of the local residents and in accordance with Policies BNE2 and T2 of the Local Plan

- 22 No dwelling shall be occupied until that part of the estate road which provides access to it has been constructed in accordance with the approved plans.

Reason: To ensure that the development permitted does not prejudice conditions of highway safety or efficiency in accordance with Policy T2 of the Local Plan.

- 23 Prior to first occupation of any of the dwellings hereby permitted, visibility splays at the junctions of the application sites with Ratcliffe Highway and Bells Lane shall have been provided in accordance with the details shown on figures 5.10 to 5.12 attached to the Transport Assessment report Part two produced by Mayer Brown in May 2017. Once provided, the splays shall thereafter be retained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level.

Reason: In the interests of highway safety and in compliance with Policy T2 of Local Plan.

- 24 Prior to the first occupation of the dwellings, details of charging points for electric cars (one electric car charging point for 10 accessible parking spaces), which shall include the accessible parking spaces/garage having wall mounted charging point, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details and subsequently retained for that purposes.

Reason To ensure that provision is made for the parking and charging of battery powered cars in compliance with Policy BNE24 of the Local Plan.

- 25 Prior to the installation of the children play area, details of play equipment and a scheme of maintenance in perpetuity shall be submitted to and approved in writing by the Local Planning Authority. The details should include the arrangements for its implementation. The children play area shall be laid out, surfaced, fenced, landscaped and completed with items of play equipment installed in accordance with the approved details and satisfaction of the Local Planning Authority prior to the occupation of the 50th dwelling house. The respective play area shall be maintained in accordance with the approved details thereafter.

Reason: To ensure that adequate provision is made for children's recreation in the interests of the occupiers of the new houses and to comply with Policy L4 of the Local Plan.

- 26 Prior to the first occupation of each individual dwelling of the development hereby permitted details of the refuse storage arrangements for that building, including provision for the storage of recyclable materials, as shown in drawing CB_56_069_007 Rev A shall be submitted to and approved in writing by the Local Planning Authority. No building within the development shall be occupied until the approved refuse storage arrangements for each dwelling house are in place and all approved storage arrangements shall thereafter be retained.

Reason: In the interests of visual amenity and to ensure a satisfactory provision for refuse and recycling in accordance with Policy BNE2 of the Local Plan.

- 27 Within 3 months from the date of the development hereby permitted details of an external lighting scheme for both sites comprising street lighting, lighting arrangement for the car park courts areas, central green and the play area, including its height, position, external appearance, any shielding, light intensity and spillage (such as light contour or lux level plans showing the existing and proposed levels), together with a report to demonstrate its effect on nearby residential properties and how this effect has been minimised shall be submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed prior to the first occupation of the dwelling

houses associated with each car parking court area and shall thereafter be retained.

Reason: In the interests of the safety of the prospective residents and in order to limit the impact of the lighting on the nearby residents to accord with Policies BNE2 and BNE8 of the Local Plan.

- 28 The car parking spaces shown on drawing CB_56_-69_006 Rev along Bells Lane shall be used as such in association with the Bowling Green Club when the Club is in use.

Reason: In the interests of highway safety and residential amenities of the surrounding properties and in compliance with Policies BNE3 and T13 of the Local Plan.

- 29 Within 6 months from the date of the development hereby permitted details of information interpretation panel/scheme about the location and history of the Pillboxes just outside the northeast corner of the application site and in the vicinity and a programme of maintenance in perpetuity of the interpretation panel shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out/implemented prior to the occupation of 50th dwelling on the land parcel to the east of the Bells Lane and maintained in accordance with the scheme approved thereafter.

Reason: In the interest of retention and protection of the listed building and in compliance with Policy BNE18 of the Local Plan.

- 30 No development above ground floor slab level of any part of the development hereby approved shall commence until full details of an assessment of the air quality at the front and rear facades of the dwellings fronting Ratcliffe Highway and flat blocks on the corner of Ratcliff Highway with Bells Lane and the public Right of way along the eastern boundary of the site has been submitted to and approved in writing by the Local Planning Authority. Where the objective levels for Nitrogen Dioxide are not met at the facade of the premises details of a mitigation scheme shall be submitted to and approved in writing by the Local Planning Authority that details a ventilation system that ensures air into the premises meets the approved levels. The approved ventilation system shall be completed prior to the occupation of the dwellings affected and shall be maintained at all times thereafter.

Reason: Reason: To ensure the development does not prejudice conditions of amenity of future occupiers by reason of unacceptable levels of air quality, in accordance with Policy BNE24 of the Medway Local Plan 2003.

- 31 No development above ground floor slab level of any part of the development hereby approved shall commence until full details of a mitigation scheme detailing measures to ensure that the internal noise level in the dwellings fronting Ratcliffe Highway and flat blocks on the corner of Ratcliffe Highway with Bells Lane and the public Right of way along the eastern boundary of the site an acoustic assessment shall be undertaken to determine the impact of

noise from transport related sources and shall be made in accordance with BS8233 2014: Guidance on Sound Insulation and Noise Reduction for Buildings. The results of the assessment and details of a scheme of acoustic protection shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include details of acoustic protection sufficient to ensure internal noise levels (LAeq,T) no greater than 30dB in bedrooms and 35dB in living rooms with windows closed and a maximum noise level (LAmax) of no more than 45dB(A) with windows closed. Where the internal noise levels will be exceeded with windows open, the scheme shall incorporate appropriate acoustically screened mechanical ventilation. The scheme shall include details of acoustic protection sufficient to ensure amenity/garden noise levels of not more than 55dB (LAeq,T). All works, which form part of the approved scheme, shall be fully completed before any dwelling affected is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: To safeguard the amenities of the occupants of the proposed development in accordance with Policy BNE2 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 is a full planning application for the demolition of existing buildings and structures and redevelopment of the land south of Ratcliffe Highway, to provide 232 residential units (179 houses and 53 flats in 6 blocks) in buildings of 2 and 3 storeys, retention of existing bowling green together with associated access, landscaping, open space, play area, car parking and surface water attenuation measures.

From the 232 number of the dwellings proposed, 153 dwellings (129 houses and 24 flats) would be sited on the larger Western land parcel with two vehicular accesses from Ratcliffe Highway and a pedestrian access to Bells Lane.

The remaining 79 dwellings (57 houses and 22 flats) would be sited on the smaller Eastern site with the main vehicular access to this part of the development from Bells Lane to serve 73 dwellings and a vehicular access from Ratcliff Highway to serve 6 houses.

