

MC/17/2542

Date Received: 19 July, 2017

Location: The Old Archdeaconry, The Precinct, Rochester ME1 1SX

Proposal: Change of use from C3 (Dwelling) to C1 (Hotel) including extensions and alterations and the construction of guest suites

Applicant: Sophrosyne Ltd

Agent: Mr Andrew Petty Andrew Petty Architects 7 Fennel Close  
Rochester ME1 1LW

Ward Rochester West

Case Officer Majid Harouni

Contact Number 01634 331700

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**Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 20 December 2017.**

**Recommendation – Approval subject to;**

A. The applicant signing a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 to secure habitats mitigation contribution of £2,906.28.

B. Impose the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

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

APA-133 P-01B, APA-133 P-02, APA-133 P-03, APA-133 P-04B, APA-133 P-05A, APA-133 P-06A, APA-133 P-07, APA-133 P-08C, APA-133 P-09B, APA-133 P-10, APA-133 P-11B, APA-133 P-12A, APA-133 P-13, APA-133 P-14, APA-133 P-15, APA-133 P- D-01A, APA-133 P- D-02, APA-133 P- D-03, APA-133 P- D-04, APA-133 P- D-05, APA-133 P-GR.01 C, APA-133 P-GR.02 A, APA-133 P-GR.03 A, APA-133 P-GR.04 A, APA-133 P-GR.05 B,

APA-133 P-GR.06, APA-133 P-GR.07 B, APA-133 Dem-01 A, APA-133 Dem-02. Received 19/07/17, 29/08/17, 20/09/17, 21/09/17 and 25/09/17.

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

3 No development shall take place until details with respect to the followings have been submitted to and approved in writing by the Local Planning Authority.

- Piling method statement for the proposed basement.
- Method Statement of details of underpinning to walls approved by structural engineer
- Details of how junctions of external glazed link will be fixed and weathered against existing fabric.
- Details at scale of 1:20 of the proposed new level floor to stairs and disabled WC area to show reversibility.
- Details at scale of 1:20 of the proposed Barrel hatch / cover to front of house.
- Details at scale of 1:20 of the annotated and cross referenced elevations of all new windows / shutters and doors and those proposed for alteration.
- Details at scale of 1:10 of new mouldings - architrave and skirting's. These shall be cross referenced to floor plans and annotated accordingly.
- Schedule of proposed secondary glazing to windows including proposed design types for each window
- Details at scale of 1:10 of upgrading walls for soundproofing including thermal upgrades where required.
- Sample panels, one for repair to main house and the other for new build Garden Room suites containing proposed bricks for repairs and also new build identifying bond styles and pointing finish no less than 0.5m<sup>2</sup> shall be prepared for viewing on site close and comparison with existing and approval in writing by the Local Planning Authority Conservation Officer.
- Samples of proposed tiles, shingles, boarding for new build and repairs including vent bricks and tiles.
- Sample of materials proposed surface for finish to front of house.
- Samples / details of materials proposed to be used externally for

surface finishes.

- Details at scale 1:20 of the design of railing within the front forecourt/garden area of the property.

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

Reason: To ensure that the appearance and integrity of this grade II listed building is protected and to ensure that the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policies BNE1, BNE17, BNE20 and BNE21 of the Medway Local Plan 2003.

- 4 No development shall take place until details of the proposed slab levels of the buildings and the existing site levels have been submitted to and approved in writing by the Local Planning Authority and the development shall be completed strictly in accordance with the approved levels.

Reason: In order to secure a satisfactory form of development having regard to the topography of the site and in the interests of amenity and protection of setting of the listed building and compliance with Policies BNE2 and BNE18 of the Local Plan

- 5 The development shall not commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, using indigenous species which shall include wildlife friendly plants to benefit invertebrates, birds and bats. The landscape scheme shall be designed to provide for the following:

- (i) Location, species and size of all new trees and shrubs to be planted;
- (ii) Native planting on forecourt area on The Precinct Street frontage;

Reason: To ensure a satisfactory external appearance to the development, conservation area and in the interests of biodiversity and compliance with Policies BNE12 and BNE37 of the Local Plan.

