

Planning application: MC/20/1025
Date Received: 4 May 2020

Location: 309 Lower Rainham Road Rainham
Gillingham Medway

Proposal: Outline application with all matters reserved for the construction of three self-build dwellings with associated parking and amenity space -Resubmission of MC/20/0624

Applicant Nexus Land Group

Agent Barron Edwards Ltd
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Ward: Rainham North Ward

Case Officer: Madeline Mead

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 14th October 2020.

Recommendation: Approval subject to:

- A) The submission of a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 to secure
 - i. £250.39 per new dwelling towards Designated Habitats Mitigation.
 - ii. A commitment to make the development plots available only as self-build plots.

- B) And the following conditions:

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

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

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

Reason: To comply with Section 92 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 number LRR309-A-P3 (access and visibility splays only, not layout) received on 8 September 2020.

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

- 5 No development shall take place (including any ground works, site or vegetation clearance) until a method statement for the protection of biodiversity - including amphibians, reptiles, badgers and hedgehogs - has been submitted to and approved in writing by the local planning authority. The content of the method statement shall contain precautionary measures detailed for the above species within paragraph 8 of the Extended Phase 1 Ecological Habitat Survey Report; and the following information:

- a) Purpose and objectives for the proposed works;
- b) Detailed design(s) and/or working method(s) necessary to achieve stated objectives including updated surveys where necessary;
- c) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- d) Persons responsible for implementing the works, including times during construction when specialist ecologists need to be present on site to undertake / oversee works;

- e) Use of protective fences, exclusion barriers and warning signs (when needed);
- f) Initial aftercare and long-term maintenance (where relevant);
- g) Disposal of any wastes for implementing work (where relevant).

The works shall be carried out in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To ensure appropriate mitigation measures are put in place and with regard to Policy BNE37 of the Medway Local Plan 2003.

- 6 No development shall take place until a Construction Environmental Management Plan (CEMP) that describes measures to control, amongst other matters, hours of working, deliveries to the site, noise, dust, lighting and the effect on wildlife and habitat impacts arising from the demolition and 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: In order to minimise the impact of the construction period on the amenities of local residents, the countryside, wildlife and habitat and with regard to Policies BNE2, BNE37 and BNE39 of the Medway Local Plan 2003.

- 7 No development shall take place above slab level until details of the surfacing and drainage of the vehicle access has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details before the access is brought into use and shall be so retained at all times thereafter.

Reason: To ensure that the development permitted does not prejudice conditions of amenity and highway safety in accordance with Policies BNE2 and T1 of the Medway Local Plan 2003.

- 8 No development shall take place above slab level until servicing has been put in place for each plot, providing access to a public highway and connections for electricity, water and waste water. This shall remain in place until the occupation of the final unit.

Reason: In order to provide amenities in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 9 The details submitted in pursuance of Condition 1 shall show land reserved for parking or garaging in accordance with the adopted Parking Standards. The dwelling for the plot the reserved matters is for shall not be occupied until this area has been provided, surfaced and drained in accordance with the approved details. Thereafter no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order

amending, revoking and re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to the reserved vehicle parking area.

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.

- 10 The access shall not be used until vision splays 120 metres x 2.4 metres have been provided on both sides of the vehicular access point(s) and no obstruction of sight, including any boundary treatment, more than 0.6m above carriageway level shall be permitted within the splays thereafter.

Reason: To ensure that the development permitted does not prejudice conditions of highway safety or efficiency in accordance with Policy T1 of the Medway Local Plan 2003.

- 11 Prior to the felling of any trees, a precautionary bat mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority.

The precautionary bat mitigation strategy shall include:

- A 1FD Schwegler bat box to be placed in a tree nearby prior to the start of works and it must be detailed within the site and landscape plans;
- A tool box talk to be undertaken to contractors involved in the demolition;
- Tree removal to be undertaken between late August and early October or between March and April (breeding bird inspection may be required if undertaken between April and September);
- Work to be undertaken in a sensitive manner under the supervision of a licenced bat worker;
- In the unlikely event that a bat is found during works, arboricultural works will cease immediately and licence from Natural England will be sought.

Reason: To ensure no harm occurs to bat during the felling of trees and with regard to Policy BNE37 of the Medway Local Plan 2003.

- 12 If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted a method statement, and obtained written approval from the Local Planning Authority. The Method Statement must detail how this unsuspected contamination shall be dealt with.

