

MC/20/0932

Date Received: 22 April 2020
Location: St Clements House Corporation Street
Rochester Medway
Proposal: Demolition of the existing building and erection of a part 6, part 5 storey building to provide 44 residential units together with associated car parking, cycle parking, hard and soft landscaping, tree removal, boundary treatment, access, utilities and other associated works.
Applicant mhs homes
c/o agent
Agent BPTW
Miss Kate Goldie 40 Norman Road
Greenwich
London
SE10 9QX
Ward: Rochester West Ward
Case Officer: Wendy Simpson
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 11th November 2020.

Recommendation - Approval with 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: 17-259 / D100 Rev A, 17-259 D101 Rev A, 17-259 D200 Rev A, 17-259 D201 Rev A, 17-259 D203 Rev A, 17-259 D300 Rev A, and LD-PLN-001 Issue E, received 21 September 2020.

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

- 3 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: Required before commencement of development to avoid any irreversible detrimental impact on any archaeological interest and in accordance with Policy BNE21 of the Local Plan 2003.

- 4 No development shall take place until details of foundations designs and any other proposals involving below ground excavation have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on any archaeological interest and in accordance with Policy BNE21 of the Medway Local Plan 2003.

- 5 Prior to the commencement of the development hereby permitted, an air quality scheme, which demonstrates how poor air quality from Corporation Street AQMA can be mitigated by the installation of a clean air ventilation system, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall cover all habitable rooms and include details of the design and installation of the clean air ventilation system and, if necessary, air purification equipment. All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: Required prior to commencement of development to ensure no long term detrimental harm to conditions of amenity in accordance with Policies BNE2 and BNE24 of the Medway Local Plan 2003.

- 6 Prior to the commencement of the development hereby permitted, a scheme for protecting the proposed development from noise that implements the acoustic glazing and building fabric assessment measures described in the noise assessment reference PC-19-0290-RP1-Rev A, dated 30th March 2020, shall be submitted to and approved in writing by the Local Planning Authority. As the internal guideline noise levels will be exceeded with windows open, the scheme shall include details of appropriate acoustically screened mechanical ventilation. All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: Required prior to commencement of development to ensure no long term detrimental harm to conditions of amenity in accordance with Policies BNE2 and BNE3 of the Medway Local Plan 2003.

- 7 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 8 to 10 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 11 has been complied with in relation to that contamination.

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.

- 8 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.

- 9 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.

- 10 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.

- 11 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 8, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 9, 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 9 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 10.

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.

- 12 No development shall take place, including demolition works but other than contamination investigation and remediation works, archaeological works and earthworks, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of: hours of construction working; measures to control noise and vibration affecting nearby residents; wheel cleaning/chassis cleaning facilities; dust and air pollution control measures; pollution incident control and site contact details in case of complaints. The demolition and construction works shall thereafter be carried out at all times in accordance with the approved Construction environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

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

- 13 No development shall take place other than demolition, contamination investigation and remediation works, archaeological works and earthworks 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.

- 14 Prior to the first occupation of any building (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.

- 15 Notwithstanding the submitted details no development above slab level shall take place until details of all materials to be used externally have been submitted to and approved in writing by the Local Planning Authority . The detail shall include sample panels of the agreed brickwork including mortar colours, joint types and pointing finishing for each brick type at a size of no less than 2sqm per panel, to be constructed and made available for inspection at agreed locations within the site for approval. The development shall be implemented in accordance with the approved details.

The sample panels shall thereafter be retained on site for the duration of the construction.

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

- 16 No development shall take place above slab/foundation level within a phase until typical details of the building, including elevations and sections through external walls have been submitted to and approved in writing by the Local Planning Authority. Details are required at a scale of 1:5, 1:10 and 1:20. Typical details required are eaves, verge, entrance recess soffits, solar panels & brackets, balcony structures, balustrades, handrails, parapets & capping's, balcony recesses, window and door cills - jambs - heads, ground connections, wall plane changes, junctions at material changes, visible flashings, roof vents, electricity cupboards, waste enclosures, boiler and other flu placements. The development shall be implemented in accordance with the approved details 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 Policies BNE1 of the Medway Local Plan 2003.