- 6 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of 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 Policies BNE1 and BNE6 of the Medway Local Plan 2003.

- 7 Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of: hours of construction working; measures to control noise affecting nearby residents; wheel cleaning/chassis cleaning facilities; dust control measures; pollution incident control and site contact details in case of complaints. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

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

- 8 Prior to the commencement of the development hereby permitted, a scheme for the extraction and treatment of cooking fumes, including details for the control of noise and vibration from the system, shall be submitted and approved in writing by the Local Planning Authority. Noise from the extraction system (LAeq,T) shall be at least 10dB(A) below the background noise level (LA90,T) at the nearest residential facade, when assessed in accordance with BS4142:2014. The approved scheme shall be implemented before the development is brought into use and thereafter be maintained in accordance with the approved details.

Reason: In the interests of amenity of the area and in compliance with Policy BNE2 of the Local Plan.

- 9 The development shall not commence until details of the installation of a mixture of bird bricks /boxes, to be installed on the rear aspect of the garden suites and within the rear garden area have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the first occupation of the premises and all features shall be retained in that manner thereafter.

Reason: To protect and enhance biodiversity and in compliance with Policy BNE37 of the Local Plan.

- 10 The building shall not be occupied, until the area shown on the submitted layout drawing APA-133 P01 B as vehicle parking space and bicycle storage have been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude the use of these areas for parking of vehicles or the storage of bikes.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking and to accord with Policies T13 and T4 of the Local Plan.

- 11 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 ensure that features of archaeological interest are properly examined and recorded in compliance with Policy BNE21 of the Local Plan.

- 12 The Associated bar and restaurant facilities of the hotel development hereby approved shall not be open to none residents after the hours of 22:30 and before 08:30 hours Monday to Sunday inclusive.

Reason: In the interest of amenities and in compliance with Policy BNE2 of the Local Plan.

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

## **Proposal**

This application is for a change of use of this grade II listed dwelling house (C3 residential use) to create a bespoke boutique hotel (C1 Hotel) including extensions and alterations and the construction of guest suites to provide 9no bedrooms within the main building and the erection of 5 guest units, along with associated restaurant, bar and public rooms. The proposal includes the creation of a basement room, the construction of a glazed link and breakfast room, rear ground and first floor extensions, various internal alterations, the erection of 5no guest suites units along the southern boundary in the rear garden area, and provision of detached plant room, bicycle storage building and refuse bin along the south eastern corner of the site and two car parking spaces (a disabled and a drop off and pick up space) in the front garden area.

The proposed comprises:

- Extending the building in several locations, excavating a basement and constructing five garden room suites buildings. Internal alterations would include the demolition of a secondary stairs and reconfiguration largely at ground floor level of the interior to rationalise it for hotel use.
- The garden room suites along the (unlisted) southern garden wall will be wheelchair accessible.
- The large rear extension includes the demolition of 20th century cloakroom out buildings and an early to mid-19th century scullery yard wall. This new extension will provide a new breakfast/ restaurant room with a glazed link from the house.
- Construction of a basement area underneath the ground floor extension to provide toilet facilities and a staff room.

- Construction of a side extension along the north of the house adjoining the early to mid 19<sup>th</sup> century service wing to provide cold room for the storage of dry goods and plant.
- First floor extension to remove and replace a projecting bathroom.
- Internally works involve; some demolition and reconfiguration throughout the building to provide 9 no separate rooms. The bulk of the demolition would be to the rear and in the northern part of the building, including the removal of various partitions and the creation of new openings to provide new en-suite bathrooms for all the bedrooms and the removal of several cupboard spaces.
- Provision of detached shelter buildings for bicycle and plant facilities.
- Provision of refuse storage along the south east corner of the main building.