Total of 521 car parking spaces have been proposed for the whole development of which 29 parking spaces are allocated for the Bowls Club, the remaining 492 car parking spaces comprise 312 allocated, 66 car port, 29 garages, 3 disabled, 30 unallocated and 52 visitors. This represents 2.12 car parking spaces per dwelling.

Amenity and play area are proposed across the two sites.

Site Area/Density

Site Area: 6.71hectares (16.1 acres)

Site Density:34.5 dph (14.4 dpa)

Relevant Planning History

MC/17/2774	Construction of a single storey pavilion building with associated disabled parking and access. Still under consideration
MC/16/4880	Town and Country Planning Act (Environmental Impact Assessment) (England and Wales) Regulations 2011 - request for a screening opinion for the proposed development of up to 250 residential dwellings with associated open space, car parking and access Decision EIA not required Decided 22/12/2016
MC/16/4864	Application for Prior Notification under Schedule 2 Part 11 of the Town and Country Planning (General Permitted Development) (England) Order 2015 for demolition of existing BAE Sports and Social Club Decision No Application Required Decided 29/12/2016
MC/08/2021	Outline application for a residential scheme of 97 dwellings on the east of bells lane directly linked to the upgrade and expansion of facilities at BAE systems sports and social club Hoo St Werburgh (West of Bells Lane) (resubmission of MC2007/1889) Decision Withdrawn by applicant Decided 09/03/2009
MC/07/1889	Outline application for a residential scheme of 94 dwellings on the east of bells lane directly linked to the upgrade and expansion of facilities at BAE systems sports and social club Hoo St Werburgh (West of Bells Lane) Decision Refusal Decided 09/01/2008 Appeal Decided EIA not required

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.

A petition with 106 signatures and 427 letters of representation have been

received expressing concern about the followings:

- Existing infrastructure is at breaking point, significant inadequacies in the capacity at the doctor and dental surgeries, schools, water, gas pressure, poor sewerage system.
- There is only one access (Four Elms Hill) to Hoo; it is very congested and this development will add to the problem.
- Bells land is narrow and the proposal will worsen the traffic on this lane and add to problems
- The site is too far away from the local school and children will not walk and this will further add to the traffic and road congestion.
- The additional houses will add to the existing car parking problem in the area.
- There are already lots of new houses built in Hoo, this will harm the countryside.
- A previous application for this site was refused; this application should also be refused.
- Will add to light pollution.
- Additional houses will significantly alter the character of the landscape.
- Inadequate public transport bus service.

Cllr Freshwater has objected to the application and made the following comments:

- 1)The major changes in plans, especially major changes to the entrances to the developments from Ratcliffe Highway to new entrances in Bells Lane will effective mean cars being parked both side of Bells Lane as both BAE developments have insufficient car parking spaces (although they comply with Council's minimum car space standards which are not real life numbers). It is inevitable that Bells Lane will soon have double yellow lines down the whole length of Bells Lane which will push parking problems into side roads causing, even more problems to local communities.
- 2) No GP services - No new Hospital Beds - 1000 new people in these will make these necessary services worse.
- 3) No homes for local people earning below the national average £27,000 - houses being built for London commuters.
- 3) No infrastructure investment by the Council despite extra millions of Council Tax being paid.
- 4) We cannot even get adequate Parking Wardens to control irresponsible parking.
- 5) The new homes will make worse the irresponsible parking and huge increase in cars using Main Road, Hoo Village - this road will soon become one massive car park.
- 6) Local people get no advantage or community benefits whatsoever from these homes being built. Bellway Ltd who caused these community problems through maximising profits will walk away with millions profit with no second thoughts to the lives and local communities they are destroying.

Hoo St Werburgh Parish Council objects to the application on the following grounds:

This proposal is just the latest application that has turned this small semi rural village into what is rapidly becoming the rural town. It does not have the required infrastructure such as public transport, employment in the area within an acceptable distance, distance to village schools, overstretched GP's services and extra pressure on our already failing waste water services.

This particular development has included 3 storey buildings which will overlook homes already in the area. They would also destroy the look and feel of Deangate Ridgeway and therefore, harm not only the appearance but the character of the area and the fundamental landscape function of Deangate Ridge.

This site was previously a well attended sports and social club, providing a venue for many sports such as football, cricket, squash, swimming and many more. These facilities will not be replaced, and so the people of Hoo and the wider Peninsula again lose out.

We in Hoo have been living on a permanent build site for the last 10/15 years. Bells Lane has seen unprecedented development with 5 housing developments taking place. Bells Lane has now changed into a major cause for concern for road safety and major congestion at many times during the day.

There is only one small convenience shop/newsagent within walking distance of this proposed development, again giving rise to the need to travel for shopping meaning more car journeys on our rural roads.

Hoo St Werburgh Parish Council has made the following further comments

If Medway Council grants permission, then we would be looking for some of the section 106 monies to be allocated to Hoo Parish Council for the rebuilding of the village hall/community centre to meet the needs of a growing population in the village.

Officer note - Further discussion with the Parish Council has taken place and while they maintain their objection in principle they are in agreement that if the development is approved, then a contribution of £79,972 towards rebuilding the community/village hall would be acceptable from a development of this scale.

Environmental Agency has no comments to make.

Highway England advise that based on their own calculations and noting that the trip generation estimates are worst-case, we are satisfied that trips generated will not result in a "severe" increase in queues and delays on the Strategic Road Network and therefore we do not offer any objections or requirements relating to the proposal.

Southern Water advise that all existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works. No excavation, mounding or tree planting should be carried out within 4 metres of the public water main without consent from Southern Water.

Following initial investigations, Southern Water can provide a water supply to the site subject to a formal application for connection from the applicant.

Our initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development. However, the results of an initial desk top study indicate that Southern Water currently cannot accommodate the needs of this application without the development providing additional local infrastructure. Should the Local Planning Authority be minded to approve the application a condition requiring the submission of a drainage strategy is recommended.

Officer note - The applicants have been advised of Southern Water comments.

Kent Police comment that they are pleased to note the Community Safety section on pages 26 and 27 of the D&AS has considered crime prevention and attempted to apply the seven attributes of CPTED in their Design and Access Statement. However, there are other issues that may need to be discussed and addressed including a formal application for BREEAM and Secured By Design (SBD) if appropriate.

If this planning application is given approval, then we would suggest that a condition/informative be included as part of the planning approval to ensure that Crime Prevention is addressed effectively.

KCC Ecology has no objection to the mitigation measures proposed for identified reptiles on site which would involve their translocation to another location.

Also, there is no objection to the proposed mitigation measures to deal with bats found on site.