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.

- 13 No development shall take place above ground floor slab level until details of the provision of 1 electric vehicle charging point (1 per dwelling) has 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 first occupation of each dwellinghouse herein approved a plan indicating the positions, design, materials and type of boundary treatment to be erected to serve the relevant dwelling shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details before the relevant dwelling is first 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.

- 15 Prior to the first occupation of any dwellinghouse herein approved, the boundary treatment to the landscape buffer that surrounds the development shall be installed as fencing identified on the boundary treatment plan (LRR309-A-P6) received on the 8 September 2020. The boundary treatment shall be completed in accordance with the approved details before the occupation of any dwellinghouse 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.

- 16 Prior to the installation of any external lighting on the site, including for each individual plot, a lighting design strategy for the site boundaries and for each plot should be submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall include the following details:

height, position, external appearance, any shielding, light intensity, colour, spillage (such as light contour or lux level plans);
demonstration of the effect on the rural landscape;
identification of those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;

how and where external lighting will be installed so that it can be clearly demonstrated that the areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy.

Reason: In order to limit the impact of the lighting on the the surrounding landscape and wildlife with regard to Policies BNE1, BNE37 and BNE39 of the Medway Local Plan 2003.

- 17 The plot(s) must be marketed to self/custom builders for a minimum period of 24 months from the commencement of development on the plot(s), after which time evidence of this should be provided to the satisfaction of the Local Planning Authority before any consideration by the land owner/developer is given to revert to open market sale/to be developed by the land owner/developer. This evidence would be required in any subsequent full planning applications to the Local Planning Authority.

Reason: To take account of the self-build nature of the submitted application and to regulate and control any subsequent development of the site in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 18 For each reserved matters application relating to an individual plot, evidence should be provided from the person(s) purchasing the plot to prove they have had primary input into the final design and layout of their home. This evidence shall be submitted to the Local Planning Authority as part of the reserved matters application.

Reason: To take account of the self-build nature of the application in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 19 Each reserved matters application submitted in pursuance of this permission shall include statements of conformity with the Design Code received 8 September 2020 and herein approved.

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

- 20 Reserved matters in relation to landscaping pursuant to condition 1 shall include details as set out on drawing number LRR309-A-P4 Revision 4 (Landscaping and General Arrangement Plan) received 11 September 2020 and details of a Landscape Management Plan. The Landscape Management Plan shall include long-term design objectives, management responsibilities and maintenance schedules for all landscape areas held within common areas including: perimeter

hedge planting, tree planting and ornamental shrub planting to the development entrance for a minimum period of five years and a timetable for the implementation. The development shall thereafter be implemented in accordance with the landscaping reserved matters and 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.

- 21 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification), the extension herein approved shall remain in use with the rest of the house as a single family dwellinghouse falling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order amending, revoking and re-enacting that Order with or without modification) and no change of use to C4 shall be carried out unless planning permission has been granted on an application relating thereto.

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

- 22 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification) no development shall be carried out within Schedule 2, Part 1, Classes A, AA, B, C, E, F and H of that Order unless planning permission has been granted on an application relating thereto.

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

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

Proposal

This is an outline application for three detached self-build houses with all matters, accept for access, reserved for future consideration.

An indicative site layout drawing has been submitted that shows how three detached dwellings could be accommodated within the site. The dwellings are proposed as self-build plots, all of similar size and located with all of the front elevations onto Lower Rainham Road, continuing the ribbon effect of the existing built form. One vehicular

access off of Lower Rainham Road is proposed to serve the dwellings and this is indicated as being central within the plot. Parking is also indicated to each plot.

A landscape and general arrangement plan and design guide has also been submitted with this application.

Site Area/Density

Site Area: 0.275 hectares (0.681 acres)

Site Density: 18.18 dph (7.34 dpa)

Relevant Planning History

MC/20/0624	Construction of 5 x four bedroom dwellings with associated parking and amenity space Decision: Withdrawn Decided: 5 May 2020
MC/20/0049	Construction of a single storey detached double garage with workshop to rear Decision: Approval with conditions Decided: 2 March 2020
MC/19/2372	Construction of a two storey extension to rear-demolition of extension to rear and porch to side Decision: Approval with conditions Decided: 4 November 2019

Representations

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

KCC Ecology and Southern Water have also been consulted.

