

MC/17/4057

Date Received: 23 November 2017

Location: 1 Old Road Chatham ME4 6BJ

Proposal: Outline application with some matters reserved (landscaping) for the construction of 14 residential apartments with associated parking

Applicant G Wakeman

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Maidstone
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Ward: Chatham Central Ward

Case Officer: Tom Stubbs

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 6th June 2018.

Recommendation - Approval subject to:

- A. The applicant entering into a legal agreement under the terms of Section 106 of the Town and Country Planning Act 1990 to secure:
- i. £14,960.00 on improvements at Victoria Gardens and/or Perry Street and /or Chalk Pit Open Space
 - ii. £3,498.60 towards the repair and maintenance of footpaths adjacent to Chatham Naval Memorial.
 - iii. £6,551.30 towards improvements to Bryant Street Surgery Chatham.
 - iv. £15,641.60 towards Nursery (£1,996.80) and Primary (£5,990.40) at Greenvale Infant School and Victory Academy (£7,654.40).
 - v. £3,130.12 towards strategic measures in respect of the coastal North Kent Special Protection Area.
 - vi. Meeting the Council's costs.
- B. Subject to the following conditions;

- 1 Approval of the details of the landscaping (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

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

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

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

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

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

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

Drawing numbers 17-22-24 and 17-22-25 received on 23 November 2017 and drawing numbers 17-22-22 Rev A, 17-22-23 Rev B, 17-22-26 Rev A, 17-22-27 Rev A and 17-22-28 Rev A received on 22 February 2018.

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

- 5 Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 6 to 8 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified in writing by the Local Planning Authority until condition 7 has been complied with in relation to that contamination.

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

- 6 No development shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, including risks to groundwater, whether or not it originates on the site. The scheme shall be submitted to and approved in

writing by the Local Planning Authority prior to commencement of the development. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The report of the findings must include:

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

(ii) an assessment of the potential risks to:

- human health
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes.
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

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

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

Reason: Required before commencement of development to avoid any irreversible detrimental impact on human health and/or water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 7 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on human health and water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 8 No development shall take place (other than development required to enable the remediation process to be implemented) until the approved remediation scheme has been carried out in accordance with its terms. The Local Planning

Authority must be given not less than two weeks written notification prior to the commencement of the remediation scheme works.

Following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on human health and/or water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 9 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 6, which is subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in the approved remediation scheme a verification report providing details of the data that will be collected in order to demonstrate that the works set out in condition 7 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 8.

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

- 10 No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The 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.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on surrounding residential amenities and in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 11 No development shall take place until a scheme for protecting the proposed development from noise that implements the measures described in the F1

Acoustics Noise Assessment reference Revision 0 dated 22 February 2018, and F1 Acoustics Technical Memo reference 1316/EPOComments/Rev0 dated 22 March 2018, 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 (LAm_{ax}) 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 completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: Required prior to commencement of development to safeguard conditions of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

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

Those details shall include:

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

The development shall be implemented in accordance with the approved details.

Reason: Required before commencement of the development in order to manage surface water during and post construction and for the lifetime of the development in accordance with Paragraph 103 of the NPPF.

- 13 No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To comply with paragraph 109 of the National Planning Policy Framework.

- 14 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been

demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To avoid any irreversible detrimental impact on human health and water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 15 No development above slab level shall take place until details and samples of all materials to be used externally have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 16 No development shall take place above slab level until details of the following architectural elements have been submitted to and approved in writing by the Local Planning Authority:

- Window/wall and door/wall junctions- elevations and sections at a scale of 1/10
- Balconies
- Gutters and down pipes - manufacturer's details and specification
- Eaves, parapets and verges - elevations and sections at a scale of 1/20

The development shall be implemented in accordance with the approved details and shall be retained thereafter.

Reason: To ensure conditions of visual amenity in the locality in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 17 Prior to occupation of any part of the development hereby permitted, full details of the following air quality mitigation measures shall be submitted to and approved in writing by the Local Planning Authority:

- All gas fired boilers to meet a minimum standard of <40mgNO_x/kWh;
- All parking spaces to be provided with an electric vehicle charging point

The air quality mitigation measures shall be implemented, and thereafter be maintained, entirely in accordance with the approved details.

Reason: To safeguard conditions of amenity in accordance with Policies BNE2 and BNE24 of the Medway Local Plan 2003.

- 18 The development hereby permitted shall not be occupied until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that the residents of the development, other than those residents with disabilities who are Blue Badge Holders, have no entitlement to a resident's parking permit.