KCC ecology recommends approval subject to planning conditions involving the creation of log piles for reptiles, bat and bird boxes to provide opportunities for ecological enhancement on site.

In addition to protecting the existing habitats in the hedgerows and trees, it is recommended that these are protected prior to the commencement of the development and maintained as such throughout the construction period. Also to minimise harm to bats by use of inappropriate lighting a condition is recommended to deal with this issue as well.

KCC Archaeology has no objection subject to a condition to secure the implementation of a programme of archaeological works.

In addition to the site's below ground archaeological interest, I would also note the presence of a Grade II Listed pillbox immediately adjacent to the site's south-east corner. This pillbox forms part of a wider WW2 period stop-line. KCC Archaeology is satisfied that the development as amended would not harm the listed asset.

Sport England states that the proposal does not accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 74 of the NPPF and as such has objected to the proposal. They consider that there is a need to undertake a new Playing Pitch Strategy.

While it is noted that a replacement Bowling green and clubhouse will be provided; however, this is not considered sufficient to outweigh the loss of these playing fields and sporting facilities.

The FA have objected to the proposal. It states that the closure of the site in 2015, and subsequent loss of available pitches have had a large negative impact on football within Medway.

The ECB state that there has been no activity at the site since it closed in 2015. The ECB would like to see a strategic development plan be drawn up and the PPS updated in conjunction with Kent Community Cricket and the other delivery bodies in the Borough, this will provide the necessary insight as to where any developer contributions should be directed.

It is Sport England's view that this proposal involves an unacceptable loss of playing field and sporting facilities, that were previously well-used by the community, which is not sufficiently balanced out by any proposed re-provision.

NHS have requested a developer contribution of £108,564.40 (based on the developer contributions guide) toward improvements to the Hoo St Werburgh surgeries for their planned development of securing premises fit for purpose to manage the additional cohort of patients depending on patient needs.

Development Plan

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

Planning Appraisal

Background

The application site is located at the north end of Bells Lane and south of Ratcliffe Highway junction with Bells Lane. The site is attached to the settlement of Hoo St Werburgh. This application seeks a full planning permission for 232 residential units, with open space, children's play area and other ancillary related development.

The site is split into two parcels, the larger site is on the western side of Bells Lane and measures about 4.7 hectares and the smaller site is to the eastern side of Bells Lane and is about 2.1 hectares. A bridleway (Public Right of Way) runs along the site's east boundary connecting Ratcliffe Highway to National Cycle Route 179 - 'The Heron Way' 1km to the southeast.

The land is flat and forms part of the BAE disused sports ground and facilities. These facilities have been closed since 2014. There is a bowling green along the north western part of the smaller land parcel and a grade II listed 2nd WW pillbox just outside the application site on the south east corner of the smaller parcel of land.

The site's western boundary is formed by a dense native hedge around 6m high. Native hedgerow also forms the northwest (south of Ratcliffe Highway) and southeast boundaries. The eastern boundary is formed by a line of Lombardy Poplars, around 20m high. There are a small number of houses at the Bells Lane/Ratcliffe Highway junction the site boundary which are not part of the application site. The site's southern boundary is formed by the existing settlement edge. The western parcel boundary is formed by rear garden boundary fence of properties in Wall Close and Blackman Close with scrub vegetation of varying density and occasional trees. Vegetation is

more dense for the eastern parcel where the boundary is shared by The Fields and Guelder Rose Drive.

Internal site vegetation is limited. A row of Poplar trees, a group of very large, mature conifer trees, a mature Hornbeam and scattered mature or semi-mature ornamental trees are located in front of the Sports Centre. A mature hedge divides the western part of the site. The existing bowling green and associated buildings, boarded-up Sports Centre buildings, goals posts and dilapidated cricket sight-screens are the only features of note with the site.

The site is in a protected open space as defined by Policy L3 of Medway Local Plan 2003.

An outline planning application for a residential development of 94 dwellings on land east of Bells Lane directly linked to the upgrade and expansion of facilities at BAE sports and social club was refused in January 2008 under ref MC/07/1889. This application included the Bowls Club land which was proposed to be redeveloped for residential purposes.

The grounds for refused were as following:

i)“The proposed residential development would result in the loss of protected open space and is located outside of the village boundary of Hoo St.Werburgh, therefore constituting unacceptable development in the countryside. The justification put forward by the applicants is not considered sufficient to outweigh these objections”.

ii)“The proposed artificial turf pitch and floodlighting, due to its position close to the A228, would have a visually intrusive effect and would be detrimental to the character of the surrounding countryside”.

Since the refusal of the 2007 application there have been a number of changes in the circumstances of the site, these include, closure of the Sports facilities since 2014 and, as a result, the existing facilities are boarded-up and gradually dilapidating. Also, the NPPF came into effect in November 2012 that requires the Local Planning Authority to demonstrate a 5-year deliverable housing land supply sites.

Principle

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that all planning applications must be determined in accordance with the Development Plan unless other material considerations indicate otherwise. Bearing this in mind, the relevant starting point would be the consideration of the general principles of the development when assessed against the Government’s National Planning Policy Framework (The Framework), The Government’s National Planning Practice Guidance Notes (NPPG) and the relevant saved policies of the Medway Local Plan 2003.

The following headings and content of the NPPF are relevant to the consideration of

the current proposals.

6. Delivering a wide choice of high-quality homes
7. Requiring good design
8. Promoting healthy communities
11. Conserving and enhancing the natural environment
- 12 Conserving and enhancing the historic environment

The Framework specifies that “the purpose of the planning system is to contribute to the achievement of sustainable development” and goes on to define what this constitutes in paragraphs 6 & 7. The policies in paragraphs 18 – 219 set out the Government’s view of how it should be achieved. A presumption in favour of sustainable development is described as a “golden thread” running through the planning process.

Paragraph 73 of the NPPF states that access to high-quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision are required.

Paragraph 74 states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements.
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Paragraph 47 of the NPPF states that Councils should; “identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements.

At present the council acknowledges that it does not possess a 5 year land supply for housing. It has also been proven at recent appeals that the Council should apply a 20% buffer due to a lack of supply in order to catch-up with demand as stated by Government policy. The Council has taken steps to rectify this position and an updated position will be established when the next version of the Authority Monitoring report is published later in 2017.

As a result of this position relevant policies relating to housing fall away and proposals are assessed for their sustainability. A recent Supreme Court judgement has defined ‘relevant policies’ to mean those directly related to housing – the narrow view. Nevertheless the remaining development plan policies also need to be consistent with

the NPPF.

