

MC/19/2709

Date Received: 11 October 2019

Location: St Bartholomews Hospital New Road Rochester Medway

Proposal: Part demolition of the existing buildings, construction of new buildings and conversion of the former St Bartholomew's Hospital to provide 155 residential units together with associated car parking, cycle parking, hard and soft landscaping, tree removal, boundary treatment, access, utilities and other associated works, restoration, part demolition and conversion of the Grade II listed mortuary to provide 88 sqm community space Class (D1/D2).

Applicant Aspenisle Ltd.

Agent BPTW  
Miss Kate Goldie 40 Norman Road  
Greenwich  
London  
SE10 9QX

Ward: River Ward

Case Officer: Karen Cronin

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 29th April 2020.**

**Recommendation – Approval subject to;**

A. A S106 agreement being entered into to secure the following:

- Contribution of £38,061.80 towards bird disturbance mitigation
- Alterations and improvements to the public highway (s278 works)
- Repairs and restoration of the listed waterworks building (mortuary building)
- Public realm improvements and landscaping to the garden of reflection

B. And 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:

Drawing numbers: 18.2049 -001, 18.2049 -002, 18.2049 -003, 18.2049 -004, 18.2049 -201-1, 18.2049 -201-2, 18.2049 -202, 18.2049 -203-1, 18.2049 -203-2, 18.2049 -203-3, 18.2049 -203-4, 18.2049 -204-1, 18.2049 -204-2, 18.2049 -204-3, 18.2049 -204-4, 18.2049 -204-5, 18.2049 -205, 18.2049 -206-1, 18.2049 -206-1, 18.2049 -206-1, 18.2049 -206-1, 18.2049 -206-2, 18.2049 -206-3, 18.2049 -206-4, 18.2049 -206-5, 18.2049 -206-6, 18.2049 -207-1, 18.2049 -207-2, 18.2049 -207-3, 18.2049 -207-4, 18.2049 -207-5, 18.2049 -207-6, 18.2049 -208, 18.2049 -209-1, 18.2049 -209-2, 18.2049 -209-3, 18.2049 -210-1, 18.2049 -210-2, 18.2049 -211-1, 18.2049 -211-2, 18.2049 -213-1, 18.2049 -213-2, 18.2049 -213-3, 18.2049 -213-4, 18.2049 -214-1, 18.2049 -214-2, 18.2049 -171, 18.2049 - 404-1, 18.2049 - 404-2, 18.2049 - 404-3, 18.2049 - 404-4, 18.2049 - 404-5, 18.2049 - 405, 18.2049 - 406-1, 18.2049 - 406-2, 18.2049 - 406-3, 18.2049 - 407-1, 18.2049 - 407-2, 18.2049 - 407-3, 18.2049 - 407-4, 18.2049 - 407-5, 18.2049 - 407-6, 18.2049 - 407-7, 18.2049 - 408, 18.2049 - 409-1, 18.2049 - 409-2, 18.2049 - 409-3, 18.2049 - 409-4, 18.2049 - 410-1, 18.2049 - 410-2, 18.2049 - 410-3, 18.2049 - 410-4, 18.2049 - 410-5, 18.2049 - 410-6, 18.2049 - 410-7, 18.2049 - 411, 18.2049 - 412-1, 18.2049 - 412-2, 18.2049 - 412-3, 18.2049 - 412-4, 18.2049 - 413-1, 18.2049 - 413-2, 18.2049 - 413-3, 18.2049 - 413-4, 18.2049 - 413-5, 18.2049 - 414-1, 18.2049 - 414-2, 18.2049 - 415-1, 18.2049 - 415-2, 18.2049 - 415-3, 18.2049 - 415-4, 18.2049 - 416-1, 18.2049 - 416-2, 18.2049 - 416-3, 18.2049 - 416-4, 18.2049 - 416-5, 18.2049 - 416-6, 18.2049 - 417-1, 18.2049 - 417-2, 18.2049 - 417-3, 18.2049 - 417-4, 18.2049 - 608, 18.2049 - 609, 18.2049 - 610, 18.2049 - 611, 18.2049 - 612-1, 18.2049 - 612-2, 18.2049 - 613, 18.2049 - 614, 18.2049 - 615, 18.2049 - 616, 18.2049 - 617; received 11 October 2019.

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

- 3 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.

- 4 No dwelling and/or building shall be occupied until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details before any dwelling and/or building is occupied and shall thereafter be retained.

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.

- 5 Prior to the first occupation of any dwelling/the development herein approved, full details of both hard and soft landscape shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:
- i. Plans and information of existing and proposed finished ground levels, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas, all paving and external hard surfacing, lighting and services (including drainage), minor artefacts and structures (seating, refuse receptacles, water features and raised planters);
  - ii. Soft landscape works, including details of planting plans, tree positions, planting build ups, written specifications (including cultivation and other operations associated with grass, tree and planting establishment, aftercare and maintenance); schedules of plants, noting species, plant sizes, root treatments and proposed numbers/densities where appropriate;
  - iii. The design and specification of tree planting to enable healthy establishment at maturity. Information should provide details for the planting environment (including within soft landscape, hard landscape, raised planters and green roofs), calculated soil volume, tree support and tie specification, guards and grilles, aeration and irrigation systems, soil build-up information (avoiding the use of tree sand), tree cell systems (to street tree planting environments) and any accessories (tree grilles, guards and feature lighting);
  - iv. The design and specification of green roofs, terraces and podium decks. Including drainage, pedestal design and soil build up; planting plans & plant schedules; the treatment for any tree planting (including tree pit details and tree supports); all paving and hard surfacing; minor artefacts and structures (including any designed ecological features);
  - v. Detailed information for the design and specification of green wall and climbing systems, including planting selection, specification and details of irrigation systems;
  - vi. A timetable for implementation.

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

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

- 6 Prior to the first occupation of the development herein approved, a Landscape Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include long-term design objectives, management responsibilities and maintenance schedules for all hard and soft landscape areas including green roofs and climbing systems (with (except for small, privately owned, domestic gardens) for a minimum period of five years and arrangements for implementation & continuation. The development shall thereafter be managed in accordance with the approved details.

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

- 7 Prior to the installation of any external lighting on the site, details of such lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include height, position, external appearance, any shielding, light intensity, colour, spillage (such as light contour or lux level plans showing the existing and proposed levels) and hours of use together with a report to demonstrate its effect on views of the site from nearby heritage assets including Fort Amherst and Fort Pitt, surrounding Conservation Area, nearby residential properties and bats (including reference to the recommendations of the Bat Conservation Trust) and of how this effect has been minimised. Any external lighting shall be implemented in accordance with the approved details.

Reason: In order to limit the impact of the lighting on the surrounding landscape, conservation area and heritage assets, nearby residents and wildlife and with regard to Policies BNE1, BNE2, BNE5, BNE12, BNE14, BNE18 and BNE39 of the Medway Local Plan 2003.