Reason: In granting this permission, the Council is aware of the sustainable location of the development and in other to ensure that the development does not result in additional strain on existing street parking subject to permits and to comply with Policies T1 and T13 of the Medway Local Plan 2003.

- 19 No part of the development shall be occupied until a Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Parking Management Plan shall contain details of how the parking spaces within the development are to be managed and preserved for use by future residents and their visitors. The Parking Management Plan shall be implemented in accordance with the approved details prior to the first occupation of the development and shall thereafter be retained.

Reason: to ensure satisfactory off-street parking in accordance with Policy T13 of the Medway Local Plan 2003.

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

Proposal

This application seeks outline planning permission with some matters reserved (landscaping) for the construction of 14 residential apartments with associated parking.

The flat block would be four storey high and would measure a maximum of approx. 18.5m in width, a maximum of approx. 16m in depth and approx. 11m in height. The site layout would accommodate 10 parking spaces with 3 to be located within an undercroft area at ground floor level. There would be a right of way through the site to access the parking at the rear of 2 New Road and for parking vehicles associated with 3 Old Road. The plans show an indicative landscaping to the common garden and within the parking area however the final landscape design is to be considered further at reserved matters stage.

The floor layout of the proposed development would consist of:-

- Ground Floor – Two 2-bedroom flats, bin stores and cycle stores.
- First, Second and Third Floors – Two 2-bedroom flats and two 1-bedroom flats.

Site Area/Density

Site Area: 0.07 hectares (0.16 acres)

Site Density: 200 dph (87.5 dpa)

Relevant Planning History

- MC/11/1206 Application for a new planning permission to replace extant planning permission MC2007/0246 (Demolition of existing buildings and boundary walls and construction of a block of 14 two-bedroom flats and associated parking) in order to extend the time limit for implementation
Decision: Approval with Conditions
Decision Date: 26 October 2011
- MC/11/1205 Application for a new planning permission to replace extant planning permission MC2005/0655 (Conservation Area Consent for demolition of existing buildings and boundary walls to facilitate redevelopment) in order to extend the time limit for implementation
Decision: Approval with Conditions
Decision Date: 26 October 2011
- MC2007/0246 Demolition of existing buildings and boundary walls and construction of a block of 14 two-bedroom flats and associated parking
Decision: Approval with Conditions
Decision Date: 10 August 2007
- MC2005/0659 Demolition of existing buildings and boundary walls and construction of a block of 5 one-bedroom and 13 two-bedroomed flats and associated parking
Decision: Refused
Decision Date: 06 April 2006
- MC2005/0655 Conservation Area Consent for demolition of existing buildings and boundary walls to facilitate redevelopment
Decision: Approved
Decision Date: 25 May 2006

Representations

The application has been advertised on site, in the press and by individual neighbour notification to the owners and occupiers of neighbouring properties. The Environment Agency, Southern Water, Southern Gas Networks, EDF Energy, UK Power Networks and NHS Medway have also been consulted.

7 letters of objection have been received raising the following concerns:-

- Impact on conservation area.
- Loss of privacy and overlooking.
- Lack of parking spaces.
- Not suitable access to parking area for the flats at 2 New Road which is access through the site.

- Lack of space for taxi business.
- That the parking area and waste area is not secure.
- Contamination

Environment Agency originally objected to the scheme due to the possible impact of pollution onto controlled waters. Additional information was submitted by the applicant in the form of a Desk Top Study. Their objection was removed further to suggested conditions restricting piling methods during construction and infiltration of ground water and also additional contamination investigations.

UK Power Networks have provided records of their electrical lines and/or plant in the area and provided a fact sheet containing information regarding the use of their plans and working around equipment on site during construction, including the need for a HSG 47 form before excavation works.

Southern Water have written requesting conditions and informative relating to the connection to public sewage system, to discharge of foul and surface water drainage. The location of the site over a Source Protection Zone, the LPA are to rely on Environment Agency response and defining responsibility, implementation and maintenance of SUDs schemes.

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 site previously has planning permission for the construction of fourteen 2-bedroom flats. This included the address 3 Old Road and included underground car parking and four floors of residential accommodation. The proposed application differs by providing one 4 storey block and parking predominantly at surface level or at ground floor level as an undercroft area.

Principle

The site is located within the urban area of Chatham and a mixed residential and retail area. The application site is partly within the New Road Conservation area. The existing use of the site is as a car garage within a B2 use. Policy H4 of the Local Plan states that the use of vacant land or change of use of buildings no longer required for non-residential use will be permitted for residential development subject to clear improvement in the local environment. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Subject to compliance with the detailed matters of these policies which are subject to assessment below, the principle of the site for residential development is considered acceptable given the mixed character of the area.