In early 2015 Medway Council and Gravesham Borough Council jointly commissioned GVA Bilfinger to prepare a full Strategic Housing and Economic Needs Assessment to identify housing, employment and retail growth over the plan period 2012-2035. The SHMA element of the SHENA identified an Objectively Assessed Need of 1,281 dwellings per annum for Medway. This is yet to be formally adopted by the Council as its housing target through the Local Plan process. However, it is the most up to date assessment of the OAN.

It is thereby accepted that the housing land supply position is now very likely to be lower than was set out in the 2014/15 AMR. The updated position was published in December 2016 in the 2015/16 AMR and the conclusions were as expected. It is concluded that Medway Council does not currently have a 5-year land supply.

This lack of a five year supply is a significant factor and at paragraph 49 of the NPPF it is stated that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up-to-date if a five year supply of deliverable housing land cannot be demonstrated. Therefore relevant policies fall away and decisions are made in accordance with the definition of sustainable development as outlined in the NPPF unless any adverse impact would significantly and demonstrably outweigh the benefits of the application when assessed against the policies and of the NPPF as a whole.

In the light of the above, the presumption in favour of sustainable development set out in paragraph 14 of the Framework is thereby engaged. The failure to demonstrate a five year supply of deliverable housing sites is a matter to which substantial weight must be accorded.

Sustainability is defined in paragraph 7 of the NPPF and has three dimensions: environmental, social and economic. Any assessment needs to encompass all of the dimensions as they are 'mutually dependent' as per paragraph 8 of the NPPF.

In this instance, it is considered that bringing forward the development of this sustainable site adjacent to a large settlement of Hoo St Werburgh, where the village provides some, shops, pub, school, doctor surgery, and public transport links to employment would be appropriate. It is also considered that an appropriate increase in population would help to support village services and facilities, by virtue of their accessibility, potential for growth and role as a service delivery area for the surrounding areas and thus help to improve local economy and generation of employment opportunities.

While the application site falls outside of rural settlement boundary as stated by the saved policy H11 of the Local Plan (residential development in rural settlements), this is clearly a policy relating to housing land supply and can be attributed no weight.

The site is designated as protected open space by virtue of Policy L3 of the Local Plan.

Policy L3 states that development which would involve the loss of existing formal open

space, informal open space; allotments or amenity land will not be permitted unless:

- i) sports and recreational facilities can best be implemented, or retained and enhanced through the redevelopment of a small part of the site, or
- ii) alternative open space provision can be made within the same catchment area and is acceptable in terms of amenity value, or
- iii) in case of outdoor open space and children's play space provision, there is an excess of such provision in the area (measured against the npfa standard of 2.4 hectares per 100 population and such open space neither contributes to, nor has the potential to contribute to, informal leisure, open space or local environmental amenity provision, or
- iv) in the case of educational establishments the development is required for educational purposes and adequate area for outdoor sport can be retained or provided elsewhere within vicinity, or
- v) the site is allocated for other development in the local plan.

In relation to part (i), the proposals provide some on site open space and play area provision. However, as a result of the proposal a substantial part of the site will be lost to residential development.

Part (ii) requires the loss of open space to be mitigated within the same catchment area. In this regard the applicant is proposing to make a financial contribution under s106 towards open and play space in the vicinity. This has been considered acceptable by the Council's Green Space team.

Part (iii) allows for redevelopment if there is an identified oversupply of provision in the area. It should be noted that in 2012 a PPG 17 Open Space Audit was completed. The audit identified a surplus of natural, semi-natural green space & amenity green space in the Strood Sub-Area, to which the site is a part. Therefore it is considered that the loss of the protected amenity green space could be accommodated.

The play provision on the application sites has always been within private ownership and for private members and as such was not available to general members of the public. Nonetheless, the open space nature of the land gives the area a sense of openness and acts as a gap between the countryside to the north and the village settlement to the south.

As mentioned above the proposed developer's financial contribution would enable the Council's Green Space to provide sport facilities at nearby Deangate centre to offset the loss. This would be in compliance with policy L3 of the Local Plan and paragraph 74 of the NPPF.

It is also considered that the proposed development would provide some play and open space provision on site which would contribute to the amenities of the future residents.

Policy L3 is not considered a relevant policy restricting housing supply and is a specific policy protecting certain aspects of Medway's open space provision. However, the private ownership of the site and that the facilities were not available generally to members of the public and the surplus play space provision in the locality gives this

designation and site less emphasis in the area.

It is therefore considered that having regard to the Council's position with regard to lack of 5 years deliverable housing land supply, the construction of 232 dwellings would help to contribute towards the provision of housing and therefore help in meeting the shortfall in housing supply and help to provide much needed 58 affordable units. This would represent a strong material consideration in favour of the development. Furthermore, the last survey indicated that there is surplus local play pitch provision in Hoo area. In addition, the applicant has agreed to make a financial contribution to offset the loss of open space provision at Deangate which is a short distance from the application site.

For the above reasons, it is considered that the principle of the development is, by virtue of national planning policy as set out in the NPPF, acceptable having regard to the circumstances of this case, subject to detailed consideration of whether any adverse impacts of the development would outweigh the benefits of the application.

In the circumstances of this case, the key planning issues are considered to be design, visual impact and landscaping; density of the development (including whether the site can suitably accommodate 232 dwellings); affordable housing and other contributions; residential amenity; access/highway safety; ecology; flood risk, surface water management, drainage and impact on setting of a listed building.

Layout, street scene and design

As mentioned above the application covers two separate land parcels on both sides of Bells Lane. The development proposes a mix of tenures and dwelling types together with landscaped amenity and play areas across the development. The proposed dwellings would comprise a range of 1 and 2 bedroom flats in flat blocks not exceeding 3 storey in height, with pitched roof and balconies; 2-bed flats over car ports and storage rooms; and 2, 3 and 4 bedroom detached, semi-detached and terraced houses.

The variety of dwelling types and sizes proposed would provide for a range of homes for families, couples and single person as well as people with disabilities. The proposed dwelling type and sizes seek to reflect the market and social landlord requirements. The development would ensure the creation of a mixed community.

Policy H10 of the Local Plan has referred to the need to provide a mix of house types and sizes on sites larger than one hectare. It is considered that the proposed scheme would deliver a range and mix of dwelling types and sizes across both land parcels. The proposed broad mix of unit types and scale of the development would complement the existing housing estates to the south. It is therefore considered that the proposal would be in accordance with Policy H10 of the Local Plan.