- 8 No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. Details shall include the proposed grading, mounding and ground stabilisation of land areas including the levels and contours to be formed, showing the relationship of proposed grading and mounding with existing vegetation and surrounding landform. The development shall thereafter be implemented in accordance with the approved details.

Reason: Required prior to commencement of development 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.

- 9 No development shall take place until a Construction Environmental Management Plan (CEMP) that describes measures to control, amongst other matters, hours of working, parking of operatives vehicles, deliveries to the site, noise, dust and lighting arising from the construction phase of the development has been submitted to and approved in writing by the Local Planning Authority. The construction works shall be undertaken in accordance with this approved plan.

Reason: Required before commencement of development in order to minimise the impact of the construction period on the amenities of local residents and habitat and with regard to BNE2 of the Medway Local Plan 2003.

- 10 No part of the development shall be occupied until a Car 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 provided, 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

- 11 The residential units herein approved shall not be occupied until the area shown on the submitted layout as vehicle parking space has 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) Order 2018 (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 vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking and in accordance with Policies T1 and T13 of the Medway Local Plan 2003.

- 12 No residential units herein approved shall be occupied until details of cycle and refuse storage facilities have been submitted to and approved in writing by the Local Planning Authority. The cycle and refuse storage facilities shall be implemented in accordance with the approved details prior to any dwelling herein approved being occupied and hereafter no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2018 (or any order amending, revoking and re-enacting that Order) shall be carried out on the land so shown for cycle and refuse storage facilities.

Reason: All new residential development requires provision of adequate accommodation for cycle and refuse storage to accord with Policies BNE1 and T4 of the Medway Local Plan 2003.

- 13 No development shall take place above ground floor slab level until details of the provision of electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. Details shall include the location, charging type (power output and charging speed), associated infrastructure and timetable for installation. The development shall be implemented in accordance with the approved details and shall thereafter be maintained.

Reason: In the interests of sustainability in accordance with paragraph 110E of National Planning Policy Framework 2019.

- 14 Prior to the occupation of the proposed development, A revised Travel Plan encouraging sustainable forms of transport shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan, pursuant to this condition, shall be implemented in full accordance with the approved details prior to the occupation of any dwelling and shall thereafter be retained and maintained in accordance with the approved details.

Reason: To encourage sustainable forms of transport in accordance with Policy T14 of the Medway Local Plan 2003.

- 15 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 in consultation with the Lead Local Flood Authority.

Those details shall include (if applicable):

- i. a timetable for its implementation (including phased implementation where applicable).
- ii. appropriate operational, maintenance and access requirements for each sustainable drainage component are adequately considered.
- iii. proposed arrangements for future adoption by any public body, statutory undertaker or management company.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 165 of NPPF.

- 16 Prior to occupation (or within an agreed implementation schedule) a signed verification report carried out by a qualified drainage engineer (or equivalent) must be submitted to and approved by the Local Planning Authority to confirm that the agreed surface water system has been constructed as per the agreed scheme and

plans. The report shall include details and locations of critical drainage infrastructure (such as inlets, outlets and control structures) including as built drawings, and an operation and maintenance manual for the unadopted parts of the scheme as constructed.

Reason: This condition is sought in accordance with paragraph 165 of the NPPF to ensure that suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk onsite or elsewhere.

- 17 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 18 to 20 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 21 has been complied with in relation to that contamination.

Reason: 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.

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

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

Reason: 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.

- 19 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/or water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

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

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

- 21 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 18, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 19, 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 19 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 20.

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.

- 22 Prior to the commencement of the development hereby permitted, an air quality assessment and an emissions mitigation assessment shall be submitted and approved in writing by the Local Planning Authority. The air quality assessment shall include an assessment of air quality at the application site and details of any scheme necessary for the mitigation of poor air quality affecting the residential amenity of this development. The emissions mitigation assessment should include a damage cost assessment that uses the DEFRA emissions factor toolkit and should include details of mitigation to be included in the development which will reduce the emissions from the development during construction and when in operation. All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: In the interests of residential amenity and to accord with Policy BNE2 of the Medway Local Plan 2003

- 23 Prior to the commencement of the development hereby permitted, a scheme for protecting the proposed development from noise that implements the measures described in the noise assessment reference AC106487-1R1 dated 18th September 2019 shall be submitted and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: In the interests of residential amenity and to accord with Policy BNE2 of the Medway Local Plan 2003

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

Reason: To ensure that historic building features are properly examined and recorded

- 25 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.

- 26 Within six months of the date of the commencement of the development on site full details of how the applicant intends to enable new residents, users and visitors to interpret the site history shall be submitted to, and approved in writing by, the Local Planning Authority. Examples of how to interpret the history of the site can include, but are not limited to, the use of materials and the provision of historical interpretation boards. The details submitted pursuant to this condition shall include location, design, dimensions and materials. The approved details of the method(s) of interpretation approved, pursuant to this condition, shall be implemented in full accordance with the approved details prior to the occupation of any dwelling and shall thereafter be retained and maintained in accordance with the approved details.

Reason: To ensure a satisfactory visual appearance and to ensure the development makes a positive contribution to local character and distinctiveness in accordance with the objectives of the National Planning Policy Framework and in accordance with Policies BNE12, BNE14, BNE17, BNE18, BNE20, and BNE21 of the Medway Local Plan 2003.

- 27 Prior to commencement of development, details of the methodology for conservation repairs to the listed former Mortuary (known in the application as the waterworks) including a schedule of works that addresses internal and external works shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details of the works to the listed building, pursuant to this condition, shall be implemented prior to the occupation of 122 residential units and shall thereafter be retained and maintained in accordance with the approved details.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on the listed building in accordance with Policy BNE17 and BNE18 of the Local Plan 2003.

- 28 Prior to commencement of development, details of the roof lantern repairs to the listed former Mortuary (known in the application as the waterworks) including 1:20 elevations and section to show the reinstatement of the lantern including 1:5/1:10 details at junctions to show its construction shall be submitted to, and approved in

writing by, the Local Planning Authority. The approved details of the works to the listed building, pursuant to this condition, shall be implemented prior to the occupation of 122 residential units and shall thereafter be retained and maintained in accordance with the approved details.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on the listed building in accordance with Policy BNE17 and BNE18 of the Local Plan 2003.

- 29 The development shall only be implemented in accordance with the Ecological Impact Assessment Report Rev 1 dated September 2019 received by the Council 28 January 2020. The mitigation measures and enhancements identified within the Ecological Impact Assessment shall be implemented prior to the first occupation of any dwelling and shall be maintained thereafter.

Reason: In the interests of protecting / preserving biodiversity / ecology in accordance with Policies BNE34, BNE35, BNE37, BNE38 and BNE39 of the Medway Local Plan 2003.