Design

Paragraph 56 of the NPPF emphasises the importance of good design and Policy BNE1 of the Local Plan states that development should be satisfactory in terms of scale and mass and should respect the visual amenity of the surrounding area. Policy BNE14 is also relevant stating that development affecting the setting of a Conservation Area should achieve a high quality design preserving or enhancing the areas historic or architectural character or appearance.

By virtue of its siting, the proposed block of flats would be visible from Old Road, New Road, Gibraltar Hill, Maidstone Road and neighbouring properties. The surrounding properties are in mixture of commercial and residential use and consist of two/three storey terraced and detached properties with a mix of brick, cladding and render. There are examples of flats within the area. The existing garage building consists of a two storey brick rendered building with associated outbuildings.

Concerns have been raised through the consultation process regarding the impact of the flats on the conservation area. The proposed contemporary block of flats only partly extends into the conservation area. The contemporary design is in contrast to the existing garage building which is of a poor design and has a run down appearance. It was considered in the previous approvals that the existing buildings themselves and the commercial use currently detract from the character and appearance of the area and are of no architectural or historic significance, it was considered that their removal would not be considered prejudicial to the conservation area and the redevelopment of the site for residential purposes would be more appropriate in relation to the existing character of the area.

The proposed block of flats is considered to be of a suitable size and scale for the site reflecting the previously approved four storey height. The contemporary design with recesses is considered appropriate however conditions regarding materials and finer details of building recesses would be required to ensure the final build is of a high quality design.

Due to its siting the development would primarily be visible from the conservation area when viewed from New Road with the petrol station in the foreground. The proposed building would be of a scale more akin to the terrace within New Road and would therefore detract from the street scene of the conservation area. The proposed parking layout and garden area is considered to be acceptable. Although landscape is a reserved matters the site plan shows landscaping within a communal garden area, along the borders of the site and within the car parking area. It is considered that this landscaping approach should be reflected within the reserved matters application to soften the appearance of the hardstanding car park area.

No objection is raised under Policies BNE1 and BNE14 of the Local Plan and paragraphs 56 of the NPPF.

Amenity

There are two main amenity considerations, the impact on neighbouring occupiers in terms of sunlight, daylight, outlook and privacy; and the standard of amenity of which would be experienced by future residents of the site itself. Policy BNE2 of the Local Plan and bullet point 4 of paragraph 17 of the NPPF relates to the protection of these amenities.

Neighbouring Residential Amenity

By virtue of the siting, size and scale of the proposed flats, the orientation of the site and path of the sun; and the distance and relationship to neighbouring residential properties and their habitable room windows; and private amenity spaces; there would be no detrimental impact on these neighbours in terms of loss of outlook, sunlight and daylight. Concerns have been raised through consultation responses with regard to loss of privacy. However by virtue of the distance between the proposal and the dwellings at 2 New Road being approx. 14.5m it is considered there would be no detrimental impact on privacy given the urban location of the development and that the Medway Housing Design Standards (MHDS) give a minimum of 7m garden depths in urban areas.

The construction of the proposal could result in the potential for noise and dust and therefore, if the application were considered for approval, a Construction Environment Management Plan (CEMP) would be required by condition if recommended for approval. Subject to this condition no objection would be raised.

Amenity of Future Occupiers

With regard to the amenities of future occupants of the development itself the proposed flats have been assessed with regard to the technical housing standards – nationally described space standard 2015 (the national standard). The six 1-bedroom flats would have a gross internal floor area (GIA) of approx. 50sqm and the eight 2-bedroom three people flats would have a GIA of approx. 61sqm. Consequently all flats would meet the requirements of the national standard with regard to GIA and the bedrooms in relation to the widths and areas for single and double bedrooms. The habitable rooms within all the flats would be provided with satisfactory outlook. The proposed balconies to the flats on the north east elevation would measure approx. 4.2m in area just short of the MHDS standard of 5m. However, given there would be communal garden space and s106 contributions to open space nearby, no objection is raised.

Due to the location of the site adjacent to an Air Quality Management Area (AQMA), conditions would be required to provide standard mitigation measures such as electric vehicle charging points, installation of low NOx boilers and include air quality mitigation measures during construction which can be included within the above mentioned CEMP condition.