The NPPF and Policy BNE1 of the Local Plan Policy place considerable emphasis on the importance of good quality design to ensure that new developments are appropriate in relation to the shape, size, character and appearance of the site and its surrounding area.

The proposed development follows a conventional form predominantly comprising two-storey houses in detached, semi-detached and terrace configurations. With a number of 3 storey flat blocks and some first-floor flats over car ports and storage units.

The flat blocks are located on corner locations fronting Bells Lane and the Ratcliffe Highway. Some of the flats have balconies. These flats blocks have communal car parking court yards to the rear and refuse storage areas to the side. The flat blocks would be on corner locations or street frontages which would give these buildings strong frontage, define the entrance into the site and create important land marks.

All the proposed dwellings along the southern boundaries backing onto houses in Wall Close and Blackman Close are two-storey semi-detached or terraced houses. Flat block C and its associated car parking court yard backs on to communal car parking area associated with houses in Blackman Close with at least 10 m deep back gardens.

Most of the development has conventional road frontage. Although some terraced houses have parking courtyards, they are visually contained and are less visible from the highway areas. These arrangements have been kept to a minimum and are considered well designed with good surveillance. Cars are primarily kept off the road and green frontage and amenity areas with tree planting dominate the east west central access link.

A small number of the proposed house types would have rooms in the roof space with a small dormer to the front and roof light to the back. These include plots 8 to 11, 117 to 120 and 142 to 145 and they all over look green amenity area close to south west part of the larger site.

The proposed scheme has been designed to create a series of different character areas across the site. There is no vehicular access between these two land parcel areas. Connectivity would be provided by a linear path designed to link the green amenity and play areas throughout the development; (From the eastern part of the smaller site to the amenity area to the western part of the larger site and all the other green spaces in between). To facilitate a safe and easy pedestrian connection between the two land parcels a raised table would be constructed on Bells Lane north of flat blocks B and C.

Vehicular access to the larger site would be provided by the creation of two separate accesses to the Ratcliffe Highway. These access roads would link to the spine road along the southern section of the larger site allowing the creation of different street frontages with a range of different house types that would add to the visual interests and character areas.

The bowling green would be retained and integrated into the overall development. To give the bowling green modern amenity provision a new single storey pavilion building is proposed along the frontage with Bells Lane (under a separate planning application).

Clearly, the proposed development would alter the appearance of these sites from open space to housing development sites and to reduce any visual impact it is

proposed to retain some of the existing trees and hedgerows along the boundaries of the site particularly along the east and westerly directions.

A traditional form of design and construction is proposed, which is generally considered to reflect existing housing to the south.

The palette of materials includes facing bricks roofing materials and window designs and weatherboardings which are considered acceptable would help to give the development diversity of character and appearance. A distribution of the materials throughout these sites would aid in creating different characters for different elements and areas.

The overall density would be 34.5 dwellings per hectare, which is very much similar to the development to the south. This is considered to be a medium density housing development appropriate for this location and represent a good and efficient use of the land.

Overall, the development is considered to provide a high quality sustainable residential development which will create an interesting and varied scheme that will enhance the character of the surrounding area. It will provide an architectural scheme which incorporates the use of a mix of materials, and overall will result in an attractive visual presence on this part of Bells Lane and Ratcliff Highway. The development is considered acceptable under the provisions of Local Plan Policies BNE1 and H10 and NPPF.

House Mix and affordable housing units

The application proposes a mix of 1, 2, 3 and 4-bed dwellings units. 51 of the proposed units would be flats and these would be provided in the proposed blocks A to F and in the coach house units. The remaining 159 dwelling units would be two-storey houses with 12 units with a third floor within the roof space involving a dormer to the front and roof lights to the back.

The following table provides details of the house mixed proposed;

Dwelling size/bedroom	No of units proposed
1 bed flat	12
2 bed flat	34
2bed coach houses	7
2 bed 2-storey houses	51
3 bed 2-storey houses	102
4 bed 2-storey houses	26

In compliance with Policy H3 of the Local Plan, this development would provide 25% affordable units. This would equate to 58 dwelling units. The table below gives the breakdown of affordable units. These would be provided based on 60-40 ration of rented and shared ownership.

No of units proposed	Affordable dwelling size
12	1 bed Flats Blocks D & E
21 (of which 3 no are wheelchair units)	2 bed Flats Blocks A, B, C & F
4	2 bed Flats Coach house
7	2 bed two-storey house
11	3 bed two-storey house
3	4 bed two-storey house
Total 58 affordable unites	

The affordable units are proposed in different parts of the site and would not be externally distinguishable from the market units in form and appearance.

It is considered that the percentage of the proposed affordable houses accord with Policies H10 and H3 of the Local Plan.

Residential Amenity, Landscape and Open Space Provision

The proposed development incorporates three areas of communal open space within the development. Two of these areas are like a village green, which includes a LEAP (Local Equipped Areas for Play with play equipment shared across the two amenity areas). One amenity area would be along the south eastern part of the smaller land parcel and the other along the eastern part of the larger land parcel. These areas are considered to provide attractive and useable open space for future residents. The aspiration of providing pockets of the play and amenity areas adds to the visual interest throughout the development. A further smaller area of open space would be provided in the south western part of the site providing an attractive outlook for residents.

The existing hedgerow along the western boundary and trees along the eastern and northern boundaries would be retained to provide a green backdrop to the development. This would also assist in screening views of the proposed houses from the adjoining countryside. The soft landscaping proposed throughout the two sites would consist of laid lawns and shrub planting along the public faces of the buildings together with extensive new tree planting across the site. The proposed boundary treatment around the site will consist of a mix of estate fencing, brick walls and close-boarded fencing. Notwithstanding this a condition is recommended requiring submission of a landscaping strategy and management of the open space and play area.

The tree survey report submitted with the application includes details of the proposed protection measures for the trees and hedgerow that are to be retained. To this end, it is recommended that an appropriate condition is imposed requiring the implementation tree and hedgerow protection measures prior to the commencement of the development.

In terms of amenity issues, it is considered that the layout and design of the proposed scheme have been well thought-out, whereby there would be little impact in terms of over shadowing loss of light, overlooking and privacy issues from property to property.

There are no objections to the proposal in terms of landscaping, open space provision and impact on amenity for both future occupiers of the site and neighbouring properties. The proposals have been designed giving careful consideration to the use of landscaping to protect the open character of the surrounding area and to create an attractive environment for residents.

It is considered that the development would provide an attractive and pedestrian friendly environment for the future residents. Internal and external amenity would meet the national and local space standards.

The application is considered to accord with the provisions set out under Local Plan Policies BNE2, BNE6, BNE22, BNE42, BNE43 and L4.