Four letters have been received with the following objections:

- Increased traffic.
- Impact on wildlife and greenery.
- Increased levels of noise and pollution.
- Site is within a flood plain
- Vehicular access located in dangerous section of road.
- Overdevelopment of the site.
- Loss of views.

KCC Ecology (KCCE) is satisfied that sufficient ecological information has been provided with the application for determination of the planning application. KCCE require detailed mitigation/enhancement requirements to be submitted prior to development. Conditions are recommended to ensure the mitigation/enhancement requirements are submitted.

Natural England has no objection to the development subject to appropriate mitigation being secured by way of financial contributions to the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy (SAMMS).

Southern Water advises that no development or new tree planting should be located within 3 metres on either side of the external edge of the public sewer. All existing infrastructure should be protected during the course of construction works and that no new soakaways should be located within 5 metres of a public sewer.

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 application site is located outside of any defined urban area as designated by the Local Plan and therefore is in a countryside location, an Area of Local Landscape Importance (ALLI) and Riverside Marshes character area from the Medway Landscape Character Assessment 2011. The site is also adjacent to Gillingham Riverside Country Park

Policy BNE25 of the Local Plan states that development in the countryside will only be permitted in specified circumstances, none of which apply to the current case. Policy BNE34 of the Local Plan seeks to prevent development which would materially harm the landscape character and function of the area. However, these Policies are not in full accordance with the subsequent advice of the NPPF. Paragraph 11 of the NPPF states that decisions should apply a presumption in favour of sustainable development and that where the development plan policies are out-of-date, including in respect of applications for the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites, permission should be granted unless given circumstances apply. In the current case the Council has a shortfall in housing land supply and therefore the development cannot reasonably be refused on principle alone just because it is within a rural area. In these circumstances, consideration has been given to whether or not a development in this location would be sustainable and with regard to the advice on rural housing in paragraphs 77-79 of the NPPF.

Paragraph 8 of the NPPF refers to sustainable development and has three strings which are an economic, social and an environmental role, all of these dimensions are 'mutually dependent'. In respect of the proposal, socially, there are benefits from the scheme through the provision of housing to help meet the 5 year supply. The site is within walking distance of the Riverside Country Park and café and the Three Mariners Public House. It is acknowledged that local shops would be outside of the accepted 800m recommended walking distance, however, local shops are within a short trip by car. A bus stop, located outside of the application site also runs a limited service during the week and on a Sunday to access local shops. Economically, the site would boost the local economy during construction process providing jobs in the short-term. Overall, it is considered that the site is sustainable.

The history of the site not being used for agriculture is most likely due to its location between the existing house and Sharp's Green and the Riverside Country Park to the rear. The site has a well manicured lawn and has been used for a number of years as garden area. The proposed dwellings would sit between number 309 Rainham Road and Sharp's Green and on the other side of Sharp's Green on the corner plot is another residential dwelling and therefore the development would appear as infilling to an existing cluster of properties and therefore not isolated and in accordance with paragraph 79 of the NPPF.

The nature of the proposed scheme as a self-build project must also be considered. Self-build is defined as when someone gets involved in, or manages the construction of their new home (definition from NACSBA). The Department for Communities and Local Government (DCLG) published the Housing White Paper, Fixing Our Broken Housing Market in February 2017, which asserts it 'will make it easier for people who want to build their own homes' (p.14). The White Paper makes it clear that custom and self-build is an important part of the Government's strategy to solve the housing crisis. As a result, Local Planning Authorities will be expected to have policies that support the development of small 'windfall' sites that are not allocated in policy plans, and they will be expected to identify opportunities for villages to thrive, especially where this would support local services and meet the need for local homes for local people. The White Paper also commits to promoting the Right to Build portal from the National Custom and Self Build Association (NACSBA), so that anyone wanting to build their own home can easily find the Local Authority register in their area.

In terms of Medway's Self Build Register, the level of demand is monitored via annual base years. To date, there have been 4 base years and the following demand has been established:

- Base Period 1 - 14 individuals
- Base Period 2 - 38 individuals
- Base Period 3 - 13 individuals and 1 association
- Base Period 4 – 14 individuals and 1 association (to date).