Due to the location close to a busy road, petrol station and other commercial premises there is a potential for noise issues for the future residents. The applicant has provided an Acoustics Noise Assessment under taken by F1:AcouticsCoLtd reference Revision

0 dated 22 February 2018, and Acoustics Technical Memo undertaken by F1:AcouticsCoLtd reference 1316/EPO Comments/Rev0 dated 22 March 2018. Subject to a condition requiring specific mitigation measures regarding glazing, ventilation and fencing to ensure suitable noise levels within the flats and proposed balconies no objection is raised.

Consequently, subject to the suggested conditions, no objections are raised in terms of the amenities of both the future occupiers and neighbour amenities under Policies BNE2, BNE24 and H4 of the Local Plan and paragraph 17 of the NPPF.

Highways

Responses from the consultation process have raised concerns regarding the lack of parking and its unsecure nature. Concerns were also raised about retaining rights of way to the car parking area to the rear of 2 New Road and 3 Old Road. The parking layout has been amended to resolve the concerns of rights of way and the layout is considered to be appropriate to provide the access.

Medway Council's Interim Residential Parking Standards require the provision of 1 space for a 1-bedroom dwelling and 1.5 spaces per dwelling for a 2-bedroom dwelling, plus 0.25 spaces per dwelling for visitor parking, making a requirement of 22 spaces for the proposed development. The development proposes 10 parking spaces, which would fall short of this standard. The standard, however does allow a reduction within a sustainable location with good access to public transport. The site location is considered a sustainable location being within close proximity to Chatham Train Station, High Street and Bus Station. If the application was granted planning permission conditions regarding removal of parking permits and parking management plan including how the spaces would be allocated and including securing parking would be recommended. Subsequently, no objection is raised under Policies T1, T2 and T13 of the Local Plan subject to the abovementioned conditions.

Contamination

Policy BNE23 of the Local Plan requires that land known to be or likely to be contaminated should be accompanied by detailed site examination and appropriate remedial measures to reduce or eliminate risk to human health and the wider environment be agreed. A Phase 1 Geo Environmental Desk Study and Preliminary Risk Assessment undertaken by R.Carr Geotechnical Services has been submitted with this application. The desk top study recommends that a site investigation is undertaken to support the conceptual site model. The Environment Agency have raised concerns of the possible impact of contamination of control waters and have requested conditions restricting pilling methods during construction and infiltration of ground water and also additional contamination investigations.

Subject to conditions no objection is raised to the proposal under Policy BNE23 of the Local Plan and paragraphs 109 and 121 of the NPPF.

Flooding/SUDS

There have been no records to indicate that the site is at risk from surface water flooding. If the application were considered for approval, conditions to secure details of surface water disposal would be required to ensure the proposed development and its maintenance is in accordance with paragraph 103 of the NPPF.

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 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:

Greenspace Services

A contribution of £14,960.00 based on occupancy ratios of 1.33 for the 1-bed flats of 2.44 for the 2-bedroom flats with a contribution of £544 per person is sought. The contribution would be spent on improvements at Victoria Gardens and/or Perry Street and /or Chalk Pit Open Space.

Great Lines Heritage Park

A contribution of £3,498.60 based on an occupancy ratio of 2.45 and £102 per person towards repair and maintenance of footpaths adjacent to Chatham Naval Memorial.

NHS

A contribution of £6,551.30 based on an occupancy ration of 2.45 and £191 per dwelling towards improvements to Bryant Street Surgery Chatham.

Education

A contribution of £15,641.60 towards Nursery (£1,996.80) and Primary (£5,990.40) at Greenvale Infant School and Victory Academy (£7,654.40).

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 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 of £3,130.12 (14 x £223.58) and the abovementioned contributions and are in the process of drafting a s106 agreement. 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

There are no local finance considerations.

Conclusions and Reasons for Approval

There is no objection in principle to the development; the final landscape design is to be considered at reserved matters stage. Finally, it is considered that the proposed development can be undertaken with detriment to the amenities of the occupiers of surrounding properties and by securing the contributions set out would be without harm to the environment and existing infrastructure and community facilities. The proposed development is therefore considered to be in accordance with paragraphs 17, 49, 56, 103, 109, 118 and 121 of the NPPF 2012 and Policies S6, H4, BNE1, BNE2, BNE14, BNE23, BNE24, BNE35, T1, T2 and T13 of the Local Plan. The application is therefore recommended for approval.

The application would normally be determined under officer's delegated powers but is being reported to Planning Committee due to the number of letters of representation received expressing views contrary to officer's recommendation.

Background Papers

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess1.medway.gov.uk/online-applications/>