### **Relevant Planning History**

MC/17/2543	Conversion of the building from C3 to C1(Hotel) and erection of extension and new garden suites with associated restaurant and bar On this agenda
MC/14/0068	Conversion of north wing to two flats and construction of a single storey rear extension Decision Approval With Conditions Decided 20/03/2014
MC/14/0055	Listed building consent for construction of a single storey rear extension and various internal and external alterations Decision Approval With Conditions Decided 20/03/2014
MC/09/0799	Formation of a self contained flat on the first floor Decision Approval with Conditions Decided 29/07/2009
MC/09/0739	Listed building consent for minor internal and external alterations including removal of partition, doors and frames to first floor; and alteration to chimney breast and blocking of door to second floor Decision Approval with Conditions Decided 22/07/2009
MC/04/2477	Siting of a greenhouse in rear garden Decision Approval with Conditions Decided 30/12/2004
MC/00/1619	Listed Building Consent to facilitate conversion of integral garage into kitchen; insertion of two windows at ground floor level together with demolition and rebuilding of existing chimney to north roof slope. Decision Approval with Conditions Decided 20/12/2000

MC/00/1616

Conversion of integral garage into habitable accommodation.

Decision Approval with Conditions

Decided 02/01/2001

## **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.

**4 letters** have been received expressing the following concerns:

- This is a grade II listed building, the proposed development in some aspect is not totally in keeping with and sympathetic to the existing conservation area, local environment, street scene and surrounding area.
- The proposal would generate parking demand and there is not adequate on site car parking and the adjoining roads have parking restriction for non-residents/permit holders.
- This is a speculative application with little thought being given to the merits of the existing building and surrounding area.
- The proposal is an over intensive use of the site.

**City of Rochester Society** objects on the following grounds:

- Loss of existing on-site parking facilities.
- The features and character of the listed building do not offer themselves for the increased insulation and fire proofing actions necessary to facilitate the proposed use.
- Noise generation
- The proposal is contrary to the local plan policies for historic Rochester that seek to protect this exceptional area from unsuitable incompatible development.

**Historic England** comment that the Old Archdeaconry is a multiphase Grade II listed house built for the archdeacons of Rochester. The original house was a three room cross passage plan timber framed building constructed in the mid-17th century for Archdeacon Lee. Several phases of additions quickly and steadily followed with additions dating from the late 17th through to the 20th century. The house is particularly fine and may merit more than its Grade II status, primarily as the interior of the building is of high quality and much of it survives. This is especially the case for the handsome early 18th century open well stairs and the later 18th century Adam style rooms, which remain largely unaltered and display a high level of workmanship. The multiple phases and architectural styles found inside are of interest as evidence of how the house was adapted and expanded as expectations, fashions and needs of different incumbents changed. The historic interest of the house is enhanced thanks to extensive records which make it possible to trace all of the occupants of the house and allocate different building phases to individual archdeacons.

The walls to the Old Archdeaconry's garden incorporate part of the medieval city walls of Rochester, which is a Scheduled Monument, and an early garden wall dating from the 17th to 19th centuries made of clunch, ragstone rubble and brick upper courses, which is listed grade II in its own right and important primarily due to its age and aesthetic qualities.

HE is supportive in principle of the conversion of the building from residential to hotel use. Indeed, we feel that keeping the building in one use is preferable to dividing it into a flat and school office space, as per the previous consent from 2007. We do not have particular concerns regarding either the concept or design of the garden rooms or of the principle of a breakfast room extension as we understand the need for further accommodation to make the hotel viable and we feel that the garden rooms are a good way of providing this. The different architectural styles and low roof pitches of the garden rooms which set back from the house allow for extra space while creating a series of modern buildings which draw on local architectural styles and give the impression of buildings which have been built over time. While the new breakfast room extension is large, it remains subordinate to the main house and will obscure as little as possible of the rear façade. The construction of the extension and glazed link will allow for the removal of 20th century accretions to the rear which have had a negative impact on the house. The removal of the 20th century cloakroom which cuts across a fine carved Georgian door case flanked by windows is particularly welcome as this would restore the balance to this element of the rear façade.