These figures indicate there is a clear demand for self-build plots in Medway and together with the impetus from the Government for the type of self-build development that is proposed under this application, this is a development that should be encouraged. The applicant is committed to ensuring the self-build nature of the scheme, and has incorporated this commitment into a Unilateral Undertaking.

Therefore the principle of new housing as set out above is generally acceptable and is in accordance with Paragraphs 8, 10, 11 and 77-79 of the NPPF and the Housing White Paper, subject to the consideration of the detailed matters set out below. However, it is still necessary to consider the impact on the character, amenity and functioning of the countryside with Policies BNE25 and BNE34 of the Local Plan in mind and this will be addressed in the sections below.

Impact on the Countryside and Design

Paragraph 124 and 127 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. Paragraph 126 relates to design codes, and their use in providing a framework for creating distinctive places with a consistent and high quality standard of design. Special attention needs to be paid to the impact on the character and appearance of the countryside and the ALLI and Policies BNE25 and BNE34 of the Local Plan seek to ensure development is sensitive to these areas.

The application site is a small area of land that has been included as garden area for 309 Lower Rainham Road for a period of time. The site is visible from Lower Rainham, Road, Sharp's Green and the Riverside Country Park. The surrounding area contains a mix of house types and designs with detached or semi-detached two storey dwellings, chalet bungalows and bungalows. The proposed dwellings are detached and would follow the existing ribbon form of development. As appearance is a reserved matter, and as this is a self-build application, the development provides a real opportunity for exceptional, innovative and high quality design.

A design code has been submitted with the application to ensure there are adequate controls to prevent the proposed architectural style from being 'dumbed down' and to ensure that the scheme adheres to the rural vernacular that it seeks to reflect. Additionally, as a self-build scheme, the self-builder must be able to have control over the design of the house. The design code articulates the design principles and materials, without being too prescriptive about the actual houses to be built.

Landscape and General Arrangement Plan

A detailed landscape and general arrangement plan has been submitted with the application. This plan shows the depth and species of planting to all of the external boundaries of the site and between the proposed dwellings and the existing dwelling number 309. The details submitted are considered to be appropriate in terms of ecological

enhancements and to limit the impact of the development on the surrounding countryside and ALLI. A boundary treatment plan has also been submitted with the application which proposes the use of post and rail fencing with mesh infill to the external boundaries of the site and is considered to be an appropriate form of boundary treatment in the countryside. It is recommended that the landscape and general arrangement plan and boundary treatment are secured by condition.

Subject to the above mentioned conditions the application would be in accordance with Policies BNE1, BNE25, BNE34 of the Local Plan and paragraphs 124, 126 and 127 of the NPPF.

Amenity

There are two main amenity considerations, firstly the impact of the proposed dwellings on neighbours and secondly the living conditions which would be created for potential occupants of the development itself. Policy BNE2 of the Local Plan and paragraph 127 (f) of the NPPF relates to the protection of these amenities.

Neighbouring Residential Amenity

With regard to the impact in terms of outlook, privacy, daylight and sunlight, due to the siting of the proposed houses it is not considered that the dwellings would have a detrimental impact on neighbouring properties. Privacy for neighbouring properties can be further protected through the detailed design of the proposed dwellings and positioning of habitable and non-habitable rooms and windows, and conditioned as necessary at reserved matters stage.

With regard to the amenities of future occupants of the development site itself, the detailed design of the proposed dwellings would need to pay regard to the Technical Housing Standards - nationally described space standard (2015). Consideration should be given to the need to create sufficient privacy within the proposed gardens. It is considered that careful design and boundary treatment could provide a satisfactory scheme in this respect.

On the whole, it is considered that the design of three dwellings on this site could be developed to protect the amenities of existing and future occupiers. However, this is an issue that would be properly considered at reserved matters stage. In principle, it is considered that the impact on amenities is acceptable and in accordance with Policy BNE2 of the Local Plan and Paragraph 127(f) of the NPPF.

Due to the proximity of neighbouring properties the construction of the development itself could lead to noise and nuisance dust emissions to nearby residential properties and therefore it is recommended that a condition is imposed requiring the submission of a Construction Environmental Management Plan.

Highways

Access to the site would be via Lower Rainham Road. A drawing (LRR309-A-P3) has been submitted with the application that demonstrates the visibility splays can be achieved. Sufficient turning space is provided within the site for vehicles to enter, manoeuvre and exist the site in a forward facing direction. In terms of impact on the highway, given the small level of units, it is not considered to result in a severe or significant impact on the highway.