- 30 The development shall only be implemented in accordance with the Energy Statement dated 20 September 2019 received by the Council 28 October 2020. The passive design, energy efficiency and renewable energy improvements identified within the Energy Statement shall be implemented prior to the first occupation of any dwelling and shall be maintained thereafter. Details of renewable energy improvements and energy generation and distribution systems shall be submitted to, and approved in writing by, the Local Planning Authority. The renewable energy improvements and energy generation and distribution system, pursuant to this condition, shall be implemented in full accordance with the approved details prior to the occupation of any dwelling and shall thereafter be retained and maintained in accordance with the approved details.

Reason: In the interests of energy efficiency and climate change in accordance with paragraphs 8, 149, 150 and 151 of the National Planning Policy Framework

- 31 The community use of the waterworks building hereby permitted shall only operate between the hours of 11:00hrs to 23:00hrs Mondays to Saturdays inclusive and between the hours of 11:00hrs to 22:00hrs on Sundays and Public Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To regulate and control the permitted development in the interests of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 32 No amplified noise or music shall be played in the waterworks building for the use hereby permitted.

Reason: In the interests of neighbouring amenity in accordance 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 the re-development of the vacant St Bartholomews Hospital site. This will comprise: the part demolition of the existing buildings; construction of new buildings and conversion of the former St Bartholomew's Hospital to provide 155 residential units; together with associated car parking, cycle parking, and hard and soft landscaping; and the restoration, part demolition and conversion of the Grade II listed mortuary to provide 88 sqm community space.

The site covers 1.165 hectares and was previously in use as a hospital prior to its closure by the NHS in September 2016. It has since remained vacant.

The proposal seeks to maintain the majority of existing buildings on the site with some demolition and rebuilding of extensions and new build. The proposed buildings would provide a mix of one, two and three bedroom units plus community use along with shared space, public realm and open space improvements and private residential gardens. The details of each building are set out below:

Hospital Building - Located on New Road to the south of the site

Retention of the main facade  
Conversion of the existing vacant building  
Removal of modern extensions to the rear  
New extensions to the rear  
Part four, part five storey building with a prominent 6 storey tower  
86 residential units – 63 one bed and 23 two bed

Watts House - Located on New Road to the south of the site, west of hospital block

Removal of modern ancillary buildings  
New build  
4 storeys  
Undercroft parking  
21 residential units – 9 one bed and 12 two bed

Lloyd House/Nurses Block - Located on New Road to the south of the site, East of hospital block

Extension to front of Nurses Block in line with hospital building

36 residential units – 23 one bed and 13 two bed

Mews Quarter - Located on St Bartholomews Lane to the north of the site

2 storeys Mews Houses with outdoor amenity space  
4 three bed houses  
3 storey apartment block with balconies  
8 flats – 6 one bed and 2 two bed

Waterworks (Mortuary building) - Located to the north of the site, Grade II listed building, Grade II listed walls, piers, railings and steps located between 368 and 374 High Street

Improvements and alterations to building including removal of extensions  
Currently in a poor state of repair  
Removal of ancillary buildings  
Proposed community use  
Landscape and public realm enhancements to the garden of reflection  
Open area up and connect to existing High Street

It is proposed to provide 83 car parking spaces. The primary point of access is via Hospital Lane to the north of the site with pedestrian access only from New Road

The site falls within the defined urban area between Rochester and Chatham, bounded by New Road to the south and less than 100 metres from the High Street to the north, close to both Rochester and Chatham town centres and train stations, Pentagon Shopping Centre and Chatham bus station. The site falls between two conservation areas, New Road to the south and Star Hill to Sun Pier to the north. The site lies to the south of High Street, in an area of mixed commercial and residential.

The site is in the level 1 flood zone as specified on the Environment Agency Flood Map.

The site is located within the Central Air Quality Management Area.

### **Site Area/Density**

Site Area: 1.09 hectares (2.69 acres)  
Site Density: 142 dph (58 dpa)

### **Relevant Planning History**

|            |   |
|------------|---|
| MC/20/0023 | Environmental Impact Assessment Screening Opinion<br>Listed building consent for part demolition of the existing buildings, construction of new buildings and conversion of the former St Bartholomew's Hospital to provide 155 residential units together with associated car parking, cycle |
|------------|---|

parking, hard and soft landscaping, tree removal, boundary treatment, access, utilities and other associated works, restoration, part demolition and conversion of the Grade II listed mortuary to provide 88 sqm community space (Class D1/D2).  
EIA not required

- MC/19/2710 Listed building consent for part demolition of the existing buildings, construction of new buildings and conversion of the former St Bartholomew's Hospital to provide 155 residential units together with associated car parking, cycle parking, hard and soft landscaping, tree removal, boundary treatment, access, utilities and other associated works, restoration, part demolition and conversion of the Grade II listed mortuary to provide 88 sqm community space (Class D1/D2).  
On this agenda
- MC/08/1575 Listed building application for the installation of gates to match existing railings and alterations/repairs to boundary walls  
31<sup>st</sup> October 2008
- MC/08/1576 Installation of gates to match existing railings and alterations/repairs to boundary walls.  
31<sup>st</sup> October 2008
- MC/02/0048 Construction of new front entrance canopy (removal of existing canopy)  
1<sup>st</sup> March 2002
- MC/01/1000 Conservation area consent for the demolition of chimney stack and associated works  
14<sup>th</sup> August 2001
- MC/00/1020 Conservation area application for the demolition of the former medical records store.  
15<sup>th</sup> August 2000
- MC/99/6147 Conservation area consent for the demolition of out patients' building, nurses' home, boiler house, medical records and ancillary buildings. ME/98/0021  
20<sup>th</sup> January 1999

## Representations

The application has been advertised on site and in the press and by individual neighbour notification to the owners and occupiers of neighbouring properties.

The Environment Agency, Natural England, Historic England, Kent Wildlife Trust, Kent Police, KCC Archaeology, KCC Ecological Advice Service, Council for British Archaeology Lead Local Flood Authority, NHS, EDF, SGN, South Water, City of Rochester Society, Georgian Group, Society for Protection of Ancient Buildings, Twentieth Century Society, Victorian Society and Rochester Airport have also been consulted.

**1 letter** has been received raising the following objections:

- The plans leave no room for the neighbouring dentist bin store

**Historic England** supports the application on heritage grounds. The retention and conversion of the main hospital building helps sustain the significance of the conservation areas. The removal of modern, unattractive extensions to the listed building and landscaping its garden setting would enhance the significance of the grade II listed building and conservation area by revealing its historic form and setting.

**KCC Archaeology** advise that the archaeological assessment provides a well considered appraisal of the sites potential to contain remains of archaeological interest. The site has potential to contain remains from a variety of periods, including the remains of the medieval hospital. The proposed development could result in substantial harm to any archaeological remains that might be present. As a result they recommend conditions relating to below ground archaeology assessment, remediation, below ground excavation and historical building recording.