Nevertheless, there are a number of areas in this proposal where we have concerns as they would harm the significance of the building. HE then goes on to explain in detail their areas of concern

**The applicant** has amended the proposal to address the concerns of Historic England.

**Historic England** in response to the amended plans no longer has any concerns about the proposed development and advises that they are encouraged to see that the majority of our comments made have been incorporated into the amendments for this scheme.

The justification for the proposed double doors from the rear Adam's style room through to the glazed link has been further elaborated in the architect's email accompanying the amendments. We feel that the alterations have been convincingly justified and therefore the need to have an opening between the glazed link and the public room to facilitate the service flow is accepted.

Historic England supports the applications on heritage grounds and considers that the applications meet the requirements of the NPPF, in particular paragraph numbers 132 and 134.

In determining these applications LPA should have regard to the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.



**KCC Archaeology** advise that the proposed development site is clearly of considerable archaeological interest. The applicant has submitted satisfactory desk based assessment and has undertaken site excavation and evaluation. It is considered that any further archaeological measures necessary can be carried out post-determination subject to an appropriately worded planning condition.

**KCC Ecology** advise that during the emergence survey and inspection of the loft space and trees in the garden, no indication of bats being present were found in this property.

## **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**

### *Principle of Change of use of a dwelling house to a hotel*

The site is within urban area of Rochester and the principle of change of use of existing dwellings is considered acceptable under policy H2(i) of the Medway Local Plan 2003 (the Local Plan) provided it can be demonstrated that the existing building is not suitable for continued use for residential purposes.

The application site is very large house and in its current form is not suited for the needs of a family home given its warren like connections due to the historical development of the house and it has been vacant since 2014. It also requires substantial investment to make it suitable for modern living.

Having regard to the above it is considered that the application building is not suitable for use as a single dwelling house and its conversion to a small hotel would comply with Policy H2(i) of the Local Plan.

The application site is within short walking distance to Rochester town centre and Policy ED13(iv) and (v) of the local plan also supports the development of new hotel facilities where they are well related to Strood, Rochester, Gillingham or Rainham town centres or they would positively contribute to the regeneration and renewal of a larger site or area within the defined urban boundary. The proposal would add to the range of tourism offer in Rochester.

Paragraphs 18 and 19 of the NPPF also encourage sustainable economic growth to create jobs and prosperity.

Historic England is supportive of the principle of the proposed conversion of the building from residential use to a hotel use as this would help to keeping the building in one use which is preferable to dividing it into a number of flats or to school office space.

The proposed conversion is considered appropriate within the context of Rochester urban and town centre location that has access to excellent public transport and tourist attraction areas. There is therefore no in principle objection to the proposed use as it would complement other uses and be in compliance with the policies H2(i) and ED13(vi) and (v) of the Local Plan and indeed, the National Planning Policy Framework promotes such uses in the interests of sustainability and economic growth and employment generation.

#### *Erection of new extensions and new garden suites and impact on the heritage assets*

It is specifically set out in s.16 and s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that the Council must have special regard to the desirability of preserving the listed structures, their settings or any features of special architectural or historic interest which they possess. The main issues for consideration are the impact of the proposed change of use on the fabric, character and appearance of the listed building and the erection of new extensions and garden suites on the setting of the listed building.

The NPPF in paragraphs 134 and 137 respectively state that:

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."

"Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably."

Furthermore, bullet point one of paragraph 126 of the NPPF states:

...local planning authorities should take into account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

The proposed garden room suites, together with the rear and side extensions as well as the internal alterations proposed have been assessed by the Council's conservation officer and Historic England and they do not have particular concerns regarding either the concept or design of these additions or of the principle of the development. Historic England has stated that:

"We understand the need for further accommodation to make the hotel viable and we feel that the garden rooms are a good way of providing this. The different architectural styles and low roof pitches of the garden rooms which set back from the house allow for extra space while creating a series of modern buildings which draw on local architectural styles and give the impression of buildings which have been built over time. While the new breakfast room extension is large, it remains subordinate to the main house proportionate and the construction of the glazed link extension will allow

for the removal of 20th century accretions to the rear which have had a negative impact on the house. The removal of the 20th century cloakroom which cuts across a fine carved Georgian door case flanked by windows is particularly welcome as this would restore the balance to this element of the rear façade.”