17 Notwithstanding the submitted details no development shall commence above slab level until details of the boundary wall and railings, including their foundations have been submitted to and agreed in writing with the Local Planning Authority including at a suitable scale and utilising the projecting brick feature of the ground floor level of the building hereby approved. Details shall be fully coordinated with the hard and soft landscape scheme (including tree pit details) and shall include:

- material details for the walls
- sections and detail drawings for the walls at a suitable scale, including as it varies along its length
- railing details, materials, and finish at a suitable scale
- foundation details for the walls and railings
- on site a sample panel of the agreed brickwork for the boundary walls including mortar colours, joint types and pointing finishing for each brick type at a size of no less than 2sqm per panel have been constructed and made available for inspection at agreed secure locations within the site for approval in writing by the Local Planning Authority.

The development shall be implemented in accordance with the approved details and the sample panel shall remain on site during the construction period.

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.

18 Within three months of works commencing an ecological enhancement plan, must be submitted to and approved in writing by the Local Planning Authority, detailing what ecological enhancements will be incorporated in to the site. The plans must be incorporated into the site as detailed in the approved plan and retained as such thereafter.

Reason: In order to enhance the biodiversity on the site with regard to Policy BNE39 of the Medway Local Plan 2003.

19 Notwithstanding submitted drawings and details, no development above slab level shall commence until full details of a hard and soft landscape scheme are submitted to and approved in writing by the Local Planning Authority. Plans and information provided shall include :

- details 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), tree grilles, minor artefacts and structures (seating, refuse receptacles and raised planters). 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.

- a timetable for implementation.

The development shall be implemented in accordance with the approved details and timetable and any trees or plants which within 5 years of planting are removed, die, or become seriously damaged or diseased so as to impair their successful establishment, 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.

- 20 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 landscape areas, including communal courtyard and green roofs(except for small, privately owned, domestic gardens) for a minimum period of five years and arrangements for implementation. 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.

- 21 Notwithstanding submitted drawings and details, no development above slab level shall commence until full details relating to the design and specification of tree planting pits to enable successful establishment of trees and their independence in the landscape have been submitted to and approved in writing by the Local Planning Authority:

Information should provide details for the planting environment (including in both hard and soft landscape conditions), 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). The design of tree pit details for trees planted along Corporation Street should clearly demonstrate adequate soil volumes, interface details between the tree cell system and the following elements: existing services, build-up and treatment of the highway/ highway footway / residential access footpath/ terrace, brick wall foundation and any soft landscape components / soil build-up.

A timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority.

All works shall be carried out in accordance with the approved details and maintained as such thereafter.

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

- 22 Tree removal and tree pruning works shall take place in accordance with the report 'Trees at 1-21 St Clements House Corporation St Rochester ME1 1NL' (Duramen Arboricultural Report, Ref: 19087(f3), dated 9 September 2020).

Reason: To protect and enhance the appearance and character of the site and locality, in accordance with Policies BNE1 and BNE6 of the Medway Local Plan 2003.

- 23 The development shall not be occupied, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority. 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 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude 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 Policy T13 of the Medway Local Plan 2003.

- 24 No part of the development shall be occupied until a Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Parking Management Plan shall contain details of how the parking spaces within the development are to be 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 that the development permitted does not prejudice conditions of highway safety or efficiency outside of the site and to accord with Policy T13 of the Medway Local Plan 2003.

- 25 Prior to the first occupation of any of the units hereby approved two electric vehicle charging points (minimum of 3.6kW each) shall be installed. The charging units shall be maintained in place and in good working order thereafter.

Reason: In the interests of sustainability in accordance with paragraph 110E of NPPF.

- 26 The development hereby approved shall provide all units at either Affordable Rent (capped at the Local Housing Allowance rate for Medway) or Social Rent levels, in accordance with details to be submitted to the Local Planning Authority for written approval within 12 months of commencement of development. The development shall thereafter be occupied in accordance with the approved details.

Reason: Should the development not provide 100% affordable rented housing other obligations would be required under Policy S6 of the Medway Local Plan 2003.

- 27 Prior to the installation of any external lighting across 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 and a report to demonstrate its effect on the landscaping of the site and vice versa (including an overlay of the proposed lighting onto the site landscaping plans). Any external lighting shall be implemented in accordance with the approved details.

Reason: In order to limit the impact of the lighting on the wildlife and with regard to Policies BNE6 and BNE39 of the Medway Local Plan 2003.