**Environment Agency** raise no objection subject to conditions relating to contamination, verification report, surface water drainage and piling to prevent pollution of controlled waters

**KCC Ecology** have reviewed the ecological information submitted and requested additional information. The bat surveys concluded that a roost was evident and as such mitigation measures will need to be implemented under the necessary Natural England licence. No permanent roost space has been proposed for the conservation of bats. The mitigation strategy should be revised to include this and an appropriate lighting scheme.

A relatively small suitable reptile habitat has been identified on site in the ecology report which should be secured via condition.

The site is within 6km of Medway Estuary & Marshes SPA and Ramsar site, as such the appropriate assessment is required and the development must comply with the North

Kent Strategic Access Management and Monitoring Strategy (SAMM) to mitigate for additional recreational impacts on the designated sites.

The application provides opportunities to incorporate features into the design which are beneficial to wildlife, such as native species planting and the installation of bat/bird nest boxes; recommendations are provided in the Extended Phase 1 Habitat Survey report. The implementation of these recommendations should be secured by condition.

Applicant has responded with an amended Ecology Assessment with mitigation including bat boxes and bat sensitive lighting, which can be secured by condition.

**Natural England** advise that the site is within 6km of the coastal Special Protection Area and Ramsar site and will result in a net increase in residential accommodation that may result in impacts from increased recreational disturbance, as such an appropriate assessment is required and a financial contribution towards mitigation.

**Lead Local Flood Authority** raise no objection because there are suitable potential sustainable urban drainage schemes that could be used. Suggest condition relating to surface water disposal.

**City of Rochester Society** welcomes the proposals and supports the works to the former mortuary.

**Southern Gas Networks** have advised that the site is close to a low/medium/intermediate pressure gas main near your site. There should be no mechanical excavations taking place above or within 0.5 m of a low/medium pressure system or within 3m of an intermediate pressure system. The applicant should confirm the position using hand dug trial holes.

**Southern Water** advise that the applicant should contact them regarding connection to the public sewer. They have provided a map showing public sewers and water mains in the vicinity of the site. They also provide guidance on clearance zones to protect them from construction works and allow future maintenance. Network reinforcement may be required as a result of the development and an infrastructure charge may be applied. Condition suggested. Southern Water require a formal application for a connection to the public sewer. Informative suggested.

## **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 2019 and are considered to conform.



## Planning Appraisal

### *Principle*

The proposal is for a new residential development for 155 new homes consisting of the retention and conversion of the main hospital building, erection of new buildings fronting New Road (Lloyd House and Watts House) to provide 1 and 2 bedroom flats along with 3 bedroom houses and apartments along St Bartholomews Lane and creation of a community asset in the waterworks (former mortuary) building.

The site is in the existing urban area and on land that is accepted as a brownfield site. Local and National Policies are generally supportive of residential development in the urban area and the re-use of previously developed land. Paragraph 117 of the NPPF seeks to make as much use as possible of previously developed or 'brownfield' land. Paragraph 118 of the NPPF gives substantial weight to the value of using suitable brownfield land within settlements for homes.

Policy S1 of the Local Plan sets out the development strategy for the plan area. It states that the development strategy is to prioritise re-investment in the urban fabric, which will include the redevelopment and recycling of under used and derelict land within the urban area. It further states that the focus will be on a number of areas including the Medway riverside areas and Chatham. The proposed development would accord with this broad strategy.

Policy H4 of the Local Plan sets out certain development that will be permitted within the urban area including re-use of vacant buildings no longer required for non-residential use. A key element of national housing policy is to minimise the loss of greenfield sites for residential use by making the best use of development opportunities within existing urban areas.

The NPPF has a presumption in favour of sustainable development so that development that is sustainable can be approved without delay. The proposal is in a sustainable location close to Rochester and Chatham Town Centres and train stations, as well as Chatham bus station, shops and services.

The proposal is for high density housing close to the town centre, public transport and local facilities. In these locations low density housing will not be permitted in accordance with Policy H5 of the Local Plan. The NPPF and NPPG's encourage higher densities around nodes of public transport such as bus and railway stations.

Part of the site, the waterworks and remembrance garden, is located in an area earmarked for redevelopment as part of Medway's long-standing regeneration programme as identified in the Star Hill to Sun Pier Planning and Design Strategy 2004, which should be read within the context of the aspirations for regeneration of the wider Medway Waterfront.

Medway Strategic Land Availability Assessment (SLAA) July 2018 has assessed St Bartholomews Hospital as a potential development site. While the SLAA does not allocate sites for development the conclusions for this site are that it is suitable for development, available and deliverable.

The redevelopment of the site for residential purposes is accepted in principle in accordance with Policy S1, H4 and H5 of the Local Plan, as well as Paragraphs 10, 11, 12, 117 and 118 of the NPPF.

#### *Impact on the character and appearance of the area*

The site is located within a prominent position on New Road, where the long facade of the main hospital building plays an important role within the streetscene and because of the topography of this area would be highly visible in most directions. The proposal retains the original hospital building and proposes improvements to the listed waterworks (mortuary) building, alongside other improvements to the site, which have a hugely positive impact on the character and appearance of the surrounding area.

The site is located within the defined urban area of Chatham, close to both Chatham and Rochester town centres, Chatham bus station and close to both Chatham and Rochester train stations. The site falls between two conservation areas, New Road to the south and Star Hill to Sun Pier to the north. The site is located in an area of mixed residential, commercial and public use. The scale, massing, height and design of the buildings is mixed with a diverse character, however the area is predominantly 2 – 3 storey buildings, in residential use with commercial on the High Street. The topography means that St Bartholomews Hospital is a dominant feature that is clearly visible from the surrounding area. There are several listed buildings close to the site, including the Grade II\* listed Synagogue, 374 High Street and 351 High Street. This impact on heritage assets is set out in detail below.

This development has the potential to significantly impact on the character and appearance of the area as well as the vitality and viability of the Chatham Intra area and the wider town centre as a whole. It is intended to create a connection between New Road and the High Street. The proposed residential use will contribute towards the regeneration of this less used part of the High Street. It is anticipated that the development would also increase footfall and business in the High Street. The proposed development is considered to establish a strong sense of place, using the arrangement, layout and heights of the buildings to create attractive and distinctive places to live while retaining the dominant feature of the main hospital building.

Paragraph 127 of the NPPF seeks developments that are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

The redevelopment is largely considered to be sympathetic to its setting and could enhance the character and appearance of the surrounding area. The development fronting New Road is considered to integrate well with the existing hospital building as well as the spatial and architectural style of the surrounding area. The proposal relating to the waterworks and surrounding garden will work well to open up the site and integrate it into the surrounding area.