Air quality

The council has recently undertaken a public consultation on the declaration of the new AQMA at Four Elms Hill, and this is expected to be formally in place by September this year. Following this the council will have to draw up an air quality action plan, which will contain measures identified to try and improve air quality within the new AQMA. It is important that the impact that this development could have on the new AQMA is minimised and mitigated, and that the development does not affect delivery of the current and forthcoming air quality action plan measures.

Traffic associated with the proposed development is likely to pass through the new AQMA. The additional emissions created by the extra traffic movements will need to be offset/mitigated, and as a result we will require an air quality damage costs assessment and mitigation scheme to be submitted for approval, which shall be in accordance with the 2016 Medway Air Quality Planning Guidance. The mitigation scheme shall include the standard air quality mitigation set out in Section 5 of the guidance (Low NO_x boilers, electric vehicle charging points and IAQM dust mitigation). Appropriate conditions are recommended.

Noise

The noise impact assessment, reference 38353/3001, dated August 2016 is acceptable. The assessment has considered construction and operational phase noise impacts. The proposal is acceptable subject to a condition requiring the submission of a Construction Environmental Management Plan (CEMP).

The submitted noise assessment has demonstrated that it should be possible to achieve both the internal and external day time noise criteria contained within BS8233:2014 at all locations using the assumed external fabric construction. However, to achieve night time noise criteria enhanced acoustic glazing (and uprated trickle ventilation) will be required for dwellings facing Bell's Lane and Peninsula Way. Further information will be required at a later stage with respect to the glazing and ventilation to be installed. The best solution in this regard is Mechanical Ventilation with Heat Recovery (MVHR).

An appropriate condition is recommended to secure a scheme of noise mitigation measures.

Ecology

Reptile

The reptile specific survey stated that a medium population of common lizard was found with a peak count of 17 common lizards and a low population of slow worm with a peak count of 1 individual. The current site layout would not provide sufficient habitats available for the reptile population to sustain on site and therefore 2 potential off-site receptor sites have been identified: Jeskyns Community Woodland and a nature area on the Isle of Grain. The off-site receptor sites are both suitable for common lizard and slow worm, however, a presence/likely absence surveys of these sites have yet to be undertaken to gain an understanding of the existing population on site. Reptile surveys for the off-site receptor sites will start this year and will be updated next spring to confirm this year's results with the translocation exercise to start next spring

Following the recommendations from the ecologist, we are satisfied in principle that the off-site receptor site Jeskyns Woodland should provide sufficient carrying capacity for the current reptile population to be translocated to it, subject to confirmation with reptile surveys that will be carried out on the receptor site until spring 2018.

Bats

The applicants ecologist confirmed a small roost of common pipistrelle and long-eared bats in the sports and social club building; that no maternity roost is present at the development site; that 2 tree mounted bat boxes will be set up prior to demolition of the building to compensate the loss of the roosts and its location on a map has been provided; Bat activity surveys were undertaken in August and September 2016 and provide adequate assessment of the current bat activity on site; and to compensate the loss of 150 metres of hedgerows, a continuous line of trees and grassland habitat will be created, enhancing the northern boundary fence and scattered trees line

A condition to deal with the above is recommended.

Also, lighting can be detrimental to roosting, foraging and commuting bats. An outline bat lighting sensitive strategy has been detailed in the ecological report. A final lighting strategy will have to be submitted as a condition of planning permission if granted. There are some concerns about the implementation of the lighting strategy, as some dwelling's garden boundary is the hedgerows and as such residents could easily direct lights towards the sensitive bat areas. As such, the strategy will have to address this concern.

A lighting condition to deal with this issue is recommended.

Breeding birds

The site contains suitable habitat for breeding birds and all nesting birds are protected under the wildlife and countryside act 1981 (as amended). Additional nesting opportunities should be incorporated into the development to compensate nesting habitat loss (hedgerows mainly) and an appropriate informative is recommended.

In light of the above, the details submitted address ecological issues and the proposals are considered acceptable under the provisions set out under Local Plan Policies BNE37 and BNE39 and as such no objection is raised in this regard.

Highway considerations

Trip generation & highway impact

The transport assessment submitted with the application uses the TRICS trip generation database to estimate that the proposed development could generate up to 96 vehicle movements during each peak period and a total of 850 vehicle trips over the course of a day. Only around 18 trips by other modes of transport, including walking, are predicted. The Transport Assessment also estimates the way in which the trips are likely to distribute on to the local network; in this case, the vast majority of trips will distribute to and from the south. The location of the proposed access junctions is such that only a very small number of vehicles (up to 8 during each peak period) are expected to travel along the length of Bells Lane.

The Transport Assessment indicates that the development would generate up to 76 vehicle movements through the Peninsula Way/ Main Road Hoo roundabout and the Four Elms roundabout junction during each peak period. In respect of the Four Elms junction, and taking into consideration the existing traffic levels at this location, this number of additional trips is considered low and unlikely to have a material impact on the capacity of the junction. An assessment of the Bells Lane/A228 roundabout junction demonstrates that it would continue to operate well within capacity with the development in place. Highway assessments demonstrate that the Main Road Hoo/A228 roundabout junction currently operates at its theoretical capacity during the morning peak period: surveys indicate that vehicles have difficulty joining the A228 due to high westbound flows that reduce opportunities for traffic entering the roundabout from Main Road Hoo. This results in a long, slow-moving queue of vehicles backing up along Main Road Hoo from the A228 roundabout, which is generally at its worst between 0815 and 0830. In order to improve the operation of the junction, the local Highway Authority aspires to construct a segregated left-turn lane from Main Road Hoo, which would merge on to the southbound A228. With this in place, traffic modelling demonstrates that the junction would operate comfortably within capacity during the morning peak period, with no queuing back along Main Road Hoo. The additional peak hour movements generated by the proposed development would exacerbate the existing capacity problems and, on this basis, a Section 106 contribution of £60,000 towards highway improvements at this location is requested.

In light of the above, it is considered that the application would not have a detrimental impact on conditions of highway safety and capacity, and no objection is raised in respect of Policy T1 of the Medway Local Plan

Access & internal layout

Three points of access are proposed, comprising two priority junctions with the Ratcliffe Highway and one priority junction with Bells Lane. All proposed junctions

would have adequate visibility commensurate with the speed limit. Within the visibility splays, all landscaping would be maintained at a maximum height of 600mm so as not to obstruct sightlines. All of the land within the visibility splays is highways land. The proposed vehicular access through the site will be by means of an access road provided to a minimum width of 4.8 metres with a footway of 2.0m. The access roads lead to areas of shared surface also provided to a width of 4.1m.