- 28 The dining area windows on the southeastern elevation of the ground to fourth floors southeastern units, shall be fitted with obscure glass and apart from any top-hung light, that has a cill height of not less than 1.7 metres above the internal finished floor level of the room it serves, shall be non-opening. This work shall be completed before the room it serves is occupied and shall be retained thereafter.

Reason: To ensure the development does not prejudice conditions of amenity by reason of unneighbourly overlooking of adjoining property, in accordance with Policy BNE2 of the Medway Local Plan 2003.

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

Proposal

The proposal seeks full planning permission for the demolition of the existing apartment buildings on the site and the erection of a part six/part five storey building to provide 44 residential units, car parking for staff, cycle parking, landscaping access.

The building forms an L-shaped, flat roofed, block with the north western part of the building being six storeys and the south eastern part five storeys. At the north western corner of the building the top four storeys of the building will be cantilevered, projecting significantly past the two storeys below and with glazing wrapping around the corner on the projecting storeys. The proposed facing material would be a red multi-brick feature indented brick courses at regular intervals. Recessed winter gardens are proposed with the use of a secondary buff coloured brick in the recessed brick sections at glazing areas. Aluminium window frames of a mid grey finish would be used.

The proposal is to provide accommodation for the 60 plus age group as 100% affordable-rented accommodation. The intention is to provide a community for an age-group that often suffers from isolation. The flats will be self-contained with additional community facilities for residents. Units will each have a private winter garden and a communal outdoor garden space is also to be provided.

Parking would be provided to the rear of the building for 8 cars, including two with electric vehicle charging points, which would be accessed via the parking area of the adjacent residential development to the southeast of the site. That site is also within the applicant's ownership. The plans also show the provision of cycle storage, an electric buggy store and an ambulance parking space.

In addition to the residents' garden the proposal involves landscaping works to the Corporation Street public realm.

The site would be have on-site management but it will not be full-time. The units are proposed in a C3 use class.

During the course of the application the proposed block has been reduced in height from being part seven/part five storeys to part six/part five storeys. The number of proposed apartments has reduced from 48 to 44.

Site Area/Density

Site Area: 0.27 hectares (0.67 acres)

Site Density: 162.96 dph (65.67 dpa)

Relevant Planning History

25-33 Corporation Street

MC/19/2566 Proposal for demolition of existing disused petrol filling station, part demolition of existing wall and the construction of a 100 bedroom hotel with basement to provide plant accommodation, ground floor to provide restaurant cafe, retail/workspace, reception, back of house, WC's, plant area/risers, staff store. (Approved 22 July 2020)

Bardell Terrace Rochester

MC/19/0038 Residential - led mixed use development comprising 331 residential units, non-residential floor space comprising 1,894 sqm of Class A1, A2, A3, A5 and D2 floorspace associated car parking (258 car parking spaces and 8 on street spaces) landscaping, engineering works, highway works to the junction of Corporation Street and High Street and alterations to pedestrian crossing - Including demolition of all buildings on site apart from the buildings East of Furrells Road fronting onto the High Street which is proposed to be partially demolished (Approved 5 December 2019)

Land Adjacent Rochester Train Station Corporation Street Rochester

MC/18/2309 Demolition of existing buildings and structures and construction of a ground plus part five, part six storey building to comprise flexible commercial floorspace (Use Classes A1/A3/B1/B2/D2) at ground floor and providing a total of 64 residential units (Use Class C3) above, along with associated car parking and cycle parking, landscaping and other associated works. (Approved 1 August 2019)

Rochester Riverside Rochester

MC/17/2333 Hybrid planning application seeking outline permission for the erection of up to 1,400 no. dwellings including a primary school and nursery (D1 use), up to 1,200sqm of commercial floorspace (A1/A2/A3/A4/B1/D1 and D2 uses) together with a pedestrian footbridge, parking, open space and landscaping. Full permission for phase 1, 2 and 3 of the development consisting of the erection of 489 no. dwellings (of the 1,400 no. total), the provision of a hotel (use Class C1), 885sqm of commercial floorspace (A1/A2/A3/A4/B1/D1 and D2 uses) along with site access/spine road, parking, open space and landscaping (Approved 1 February 2018)

10-40 & 48-86 Corporation Street Rochester

MC/15/2039 Demolition of existing flats to facilitate the construction of four five storey blocks providing a total of 89 units with associated car parking, bin and cycle storage landscape provision and a pedestrian boulevard at the front of the new buildings (Approved 14 July 2016)

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 Historic England, Network Rail Services, KCC Biodiversity, Southern Gas Networks, Southern Water, Highway Agency, Environment Agency, Natural England, Medway Fire Services, Kent Police, RSPB, KCC Archaeology, Rochester Airport have also been consulted.