The proposal is considered to contribute positively to the regeneration of the Chatham intra area and the vitality and viability of the area. The development would be in accordance with Policies S1, S5, BNE1, BNE12, BNE14, BNE17, BNE18, H4 and CF2 of the Medway Local Plan 2003 and paragraphs 8, 10, 23, 59, 67, 85, 87, 91, 92, 93, 110, 122, 124, 125, 127, 130, 185, 189, 192, 195, 196 and 200 of the NPPF.

### *Impact on heritage assets*

The development of the site has the potential to impact upon a number of nearby heritage assets including Grade II listed waterworks building within the site itself, other nearby listed buildings and the wider New Road and Star Hill to Sun Pier Conservation Areas. Policy BNE12 of the Local Plan states that special attention needs to be paid to the preservation and enhancement of the character and appearance of Conservation Areas. Although the main St Bartholomews Hospital Building is not listed it was built circa 1862 and is one of the oldest hospitals in England. The building is undoubtedly of historical significance and has a positive impact on the Conservation Area as a prominent, attractive building with a commanding frontage and its retention is an essential part of the redevelopment of the site. However, the modern extensions to the rear of the building are not considered worthy of retention. Policy BNE13 of the Local Plan states that buildings which make a positive contribution to the character and appearance of a conservation area will not be permitted to be demolished unless the building is beyond repair, incapable of use, the design is inappropriate or the character and appearance of the conservation area would be enhanced by its removal.

The site has steep topography and is highly visible from a number of locations, including Fort Amherst and the Great Lines Heritage Park. As such detailed consideration of heritage and conservation issues are key to the redevelopment of the site. The character of the two Conservation Areas is very different and this is reflected in the design of the scheme.

The proposal includes alterations and improvement to the grade II listed waterworks building. The waterworks building's architectural value is derived from its unusual, mini-castle appearance with small turreted corners and crenelated parapets. It was built in circa 1808 to serve Hulke's Brewery, which was a prominent and important business in the area at the time. It was converted to the mortuary for the hospital in the early 20<sup>th</sup> century and listed in 1991. The proposal includes conversion of the building to community use, the removal of extensions and the landscaping of the garden of reflection to return the building to its original character. Policy BNE17 states that alterations, extensions, conversions or changes of use to listed buildings will only be permitted if they are not

detrimental to the architectural or historic character of the building, if they are not sympathetic in design, scale, appearance or use, or if they do not retain original features and materials. Policy BNE18 states that development which would adversely affect the setting of a listed building will not be permitted. The building is orientated towards the High Street and any improvements to the building would have a hugely positive impact on this rather run down part of the High Street.

A detailed Heritage Statement and verified views have been submitted as part of this application. The impact of the proposal on the Conservation Area and listed buildings has been tested in a series of views that were agreed by the Local Planning Authority and Historic England and are considered sufficient to assess the impact of the development.

The assessment from the viewpoints noted above found a number of key attributes and that the topography is of particular relevance, underpinning the historical significance of the defences, creating juxtaposition between the high ground of the Lines and the river below. There is a clear and observable and visual relationship between the two, where by the defences oversaw and protected the former yards, wharves, piers and river below.

Notable features found within the viewpoints include Fort Amherst, Gun Wharf and Fort Pitt. The assessment of these views concludes that there will be a change to the views by the proposed works, however this will not be harmful to the significance of the identified heritage assets. The design of the new buildings to be introduced have been given careful consideration, and followed design advice provided through the pre-application and public consultation process to ensure that they are appropriate to the context of the site and the heritage assets in and around it. The hospital building will remain the dominant building on the site.

It is considered that the proposed development, while comprehensive and resulting in a change within the setting of the identified heritage assets, will not result in any harm to their significance or an ability to appreciate their significance. As such, the proposed development is in accordance with the requirements of the Planning (Listed Building and Conservation Area) Act 1990 and national and local planning policy and guidance.

Paragraph 195 of the NPPF states that where a proposed development will lead to substantial harm (or total loss of significance) of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Although it is noted that the proposal will potentially affect a number of heritage assets including Fort Amherst, it is not considered that this proposal will result in significant harm to these designated heritage assets. The wider setting of a number of heritage assets already includes varied built form, including tall buildings, and as such the proposal is not incongruous in this densely developed urban area. The proposal has a high quality, modern design which will sit comfortably alongside the historic fabric of the surrounding area.

The redevelopment of the site presents an important opportunity to enhance the historic townscape, provide social and economic benefits, and create a development that improves the link between New Road, the High Street and the river. The proposal is considered to contribute positively to the regeneration of High Street between Rochester and Chatham and to the overall need for housing without significant impact on heritage assets. The development would be in accordance with Policies BNE12, BNE13, BNE14, BNE17 and BNE18 of the Medway Local Plan 2003 and paragraphs 189, 192, 195, 196 and 200 of the NPPF.

### *Archaeology*

The application site is located close to a number of heritage assets and there is potential for buried archaeological remains at the site. An Archaeological Assessment has been submitted as part of this application. The assessment concludes that the proposed scheme may result in substantial harm to the significance of any archaeological assets which might be present on site. Further archaeological investigation is required prior to commencement of the development on site. This can be secured by condition.

Policy BNE21 of the Medway Local Plan 2003 states that development affecting potentially important archaeological remains will not be permitted. The presence, location and significance of any buried archaeological remains within the site cannot currently be confirmed, however small scale site investigations have not revealed any archaeological evidence. There is a need for further investigations on site.

Given the close proximity of the site to heritage assets means care will need to be taken during the demolition and construction phases of the development to ensure that the any archaeological remains are protected and this may shape the layout of the site if anything is found. Subject to the imposition of conditions for below ground excavation, remediation, above ground archaeology and historical interpretation the development would be in accordance with Policy BNE21 of the Medway Local Plan 2003 and paragraph 184 and 196 of the NPPF.

### *Design*

The NPPF attaches great importance to the design of the built environment. Paragraph 124 advises that good design is a key aspect of sustainable development, creates better places to live and work and helps make development acceptable to communities. Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Policy BNE1 of the Local Plan is a general, criteria based policy for all development. It seeks appropriate design in relation to the character, appearance and functioning of the built and natural environment.

The scheme is for five buildings of different but complimentary styles, height, design and materials of varying heights. The main hospital building intentionally remains the dominant building on the site, leaving a strong and imposing presence within the

streetscene and the skyline. The main facade along New Road has been retained and enhanced with minimal alteration in recognition of its historical character and local presence. The only additions to this part of the building are small scale extensions at either end and dormer windows in the roof to improve the living conditions for occupants. The rear of the main hospital block will be subject to greater alteration, removing some of the modern extensions with limited architectural value and replacing them with more sympathetic additions. The accommodation will be provided over six levels with gallery access to make use of the existing stair core and maximise the number of dual aspect units. There will be a communal roof terrace and central courtyard amenity space for residents. The applicant recognises the local interest and attachment of the community to the hospital building as a focal point and the design reflects this. The hospital tower remains the key focus.