The indicative layout shows adequate parking for two cars per dwelling. Indicative drawings show garages which would be just under the minimum requirements of 7m x 3m. However, it is considered that one vehicle could be accommodated within the garage and therefore the parking provided would meet the Parking Standards.

Paragraph 110E of the NPPF 2018, outlines that developments should be designed to enable electric charging points and therefore a condition is recommended to secure this.

With the above mentioned condition secured, the development is considered to comply with Policies T1, T2 and T13 of the Local Plan paragraph 109 of the NPPF.

Ecology

An Extended Phase 1 Ecological Habitat Survey Report dated 24 January 2020 has been submitted with the application. Sufficient ecological information has been provided within this report for the determination of the planning application subject to conditions.

The proposed development is located on an area of regular mown lawn. The proposed mitigation measures provided within the *Extended Phase 1 Ecological Habitat Survey Report* are satisfactory.

The following mitigation measures for the following protected species/habitats are proposed:

- Amphibians and reptiles – precautionary measures and exclusion fence
- Badgers and hedgehogs - precautionary measures

It is recommended that a biodiversity method statement is secured by conditions to ensure that the proposed mitigation measures are undertaken.

Trees noted to be lost by the proposed development are considered to be low suitability for roosting bats. The Extended Phase 1 Ecological Habitat Survey Report suggests that a precautionary bat mitigation strategy must be undertaken prior to any tree felling works. A condition is recommended to secure the submission of a precautionary bat mitigation strategy.

A landscaping and general arrangement plan has been submitted with the application that shows the type and species of boundary hedge that would replace the existing. This hedging alone amounts to ecological enhancements on the site.

Subject to the suggested conditions, no objection is raised regarding Policy BNE37 of the Local Plan and paragraph 175 of the NPPF.

Trees

An arboricultural survey, constraints and impact assessment dated 18 July 2020 has been submitted with the application. All trees, with the exception of tree T1, are identified for removal and some sections of hedging are also to be removed. None of the trees to be removed are of high grade and they do not make a significant contribution to the wider amenity.

Overall, it is considered that the removal of the trees on site is acceptable and comply with Policy BNE43 of the Local Plan.

Bird Mitigation

As the application site is within 5km of the Medway Estuary & Marshes SPA, Ramsar and SSSI and 2km of the Thames Estuary & Marshes SPA, Ramsar and SSSI, though small, the proposed development is likely to have an 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 £250.39 per dwelling (excluding legal and monitoring officer's costs, which separately total £550) should be collected to fund strategic measures across the Thames, Medway and Swale Estuaries. The strategic measures are in the process of being developed, but are likely to be in accordance with the Category A measures identified in the Thames, Medway & Swale Estuaries Strategic Access Management and Monitoring Strategy (SAMM) produced by Footprint Ecology in July 2014. The interim tariff stated above should be collected for new dwellings, either as new builds or conversions (which includes HMOs and student accommodation), in anticipation of:

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

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

S106 Matters

The only other matter concerning s106 relates to an obligation for the development to be self build. The applicant has agreed to the inclusion of such an obligation to ensure the development is delivered in this manner. This will be secured as part of the Unilateral Undertaking.

Conclusions and Reasons for Approval

It is considered that the proposed development is acceptable in principle, in that, whilst it is outside the urban area and is within the countryside, the impact of the development in landscape quality terms is limited and the scheme is supported by the NPPF in terms of its sustainability, and in terms of the Housing White Paper and the need for self-build developments. Whilst matters relating to scale, appearance, layout and landscaping are reserved for consideration at a later date, overall it is considered that in relation to access, amenities, parking and highway safety, the scheme is acceptable and will provide a high-quality, self-build housing development that will help meet a need in the area. As such the proposal is considered to be in accordance with the provisions set out in Paragraphs 8, 10, 11, 77, 78, 79, 109, 118, 126, 127, 175 of the National Planning Policy Framework, and Policies BNE1, BNE2, BNE25, BNE34, BNE35, BNE37, S6, T1, T2 and T13 of the Medway Local Plan 2003. Therefore the application is recommended for approval subject to s106 and conditions.

The application would normally fall under delegated powers for determination, but is being reported to Committee due to the number of representations received expressing a view contrary to officer 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/>