5 letters have been received raising the following objections:

- Affordable housing is not social housing
- Parking spaces are inadequate
- Overdevelopment
- 7 storeys is out of keeping with other buildings in the area
- The units are too tight for those in wheelchairs
- The view from Eastgate House would be adversely affected due to the height of the building
- Adverse impact to the conservation area and listed buildings due to the height
- The garden does not account for the Air Quality issues in the area
- The submitted visual impact assessment lacks clarity
- The removal of good trees when they should be retained

The **Environment Agency** advise they have no objection subject to conditions related to contamination.

Southern Gas Network provide a plan showing their services in the area.

UK Power Network provide a plan showing their electrical infrastructure in the area.

Natural England advise that a contribution is required to mitigate the cumulative harm that additional residential units will have on the River Medway RAMSAR and SPA sites.

Network Rail have provided guidance for works in close proximity to their infrastructure.

Kent Police advise that the applicant has met with Kent Police to discuss the proposal and they have no additional comments.

Southern Water provide a plan showing their services in the area.

Kent County Council Biodiversity advise that sufficient information has been provided to give confidence that there is no requirement for a bat survey. A condition

can be used in respect to ecological enhancements and an informative used in relation to nesting birds.

Kent County Council Archaeologist advises that he does not agree with all of the conclusions of the desk-based assessment but considers overall that conditions can be used to secure a program of archaeological works and that foundation works need also be approved by the LPA, having regard for archaeological potential. He also notes the proximity to the Historic Town of Rochester Conservation Area and highlights the need to consult with Historic England and the council's conservation officers.

Kent Fire and Rescue confirms that the off-site access requirements for the Fire and Rescue Service have been met.

Historic England have not provided comments on the original proposal for 48 units. They note that the site is sensitive in historic terms due to its proximity to the High Street conservation area, listed buildings and ancient monuments, including the city wall and castle and cathedral. Due to its height views from Sun Pier views of the Cathedral would be obscured. Views of the river from the castle would be partially obscured. The impact from Eastgate House and its garden are not able to be fully understood. Suggest a reduction in scale to six storeys and consider the design carefully to ensure visually attractive architecture which is sympathetic to the local character and history, given the building's prominence in the area.

Highway England advise that in undertaken our own analysis of the impact of the development the peak hour trip generation associated with this proposal is unlikely to result in a 'severe' impact on the SRN, particularly the M2 between junctions 1 and 3, and therefore will not materially affect the safety, reliability and / or operation of the strategic road network.

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

Background

The site is located at the junction of Corporation Street with Blue Boar Lane. The site is currently occupied by a two blocks of flat – 21 units in total. 11 units are in private leasehold, 9 are affordable rented (MHS ownership) and 1 is privately rented (MHS ownership). Negotiations are ongoing to achieve vacant possession. The site has no on-site parking provision.

As detailed in the 'Relevant Planning History' section of this report the surrounding area has been going through significant redevelopment and regeneration in the last few years and a new street scene is being created along Corporation Street as a result.

Principle

Local and National Policies are generally supportive of residential development in the urban area. Policy H4 of the Local Plan sets out certain development that will be permitted within the urban area including the redevelopment of existing residential areas. Policy H5 of the Local Plan states that housing proposals close to town centres or along routes well served by and close to local facilities are not permitted at low densities.

The site is located less than 200m from Rochester train station to the north west and is on a well-served bus route. Locationally the site is close to amenities, transport nodes and Rochester High Street. The NPPF and NPPG also encourage higher densities around nodes of public transport such as bus and railway stations.

As such the redevelopment of the site for high density residential development is acceptable in principle in accordance with Policies S1, S2, H4 and H5 of the Medway Local Plan 2003.

Design

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. 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 127 advises that decisions should ensure that developments function well and add to the overall quality of the area for its lifetime, is visually attractive as a result of good architecture, layout and landscaping, being sympathetic to local character and history and establishes or maintain a strong sense of place.