The Nurses Block to the east of the hospital building will be retained and extended with the addition of the new Lloyd House structure, a parapet and projecting balconies. Lloyd House will be constructed in the space between the Nurses Block and New Road, bringing it forward into line with the main hospital building. There will be basement parking below. A new building, Watts House is proposed to the west of the hospital building. This building is to be four storeys with balconies or winter gardens and undercroft car parking. There are angled windows provided in the rear elevation to avoid overlooking on St Bartholomews Terrace. There will be a communal roof terrace.

Lloyd House and Watts House have been designed to bookend the main hospital building and enhance and reflect its setting whilst remaining subservient to it. The facade designs of both these buildings have a similar appearance and rhythm to the main hospital building whilst maintaining its own character. Both buildings will use a red brick to compliment the main hospital building.

The Mews Quarter to the north of the site fronts onto St Bartholomews Lane. This comprises four two storey mews houses and an apartment block. The mews houses respond to the scale and architectural vernacular of the existing houses on St Bartholomews Lane. The houses will be on a raised podium due to land level changes. Each house will have a car port, terrace and small outdoor amenity space to the front. The apartment block is 3 storeys high.

The waterworks building is grade II listed and the design proposed would remove the insensitive, modern extensions and restore the building to its former condition. Historic England and the Council's Conservation Officers have stated that the building may be more useable if the extensions remain but sensitive improvements are made. It is proposed to impose a condition to get a schedule of works submitted for works to the listed building. Landscaping works are proposed to the adjoining garden of reflection to further enhance the setting of the listed building and open this area up to public and community use. This will improve the link between the development and the High Street.

The scheme is design led and has evolved through the pre-application and Design Review process. The proposed design is considered to integrate and add to the historic

fabric of the area and responds well to the topography of the site, existing built form and roofscape. The design enhances the visual composition of the site around the existing built form and reinforces spatial patterns relating well to New Road, High Street and the River Medway. The design has been informed by a Townscape Visual Impact Assessment, which has taken key views, topography, surrounding built form and landscape into consideration to ensure the proposal fits architecturally into the overall townscape composition. The design and detail of the proposals has been inspired by the spatial, architectural and textural patterns from the existing vernacular, including street enclosure along the High Street, pocket landscape spaces with street tree planting, railings with no front gardens, regularity and symmetry along New Road through Georgian proportions and terraces as one composition.

It is intended that St Bartholomews Hospital will form a new destination and new locus for the regeneration of the wider Chatham Intra area. The current scheme proposes to achieve this through a new community use in the waterworks building with public landscape improvements to open up the site to the surrounding area. Although the focus is on hard landscaping across the site, which is appropriate in this urban context there are areas of planting throughout. The soft landscaping is formal, structural and narrow planting to reinforce the vertical emphasis of the built form. The garden of reflection will become an improved public open space for this part of the High Street and offer good public amenity.

The proposal does include the removal of a small number of low quality trees but high quality boundary trees are to be retained and new trees planted. Tree protection zones can be secured by condition for the duration of works.

The proposal is considered to have a high quality design that retains the facade of historic local importance adding modern, complimentary additions, and as such the development would be in accordance with Policy BNE1 of the Medway Local Plan 2003 and paragraphs 124, 127, 128 and 130 of the NPPF.

### *Amenity*

The development has been assessed with regard to the Medway Housing Design Standards (interim) November 2011 and the Government's Technical Housing Standards 2015. All the dwellings comply with the national minimum spaces standards, however there is some deviation from the Council standard due to the constraints associated with the conversion of existing buildings. There is a caveat to allow this in the standards and as such the proposal complies with the objectives of Policy BNE2 of the Medway Local Plan 2003.

The proposal will comprise the erection of 155 one and two bedroom flats. The room sizes are all in accordance with the Government's Technical Housing Standards 2015. There will be some private amenity space and roof gardens provided for each flat block. The windows have been positioned to avoid overlooking and have adequate daylight.

The proposed development is considered acceptable in terms of the impact on the amenity of the future occupiers of the proposed dwellings in terms of daylight, sunlight, outlook and privacy and as such the application accords with Policy BNE2 of the Medway Local Plan 2003 and paragraph 17 of the NPPF.

### *Noise*

The main source of noise to the site is from the A2 to the south of the site. An Acoustic Assessment has been submitted as part of this application. The acoustic assessment is acceptable and has demonstrated that acceptable internal noise levels are likely to be achieved with suitably specific glazing and means of ventilation. Further details can be covered by a condition on any permission. It will also be necessary to impose conditions to ensure implementation of the mitigation measures in the acoustic report.

Due to the proximity to neighbouring properties and businesses a Construction Environmental Management Plan should be attached to the permission to control noise, dust and working hours for the duration of the construction.

Subject to the imposition of conditions the development would be in accordance with Policy BNE2 of the Medway Local Plan 2003 and paragraph 170 and 180 of the NPPF.

### *Air Quality*

The site falls within the Central Medway Air Quality Management Area, which has been declared for exceedances of the NO<sub>2</sub> annual mean objective since June 2010. An Air Quality Assessment has been submitted as part of this application. The submitted assessment concluded that the pollutant levels across the site were below the relevant air quality objectives and as such the location is considered suitable for the proposed use without the inclusion of protective mitigation methods. Additionally the assessment concluded that impacts on pollutant levels in the operational phase would not be significant.

However, the submitted assessment has not considered the cumulative impacts of any of the other permitted developments within Rochester and Chatham. Without a comprehensive list of permitted developments that have been considered, the assessment cannot portray an inclusive assessment of the impacts of the site on air quality. Additionally the report fails to include any damage mitigation costs. Due to the lack of clarity in the submitted report a condition will need to be imposed for a further air quality assessment and emissions mitigation assessment to secure the submission of a mitigation scheme to meet damage costs.

Subject to the imposition of condition the development would be in accordance with Policy BNE24 of the Medway Local Plan 2003 and paragraph 170 and 181 of the NPPF.



## *Highways*

The development proposes 74 allocated car parking spaces for residents, in secure undercroft car parks and on the shared surface plus 9 unallocated spaces and 2 disabled spaces. 4 spaces would have electric car charging points. The development proposes 155 cycle spaces within the secure undercroft parking area as well as areas within the public realm for commercial users and members of the public.

The development would have one vehicular access entering and exiting the site via Hospital Lane. This access was the one previously used by the hospital. It would be 4.8 metres in width allowing two way traffic and would also provide a pedestrian connection to the site. There would also be two additional pedestrian connections from New Road. The access has been assessed via a Stage One Safety Audit which did not raise any fundamental issues.

The site is located less than 650 metres from Chatham train station and 800 metres from Chatham Bus Station and the town centre, and as such this is a highly sustainable location. A Transport Assessment has been submitted as part of this application which concludes that an under provision of parking spaces would be acceptable in this location. This is common in such town centre high density sites close to transport nodes, services and facilities. There are many opportunities for sustainable travel in this very urban location, reducing the need and demand for private vehicle movements. By reducing parking on the site, densities can be increased in this highly sustainable location and thereby opportunities for sustainable travel can be maximised.