The proposed glazed link extension although would be incorporated into the overall rear design, is a significant element on its own and should be noted on its own merit. This simple glass structure is proposed to link the Function Room 2 to the restaurant. The design has been done in a manner to reduce the perceived scale and mass of the extension and as a result avoid any interaction with the finely detailed Georgian door surround.

The rear extension works would provide the opportunity to remove the unsightly 20th century cloakrooms. These awkwardly straddle the junction of the Georgian rear entrance hall and the stair tower that have damaged the timber door-case. By removing these elements, restoring the door case and providing a glass enclosure, the significance of this historic piece of joinery will be better revealed and appreciated and the enclosure will offer protection to this whilst not obscuring views of it.

The side extension would be located in the north yard which is surrounded by the 1960's school building. The extension would be small in scale and largely hidden by the existing yard wall with only the pitched lead roof visible. The extract ductwork from the kitchen would be discharged at high level and appear as a chimney as it would be encased in brickwork - three clay pots will conceal metal liners at the top. This approach is very much in keeping with the character of the existing house which has numerous chimneys and as a result balances the elevation thereby enhancing the appearance. Externally mounted soil and vent pipes and other waste pipes would be removed or internalised as part of the works further enhancing the appearance.

Two windows on the northern flank elevation would be removed and the openings used to create access to the side extension. This loss has been balanced against the gain of retaining one of the windows and installing it on the east elevation at first floor, which greatly improves the balance of fenestration.

As such therefore it is considered that the proposal would relate well with the external and internal aspects of this listed building and would be sympathetic with the character and appearance of the building subject to the use of appropriate materials.

Furthermore, the proposed development would improve the internal and external character and appearance of the building, would ensure that this listed building is preserved and protected for the future generations, which in turn would lead to an improvement of the locality and would be in compliance with policy BNE17 of the Local Plan.

The introduction of garden suites to provide 5 additional hotel accommodation units on the southern side of the garden of this listed building would help to achieve a design that safeguards the setting of the listed building, listed wall to the west and the character of the area generally.

The new garden rooms will be slightly sunk into this area via an existing small bank which will hide the Davies Court elevation with a more attractive building of a design and scale more suited to its location and also helps in reducing its perceived height. They are positioned in line with the south passage adjacent to the house, not projecting significantly thereby leaving the rear elevation of the south wing unobscured. The garden rooms will be set well clear of the rear boundary wall to minimise impact on the Grade II listed wall.

The proposals also involve erection of a bicycle shelter and a plant shelter and refuse storage facility along the southern flank of the house. These would be located behind an existing 1.8m tall gate and as such they would not be visible from the highway or surrounding area. These timber structures would be detached from the listed building and would not detract from the setting or character of the listed building.

It is considered that the scale, design and siting of the new garden suites are appropriate and will not result in harm to the setting of the listed building, listed wall, Scheduled Ancient Monument or the character of the conservation area and would be in compliance with Policies BNE12, BNE18 and BNE 20 of the local plan and would meet the requirements of Paragraphs 132 to 134 of the NPPF.

*The impact of the proposals on the residential amenities of surrounding properties and the future residents of the proposed Hotel*

The application site is enclosed from north and south by buildings associated with Rochester School and from east by St Margaret's St., west by The Precinct and the Vines. As such the nearest residential units are some distance away on the opposite side of the road in The Precinct. In addition given the activities associated with the school use and pedestrian movements associated with the Vines, it is considered having regard to the modest number of the bedrooms of the proposed hotel, it would not have significant impact upon the living conditions of any local resident.

It is also considered that given the size of the hotel it is unlikely that the proposal would result in large numbers of visitors to arrive or depart in the late evening or early morning that could potentially cause disturbance to the nearby residential occupiers.

The proposed associated bar and restaurant would predominately cater for the in house guest and as such the number of external customers would not be significant and thereby not cause additional disturbance and harm to the amenities of the local residents.