In this case the site is located on the junction of Corporation Street and Blue Boar Lane. The site also falls within the area covered by the Corporation Street Development Framework which aims, in part, to improve the urban quality of the spaces along Corporation Street by creating a new boulevard. Therefore it is seen that Corporation Street demonstrates a strong emerging streetscene and with the recent MHS redevelopment along the street, and planning permission granted for development at Bardell Wharf. The site currently appears somewhat as an anomaly to these more recent developments of a more significant scale and contemporary appearance. The recent development also is forming a holistic approach to development along this part of the Corporation Street, in scale and appearance as well as the reworking of the public realm along the various site frontages.

The site is also adjacent to very historic environment of conservation area, listed buildings and Scheduled Monuments and the Local Plan and NPPF aspires for high quality design resulting in visually attractive architecture which is sympathetic to local character and history, which is highly important given the building's prominence in views north from within the conservation area.

The scheme is for a single block of part six and part five storeys at a junction location of Corporation Street with Blue Boar Lane. The scale and location of the block within

the site has been informed by the building line of adjacent new blocks to the west of the site and the easement requirements of Network Rail in respect to their railway embankment to the rear. The scale of the higher part of the block has been reduced by a storey through the course of the application to address concerns raised in respect to heritage. (Discussed later in this report.)

The building forms an L-shaped, flat roofed, block. At the north western corner of the building the top four storeys of the building would be cantilevered, projecting significantly past the two storeys below and with glazing wrapping around the corner on the projecting storeys. The submitted Design and Access Statement details the use of indented brick courses, similar to detailing on the Rochester Library building. Winter gardens and windows would be recessed, creating detailing at each opening. The secondary buff coloured brick is proposed to create contrast and define floor levels. These design features all contribute to a build of design quality and appropriate to this prominent location adjacent to a this very historic locality. Conditions will be required to control the materials, quality of the use of the materials and the detailing of the various features and junctions of the buildings. It is also considered necessary that the boundary wall around the communal garden continue the projecting brickwork detailing of the lower level of the building to ensure cohesion and the continuation of the quality of the build. This can also be controlled by planning condition.

Therefore, subject to the use of suitably worded planning conditions the development would be in accordance with Policies BNE1 of the Medway Local Plan 2003.

Tall Buildings Policy

The Building Height Policy for Medway 2006 (SPD) sets out criteria for the determination of applications for tall buildings, which are specified as those between six and twenty storeys in height. The policy states that it is essential that higher buildings contribute positively to the overall townscape and landscape and do not detract from their surroundings and should respect and enhance an area's identity, especially where proposals may affect key listed buildings (and Ancient Monuments), including their foregrounds and backdrops.

Considerations in this case need to acknowledge the area's historic character, being outside of but adjacent to the Rochester High Street Conservation Area, which comprises many listed buildings and Schedules Monuments, including Rochester Castle and Rochester Cathedral. Special consideration is also needed in relation to the impact of the development on these local heritage assets. Please refer to the heritage section of this report.

The Building Height Policy states that taller buildings will be considered if they are in the right place and of the highest architectural quality. In this case the building now proposed has been reduced in height from a maximum of seven storeys to six storeys at the northwestern end of the block at the junction of Corporation Street with Blue Boar Lane. The remainder of the building is five storeys high. The adjacent recently constructed residential blocks on Corporation Street are a maximum of five storeys high.

This step up in height from the adjacent blocks, as well as the design of the building and its setting, contribute to the a prominence of the building in this part of the street. The building height and development design respond well to the junction location of the site and its relationship to the very open Blue Boar car park on the opposite side of Corporation Street, which affords clear views out from Rochester High Street.

It is considered that the height, scale and massing of the proposed building meets the ambitions of Medway's Building Height Policy and as such no objection is raised in regard to the height and mass the building within this area under the Building Heights Policy SPD.

Impact on Heritage Assets

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. Policy BNE18 states that development which would adversely affect the setting of a listed building will not be permitted. Policy BNE20 states that development affecting Scheduled Ancient Monuments will not be permitted if it would be detrimental to their setting. Policy BNE21 states that development affecting potentially important archaeological remains will not be permitted.