It is noted that in order to make the best use of previously developed land, and consequentially reduce the requirement for new housing to be built on greenfield land, it is necessary to increase densities which necessarily requires a relaxing of parking provision which accounts for significant proportion of land take on any site. Increasing densities on complex brownfield sites, such as this, increases the value of the land and thereby makes them more viable and deliverable, directly contributing towards achieving Medway Council's regeneration objectives.

There are also substantial Control Parking Zones within the local vicinity that would prevent overspill onto residential roads. It is recommended that a condition is attached to the application requiring a parking management plan that includes preventing prospective residents applying for residential parking permits and the potential to allocated parking spaces to prevent pressure on parking spaces

Paragraph 103 of the NPPF seeks development located in sustainable locations, limiting the need to travel and offering choice of transport modes to reduce congestion and emission and improve air quality and public health. National Policy also promotes the use of walking and cycle over private car.

It is noted that no visitor parking has been allocated within the site. The applicants provided a parking technical note to assess the current on street parking pressures within

the close proximity of the site. It identified that whilst pressure is high along the High Street, Along the A2 there is sufficient capacity to accommodate visitors to the residential units.

The applicant has referenced concerns raised regarding the parking spaces along Hospital Lane. It is considered that further details need to be provided to demonstrate how the road layout would be set out. However this can be dealt with via condition.

The proposal has been considered in the light of the level of proposed parking provision, the access and egress in relation to the existing access arrangement and highway and pedestrian safety generally. No objection to the principle of this development have been raised in the light of this highway consideration, especially due to the location of the site in close proximity to both Chatham and Rochester town centres, bus station and railway stations, which permits a reduction to the Council's minimum parking standards.

The proposal will not result in any detrimental increase in risk to highways or pedestrian safety and is considered to be acceptable in terms of Policies T1, T2 and T13 of the Medway Local Plan 2003 and paragraphs 102, 103, 109 and 110 of the NPPF. The proposal has the provision of secure cycle storage on a 1:1 basis in accordance with policy T4 of the Local Plan.

### *Contamination*

A Preliminary Contamination Investigation Report has been submitted as part of this application. The report concludes that there is some contamination on the site and further investigations are required. Conditions are recommended to ensure further investigations and remediation take place.

The proposed development is considered acceptable in terms of its impact on human health and watercourses in terms of contamination and as such is in accordance with Policy BNE23 of the Local Plan and paragraph 178 and 179 of the NPPF.

### *Ecology*

An Ecological Impact Assessment has been submitted as part of this application. The report concluded that a bat roost was evident and as such mitigation measures will need to be implemented under the necessary Natural England licence. A relatively small suitable reptile habitat has been identified on site in the ecology report which should be secured via condition. Mitigation measures included in the Ecology Assessment include bat boxes and bat sensitive lighting, which can be secured by condition.

The proposed development is considered acceptable in terms of its impact on biodiversity in accordance with BNE37 and BNE39 of the Medway Local Plan 2003 and paragraph 175 of the NPPF subject to the imposition of conditions.

### *Flood risk*

The site is located in Flood zone level 1 on the Environment Agency flood map but the site is over 1 hectare and as such a Flood Risk Assessment has been submitted as part of this application. The Flood Risk Assessment identified a low risk of flooding. There is no residential accommodation on the ground floor. The surface water runoff will be managed through sustainable means. The waste water from the site will outfall to the existing public foul water sewer.

Southern Water raise no objection to the application but have stated that there may be a requirement for network reinforcement. Southern Water and the developer will need to work together to deliver any such reinforcement.

The Lead Local Flood Authority have suggested a conditions relating to disposal of surface water and verification report to confirm that the sustainable drainage system has been constructed in accordance with the agreed scheme.

Subject to the imposition of conditions and carrying out appropriate management of surface water, ground water and foul water storage and disposal the development would be in accordance with Policy CF13 of the Medway Local Plan 2003 and paragraphs 149, 155, 163 and 165 of the NPPF.

### *Climate Change and Energy Efficiency*

The applicant has indicated that all materials will be used to exceed the requirements of the latest building regulations and in particular Part L (Energy Use) and will utilise materials that meet the BRE Green Guide A+ rating. (Materials which have the lowest overall environmental impact over the lifecycle of a product as calculated by BRE Environmental Assessment Method).

All new windows are to be double-glazed windows which will significantly reduce noise and improve heat insulation. Low NOx boilers and electric car points will also be provided, while all hard standings will be self-draining.

The close proximity of amenities including public transport, public park, leisure facilities, businesses and shopping facilities from the proposed development mean the length of journey is minimal promoting walking and making it not essential to own a car. Secured bike storage can be provided within the secured rear private gardens or within garages, as such the development offers the opportunity for a sustainable transport solution.

### *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 J245.56 per dwelling (excluding legal and monitoring officer's costs, which separately total J550) 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 (SAMB) 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 SAMB measures is secured and the SAMB 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/are in the process of submitted/submitted a unilateral undertaking. No objection is therefore raised under Paragraphs 175 and 176 of the NPPF and Policies S6 and BNE35 of the Local Plan.

### *Affordable Housing*

This proposal is for more than 25 dwellings in the urban area therefore in accordance with Policy H3 of the Local Plan there is a requirement for affordable housing, however, in this case it is intended to apply vacant building credit and a viability assessment has been submitted. This would mean no affordable housing would be provided.

Vacant building credit is a national policy incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into use or demolished and replaced the developer can be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when calculating affordable housing contributions. If there is no net increase in floorspace in the proposed development then no affordable housing contributions would be required. If there is a net increase in floorspace then the affordable housing requirement would only apply on the additional floorspace. In this case there would be a net increase in floorspace and 9% affordable housing should be provided, however the applicant has submitted a viability assessment that states that it is not viable to provide any affordable housing on site or to provide a commuted sum for off-site provision. The viability assessment has been checked and verified by an independent viability consultant who agreed with the applicant's assessment. Policy H3 of the Local Plan does list matters to be taken into account when affordable housing is negotiated, including the suitability of the site for affordable housing development, the economics of provision and the realisation of other planning objectives on the site. It is considered that this is a complex site and conversion

of existing historic buildings is expensive. There is a requirement for a high quality design, build and materials on this site due to its historic importance and prominent location. It is also considered that this site is within an area of Chatham that is in need of regeneration and improvement. The redevelopment will provide much needed smaller homes and on balance it is considered that the proposal does comply with Policy H3 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 comply with these tests because they have been calculated based on the quantum and location of the development. The contributions have been partly reflected in a formulae based approach, as final quantum of the development is not known. The contributions are based on an occupancy level of 2.45 people. New residential development can create additional demand for local services. Policy S6 of the adopted Local Plan states conditions and/or legal agreements should be used to make provision for such needs.