Swept path analysis demonstrates that large vehicles would be able to access the site and manoeuvre satisfactorily. Refuse collection vehicles would be able to turn within the turning head at the end of the internal access road, thereby minimising the need for refuse vehicle manoeuvres and allowing collection by operatives with a carry distance no greater than 25 metres.

Overall, it is considered that the access arrangements are acceptable and accord with Policy T2 of the Medway Local Plan.

Parking

The Council's Parking Standards indicate that the proposed development should provide a minimum of 464 parking spaces. A total of 492 spaces is proposed, comprising 312 allocated parking spaces, 66 car ports, 29 garages, 3 disabled parking spaces, 30 unallocated residential parking spaces and 58 visitor parking bays. Furthermore, within the demise of the site is a separate allocation for the Bowls club of 29 parking spaces bringing the site parking total to 521 spaces. It is therefore considered that the application provides adequate car parking provision within the site and overspill parking on to Bells Lane or other residential within the vicinity of the site is very unlikely to occur. On this basis, no objection is raised in respect of Policy T13 of the Medway Local Plan.

Sustainable Travel

The development sites are connected to the village centre by footways, with uncontrolled crossing points provided at side road junctions. The application includes the provision of a raised table over Bells Lane and the site access junction. This feature, which could be constructed from blocks or imprinted tarmac, would provide a gateway feature into the residential area, slowing traffic and providing a level surface connecting the footways on each side of the road. The table has been subject to a Road Safety Audit, which highlighted the need to make sure that the ramps are suitable for buses. This issue would be addressed at the detailed design stage. It is recommended that the raised table be secured by planning condition or through the Section 106 agreement, with details first submitted to the Local Planning Authority for approval. It is suggested the raised table be constructed prior to occupation of the 75th dwelling. It is also recommended that details of uncontrolled pedestrian crossing facilities within the site be secured by planning condition.

Archaeological and Heritage Assessment

An archaeological desk top study submitted has been assessed by the KCC archaeological officer and he has asked for a condition to be imposed so that proper assessment can be carried out prior to the commencement of the development.

Also, there is a grade II listed WW II pillbox just outside the southeast corner of the application site. To ensure that the development would not adversely impact on the setting of this listed building the original layout plan has been amended to keep the area around the pillbox clear of any fence, structure or residential curtilage.

The revised layout plan allows the pillbox to be seen as part of wider landscape setting and its importance be appreciated by the local residents and members of the public.

The revised proposal is considered acceptable by KCC archaeological officer and the Council Conservation Officer. It is considered that the development would comply with Policies BNE18 and BNE21 of the Local Plan.

Public Rights /of Way/Pedestrian Access

The proposed layout of the scheme has been designed to incorporate a series of pedestrian routes through the two sites in order to allow future residents be able to enjoy all the amenity and play provisions. Also, pedestrian access from both land parcels to Bell's Lane would provide easy access to the nearby bus shelter on Bells Lane. There is also a Bridleway along the eastern boundary of the small site. The proposed layout of the smaller site shows a footpath linking the development to this bridleway. There is no objection to the retention and diversion of this existing access.

To facilitate safer access to the Deangate sports facility to the north a controlled toucan cross has also been proposed across the A228 and will be secured through the S106 recommended.

There are no objections to this proposal under the provisions of Local Plan Policy T3.

Waste Management

A refuse strategy has been prepared and submitted as part of this application. The proposed scheme has been tracked in respect of refuse vehicle movements to demonstrate that a refuse vehicle can enter and exit the site in a forward gear in accordance with the recommended refuse collection standards. All plots will benefit from bin storage immediately within their respective plot. Flat blocks would have a communal refuse storage facility. There is no objection to the refuse and servicing details submitted.

Flood Risk and Surface water

A flood risk and drainage strategy report has been submitted for this development surface. The proposed strategy suggests discharge of rain water to an existing surface water system as infiltration is not possible at the site due to its geology, and there are no watercourses nearby.

Therefore it is proposed to construct two "balancing ponds" (one on each half of the site). These are designed so that attenuated surface water can back-up into the ponds via a cellular tank located beneath. Surface water will also enter the ponds directly via the domestic drainage system.

The proposed strategy shows modelled locations where flooding will occur should the worst case 1 in 100 year storm plus 40% climate change allowance be exceeded.

It is considered that the proposed scheme would be better met via the inclusion of swales in place of underground modular storage units. These areas promote the treatment of runoff, as well as contributing towards landscaping objectives across the site.

However there may need to be some flexibility concerning the design of the SuDs and the provision of open space and play areas. This may be achieved via the provision of one open water feature area as opposed to two.

A maintenance regime has been submitted which details a maintenance schedule for the permeable paving and it is understood that the maintenance will also extend to the tanked porous paving in domestic vehicular areas. It is understood that the attenuated runoff will then discharge into a new offsite sewer and that this will join the existing system which discharges to an existing wetland area off site.

To deal with the management and maintenance of the proposed SuDs ponds and any associated landscaping a condition is recommended.

Local residents have raised concern that the existing sewer system has no additional capacity to deal with this development and following a rain fall the system overflows.

In response, the proposed strategy would build capacity on site to deal with rain fall 1 in 100 year plus 40% allowance. The issue of the capacity in the receiving system has been taken into account which is why it is proposed by Southern Water that flows are discharged at a certain rate. Therefore, should there be any concerns regarding this, local residents should contact Southern Water as they are also consultees for the drainage scheme and have agreed the discharge rate and location of the connection.

In light of the above the proposed surface water strategy is considered acceptable.

Response to Sport England.

Sport England have objected to the development on the basis that the proposal will result in loss of an existing playing field. They have also required that any resolution to approve should include a referral to the Secretary of State

It is considered that Sport England has on the one hand misunderstood the history of the BAE sport field (the application sites), who own the facilities and how this site has been used prior to its closure in 2014 and on the other hand misinterpreted the Circular.

According to the applicant and information available, the playing fields on the application sites were used by a number of football clubs and a work based cricket team. The site was last used by BAE Systems Sport and Social Club as a private members club which offered a range of facilities including sports until it closed in 2014.