To address potential harm to the local residents during the construction period due to noise, dust and vibration from piling, a Construction Environmental Management Plan (CEMP condition is recommended.

It is not considered that the proposed new garden suites, the proposed extension nor the internal alterations works would cause significant harm in terms of loss of privacy and being overbearing.

Having regard to the above it is considered that the proposed development would be in compliance with Policy BNE2 of the Local Plan.

### *Highways and parking*

The application site is within short walking distance of Rochester High Street and Rochester Railway Station and has good access to public transport.

The proposal makes provision for two onsite car parking spaces, provision for bicycle storage facility and has submitted a travel plan that encourages use of public transport and parking in the local public car park, like multi-storey parking facility at Rochester Railway station.

Chapter 4 of the NPPF seeks to promote sustainable transport. It indicates that a modal change towards public transport should be encouraged and that the pattern of development should be managed to encourage developments to the most suitable locations

Having regard to the small scale of this hotel development, its location close to the City Centre and public transport and being within a short walking distance to local facilities, it is considered that the proposal is located in a very sustainable location.

The application proposes one parking space for drop-off and a disabled parking space. There are parking restrictions in the vicinity of the site and therefore overspill parking from the proposed development is unlikely to have an impact on the free-flow of traffic. Having regard to the above there is no objection to the proposal with respect to parking or highway issues. It is considered that the proposal would be in compliance with Policies T1, T4, T13 and T22 of the local Plan.

### *Archaeology*

The site is of archaeological interests. The KCC archaeological officer considered the information submitted to be satisfactory at this stage and recommends a condition to be imposed in order to secure the implementation of a programme of archaeological work in accordance with a written specification and timetable approved by the Local Planning Authority. Subject to this the proposal is in compliance with Local Plan policy BNE21.

### *Ecology*

The applicant submitted a bat survey in compliance with Policy BNE39. This study did not find any sign of bats.

One of the principles of the NPPF is that “*opportunities to incorporate biodiversity in and around developments should be encouraged*”. In this regard it is recommended that a condition be imposed requiring provision of bird nesting features to be incorporated into the rear aspects of the new garden suites in compliance with Policy BNE 37 of the Local Plan.

### *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. The applicants have agreed to pay the tariff and have/are in the process of submitted/submitted a unilateral undertaking. No objection is therefore raised under Paragraphs 109 and 118 of the NPPF and Policies S6 and BNE35 of the Local Plan.

### *Local Finance Considerations*

None

### **Conclusions and Reasons for Approval**

The recommendation for approval is in conformity with the views of Historic England and the Conservation Officer. It has been demonstrated that loss of residential unit in this location would be acceptable given the size of the building and importance of preserving a heritage asset. A hotel of this scale and type in this location would not be harmful to the character, appearance and setting of this grade II listed building and would provide employment opportunities and economic benefits at both the construction and operational stage on a level that the current situation would not be able to achieve. This is considered as a strong economic benefit in line with paragraph 7 of the NPPF, supporting growth for the borough and adding vitality to the near by town centre. The proposal would also assist in bringing this important land mark listed building back into use for the community, playing a social role in terms of sustainability by supporting strong and vibrant communities and improving the biodiversity on the site would contribute to enhancing the built environment in terms of an environmental role.

In addition, this sustainably located development would not have an adverse impact upon residential amenity; highway safety; and biodiversity; and it would make a positive contribution to the local character and distinctiveness of the area. It is therefore considered that this proposal is in compliance with Policies of H2, ED13, BNE1, BNE2, BNE12, BNE17, BNE18, BNE20, BNE21, BNE37, BNE39, T1, T2, T4, T13 and T22 of the Local Plan and the NPPF and is acceptable. The application is therefore recommend for approval subject to a section 106 unilateral undertaking and appropriate planning conditions.

The application would normally fall under Officer Delegated powers for determination, but is being reported to Committee due to the number of representations received expressing a view contrary to the recommendation.

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### **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/>