The applicant has submitted a Viability Assessment as part of this application seeking to provide below the policy compliant developer contributions set out in the Medway Council Guide to Developer Contributions and Obligations 2018. The Viability Assessment shows the development is unviable in all scenarios where full developer contributions are applied. The Viability Assessment has been verified by our independent Development Consultant. However, the development can provide for the contributions set out below.

- ☐ Contribution of J38,061.80 towards bird disturbance mitigation

It should also be noted that the development will also provide a new community facility and improved public open space at the waterworks building and garden of reflection that would equate to approximately J500,000 and assist with the Council's High Street Heritage Action Zone bid.

The Viability Assessment has been accepted by the Council's independent Development Consultant and on this basis no objections are raised with regards policy S6 of the Medway Local Plan 2003.

### *Local Finance Considerations*

There are no local finance considerations

## Conclusions and Reasons for Approval

The application site contains a prominent historic building that has significant local importance and a positive impact on the conservation area. The proposal will bring the vacant former hospital back into use and is an important regeneration site in Medway.

The proposed development retains the main hospital building facade with modern additions and new buildings that have a design that is sympathetic to the character and appearance of the surrounding area and does not cause significant harm to the setting of the Conservation Area and heritage assets, including the waterworks building within the site.

The proposal has a design that is well considered and will add interest to the street scene whilst keeping the main hospital building the dominant feature. The proposal would result in an attractive residential development on the site. In addition, the benefits of the delivery of high quality residential accommodation in this area must be considered as an advantage to Medway and the long term aims of the regeneration of Chatham taking into account that the proposal will increase local activity also enabling increased appreciation of a number of surrounding built heritage assets.

The proposed development would not have a detrimental impact on neighbouring amenity of current or future occupiers in terms of daylight, sunlight, outlook and privacy. The proposed development would also not have a detrimental impact on archaeology, contamination, flood risk and surface water management, air quality, noise or highways safety.

The proposal is acceptable in accordance with Policies S1, S6, BNE1, BNE2, BNE12, BNE13, BNE14, BNE17, BNE18, BNE21, BNE23, BNE24, BNE35, BNE37, BNE39, H3, H4, H5, CF2, CF13, T1, T2, T3, T4 and T13 of the Medway Local Plan 2003 and paragraphs 8, 10, 11, 12, 17, 23, 34, 59, 67, 85, 87, 91, 92, 93, 102, 103, 109, 110, 117, 118, 122, 124, 125, 127, 128, 130, 149, 155, 163, 165, 170, 175, 176, 178, 179, 180, 181, 184, 185, 189, 192, 195, 196 and 200 of the NPPF.

The application would normally be determined under delegated powers but is being referred for Committee determination at the request of Councillor Tranter due to the significance of the site and importance to the regeneration of the area.

**This application was considered by the Planning Committee on 4 March but deferred for further information/consideration in relation to matters of viability and in relation to the unit mix.**

Since the Committee the applicants have provided a letter from Savills in support of the unit mix and have emailed with the following comments on unit mix/viability and S106:

## Unit mix

Savills, who will be one of the agents responsible for marketing the units, have prepared the attached letter (will be attached to supplementary agenda) which considers the proposed unit mix in more detail and how it responds to local market demands.

Savills, who will be the residential agent for the site, have assessed the proposed housing mix against local market demand. They have identified the primary target market, which in this case is predominantly local young professionals. Savills conclude that the 1-bedroom units will be particularly attractive to this demographic, many of whom currently rent within Chatham, Rochester and Gillingham and are looking for an affordable home ownership product. The mix responds to this requirement, predominantly consisting of one and two-bed apartments which will be of an affordable house price more in line with average household incomes for the local area. This will in turn enable more of the area's young professionals to get onto the housing ladder.

Savills have also reviewed the size of the proposed apartments and have identified that the larger one-bed units are very generous in size and are definitely suitable for couples as well as single occupiers. In particular, the 1 bed/2 person apartments within the scheme are oversized, being well above minimum space standards and the size of other 1-bed apartments traditionally provided as part of new-builds.

Savills have also identified that design constraints to converting the main hospital building have also been a factor in the higher number of 1-bed apartments here. The design team worked through a series of design and floorplan evolutions to ensure the optimum layout and mix was achieved, whilst working within the existing structure of the building, which in places inhibited the ability to create larger apartments. The current layout, with a higher proportion of smaller apartments, ensures that each one is adequately sized, with shallow room sizes and adequate access to daylight.

## Viability

A Financial Viability Assessment (FVA) has been carried out on a proposed development of 155 homes on the above site, a mixture of new build and refurbishment.

Planning policy sets a target for affordable housing provision on sites such as this of 25%, however application of the Vacant Building Credit reduces this to 9%. The applicant argues in their viability report of October 2019 that a scheme with no affordable housing or other S106 contributions generates a negative land value of -£2,937,570 and is therefore unviable despite the absence of contributions.

We have considered the viability of the proposed scheme considering firstly that all policy targets are met, moving to consider other scenarios if necessary.

We have considered the value of the proposed development and subtracted the total costs in bringing the scheme forward (including construction, fees, and finance). We have

also subtracted what we consider to be a suitable developers profit adjusted for the risks the scheme presents. This leaves a residual land value as shown below:

|                                    |               |
|------------------------------------|---------------|
| Gross Development Value            | £ 38,422,509  |
| Less Gross Development Costs       | £ 32,088,039  |
| Less a suitable developer's profit | £ 7,760,130   |
| Residual Land Value                | (£ 1,346,563) |

We have compared the residual land value to the Benchmark land value we consider to be appropriate. Planning guidance refers to this as *“the minimum return at which it is considered a reasonable landowner would be willing to sell...”* We consider this to be £1,440,000.

As the residual land value is less than this benchmark figure, we have repeated the exercise considering a number of sensitivities, centred on lower construction costs, higher house prices and reduced levels of profit. In addition, we have considered a combination of lower construction costs and lower profit levels.

As the revised residual values of the site remain below the benchmark value with the provision of no affordable housing or other S106 contributions, we consider this to be a scheme which is not viable. It is therefore our reasonable judgment that the scheme is not viable, the same conclusion as the applicant's viability report.

The independent viability assessment concurred with findings of the applicant's viability report. The net profit indicated in the appraisal is only 12.3% of the Gross Development Value, with a target rate of return of 20% to reflect the risk of the project. Irrespective of risk, the 12.3% profit is currently below the minimum guide of 15% as set out in the government's national planning guidance on viability.

### S106

The last committee report was not explicit enough in terms of the S106 costs, namely the monetary value of the works to the Waterworks, which is £594,754 and the Garden of Reflection at £200,000.

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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://publicaccess1.medway.gov.uk/online-applications/>