Paragraph 7 of the directives states:-

For the purposes of this Direction, “playing field development” means development of a description mentioned in paragraph (z) of the Table2 in article 10 of the Order where

- (a) the land (or any part of the land) which is the subject of the application;
 - (i) is land of a local authority; or
 - (ii) is currently used by an educational institution as a playing field; or
 - (iii) has at any time in the five years before the application is received been used by an educational institution as a playing field; and
- (b) the English Sports Council (“Sport England”) has been consulted pursuant to article 10(1) of the Order, and has made representations objecting to the whole or part of the development on one or more of the following grounds;
 - (i) that there is a deficiency in the provision of playing fields in the area of the local authority concerned;
 - (ii) that the proposed development would result in such a deficiency; or
 - (iii) that where the proposed development involves a loss of a playing field and an alternative or replacement playing field is proposed to be provided, that alternative or replacement does not match (whether in quantity, quality or accessibility) that which would be lost.

Having regard to the information available, the application sites do not meet the requirements of (a)(i)(ii) and (iii) of the Directive, as the land is not within the ownership of a local authority, it has been closed since 2014, therefore is not currently used by an educational institution as a playing field and finally the site has not at any time in the five years before the submission of the application been used by an educational institution as a playing field.

Information available indicates that the sites were used by various football groups. This has also been mentioned by Sport England in their comments. These groups cannot be classified as “educational Institutions”. As such the criteria in paragraph 7(a)(iii) is also not met.

Having regard to the above, it is concluded that there is no requirement to refer any approval to the Secretary of State. Notwithstanding this the S106 agreement proposed will include for a toucan crossing over the A228 to improve pedestrian access to Deangate and a significant contribution towards open space/sports improvements at Deangate.

Bird Mitigation

As the application site is within 6km of the North Kent Marshes SPA/Ramsar Sites, the proposed development is likely to have a significant effect, either alone or in-combination, on the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites from recreational disturbance on the over-wintering bird interest. Natural England has advised that an appropriate tariff of £223.58 per dwelling (excluding legal and monitoring officer’s costs, which separately total £550) should be collected to fund

strategic measures across the Thames, Medway and Swale Estuaries. The strategic measures are in the process of being developed, but are likely to be in accordance with the Category A measures identified in the Thames, Medway & Swale Estuaries Strategic Access Management and Monitoring Strategy (SAMM) produced by Footprint Ecology in July 2014. The interim tariff stated above should be collected for new dwellings, either as new builds or conversions (which includes HMOs and student accommodation), in anticipation of:

An administrative body being identified to manage the strategic tariff collected by the local authorities;

- A memorandum of understanding or legal agreement between the local authorities and administrative body to underpin the strategic approach;
- Ensure that a delivery mechanism for the agreed SAMM measures is secured and the SAMM strategy is being implemented from the first occupation of the dwellings, proportionate to the level of the housing development.

The applicants have agreed to pay this tariff and have agreed that this be included within the S106 process. No objection is therefore raised under Paragraphs 109 and 118 of the NPPF and Policies S6 and BNE35 of the Local Plan.

S106 Matters

The Community Infrastructure Levy Regulations 2010 provide that in relation to any decision on whether or not to grant planning permission to be made after 6 April 2010, a planning obligation (a s106 agreement) may only be taken in to account if the obligation is (a) necessary to make the development acceptable in planning terms;(b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development. The obligations proposed to comply with these tests because they are necessary to make the development acceptable in planning terms, they are directly related to the development and are fair and reasonable in scale and kind. The following contributions are sought:

A Section 106 Agreement under the terms of the Town and Country Planning Act 1990 to secure the following developer's contributions:

- i) 25% Affordable Housing on site: equating to 58 dwellings
- ii) Installation of a toucan crossing across A228 at the junction with Bells Land to facilitate a safe crossing to Deangate sports grounds.
- iii) Make a financial contribution of £2,322,388.72 in total to be divided and spent in the following areas

- Education and Nursery:

Nursery School	Hundred of Hoo Academy	£178,713.60
Primary School primary phase 2	Hundred of Hoo Academy	£379,962.51

Secondary School Hundred of Hoo Academy	£323,671.77
• NHS	
To be spent on surgeries Hoo St Werburgh with their planned development of securing premises fit for purpose to manage the additional cohort of patients depending on patient needs.	£108,564.40
• Green space	
To offset insufficient on site Green Space provision	£544,583.80
To replace the loss of existing on site open space provision,	£530,000.00
• Waste and recycling	
Towards renewal programme of bins at Cuxton HWRC	£36,062.08
• To provide household containers for the collection of recycling – use once bags and 240ltr wheeled brown bins to each property for the collection of food and garden waste	
• To provide information for residents regarding services provided including pest control, recycling information.	
• Birds Disturbance Mitigation contribution	£51,870.56
• Great Lines Heritage Park	£28,988.00
• Highway Improvement	£60,000.00
• Towards improvement at the A228 Peninsula Way junction with Main Road, Hoo.	
• Community facility	£79,972.00
• Towards a new community centre for Hoo Parish	

Conclusions and Reasons for Approval

It is considered that the sports facilities on the application sites have not been available to the public and these facilities have also been closed since 2014. Moreover, based on the 2012 play pitch survey, there is a surplus provision in Hoo area. To offset the loss of protected open space the applicant has agreed to make a financial contribution under section 106 so the loss of open space is remedied elsewhere in the vicinity.

The NPPF states that with a presumption in favour of sustainable development means that where the development plan is absent or out of date planning permission should

be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

The application sites are adjacent to a large settlement with access to essential facilities and as such the development would be in a very sustainable location.

To offset the impact of the development on the existing infrastructure developer contributions have been proposed under section 106.

The development is acceptable in relation to the mix of dwellings, impact on local residential amenity including daylight, sunlight, outlook and privacy. The proposal will provide a good standard of residential accommodation for the future occupiers.

The proposed 232 dwellings at 34.5dph is in keeping with the density level of development to the south and is considered to be of high-quality design and layout with a satisfactory level of onsite car parking provision. The proposal will retain a substantial part of the existing hedge and trees and add extensive landscaping to soften the hard edge of the development when viewed from the adjoining properties and countryside.

This proposal will deliver a much needed mix of market and affordable dwellings of different sizes, types and tenure required to meet the needs of a mixed community in a quality an attractive environment and will assist in delivering and enhance infrastructure in the locality. The proposal is considered to be in compliance with Policies S1, S6, BNE1, BNE2, BNE6, BNE18, BNE21, BNE22, BNE24, BNE35, BNE37, BNE39,, BNE42, BNE43, L3, L4, H3, H10, T1, T3, T2, T13 and paragraphs 7, 8, 14, 47, 49, 73, 74 and 132 of the NPPF.

This application would normally be determined under delegated authority, but is being reported to planning committee due to the sensitivity of the site and extent of local interest.

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/>