A detailed Heritage Statement and verified views have been submitted as part of this application with viewpoints for the Townscape Visual Impact Assessment having first been agreed with Historic England and council officers.

In the original proposal of 48no. units, the maximum building height was seven storeys. However, at this height both Historic England and officers were concerned in relation to views out from Sun Pier looking back towards Rochester and a level harm resulting from the development in the proposed building obscuring the view of Rochester Cathedral within from this location. The subsequent reduction in the height of the proposed building has sufficiently addressed this concern.

Concern was also raised in the original proposal with respect to the dominancy of the proposed building within the outlook from Eastgate Gardens, in which Dicken's Chalet sits. This concern has again been reduced to an acceptable level by the decrease in the building height.

As such the proposal is considered to be acceptable in respect to its relationship to above ground heritage assets within the vicinity.

In relation to the archaeological value of the site the application has been supported by an archaeological desk-based assessment. The KCC archaeologist is minded that errors in the assessment have occurred that have implications for the soundness of the overall conclusions in relation to the potential range of archaeological remains and deposits. Notwithstanding this he is minded that conditions can be used to ensure compliance to the relevant policy and guidance. Conditions would relate to a programme of archaeological works and foundation design.

Overall therefore, subject to the imposition of conditions the development would be in accordance with Policies BNE18, BNE20 and BNE21 of the Medway Local Plan 2003.

Landscaping

Policy BNE6 of the Local Plan relates to the need for detailed landscape schemes to be submitted with applications for major development to enhance the character of the locality and relate to planting, maintainability, vistas, hard landscaping, retention of important existing features, supporting wildlife, management and maintenance. Policy BNE43 relates to trees at development sites.

In this case there is to proposed landscaping within the car park, the communal garden and the public realm. Particular consideration needs to be given to the landscaping of the car park and most importantly the public realm outside of the boundaries of the site and forming part of the streetscape for Corporation Street.

The site also falls into the area covered by the Corporation Street Development Framework which aims, in part, to improve the urban quality of the spaces along Corporation Street by creating a new boulevard. The key matters to consider are the continuation of the evolving building line and the tree lined boulevard.

There are however constraints in respect to this site in respect to the siting the building and landscaping. Network Rail have easements for their track and embankment to the rear of the site and to the front of the site there is an existing bus stop, recessed into the footway, and various underground services within the footway. Viability concerns have meant any relocation of these services or modifications to the bus stop are not achievable. As such this has led to the scheme not fully complying with the spatial recommendations laid out within the Corporation Street design guide.

Notwithstanding the above the building line follows that of adjacent development and the landscape proposals taking forward some of the design principles within the design guide, including planting to the building frontage and inclusion of street tree planting.

The building layout results in the loss of all thirteen trees on site, with replacement planting resulting in a net gain of one additional tree. Tree planting will take time to fully establish and the design of planting environments will be crucial to their future success. At maturity, the ultimate canopy cover can be expected to soften the lower levels of the building façade.

Following discussion with officers the tree numbers and species have been amended during the course of the application. In addition the expanse of public realm to the corner of Blue Boar Lane / Corporation St has been increased whilst retaining a good size for the residents' communal garden. This junction area of public realm incorporates seating and a focal marker tree, which offer potential wayfinding opportunities to both Corporation Street and Rochester Riverside.

The communal garden is to be enclosed by a wall with railings and the material quality, design and finish of this boundary treatment is considered important for providing a high quality public realm. This can be controlled by planning condition.

To Corporation Street a number of street trees have been proposed. This includes a continuation of *Tilia cordata* 'Greenspire' (small-leaved Lime) within the southern extent of the site, replicating that of the adjacent MHS scheme to the south of the site, with a potential height of about seventeen metres. The scale of the boulevard planting

reduces in height to the north-west corner of the block, taking account of much more restricted growing conditions.

Given the close proximity of underground services at this site, concerns remain around the potential growing environment for street tree planting along Corporation Street. Whilst an indicative tree pit detail has been provided within the submitted material this is not considered to be an appropriate solution in this instance. Therefore a condition needs to be attached to any grant of planning permission requiring details of a load bearing structural tree cell solution.

Tree protection will be required where trees are to be retained adjacent to the rear boundary of the site and can be controlled by planning condition.

Subject to the use of suitably worded planning conditions the proposal complies with policies BNE6 and BNE43 of the Medway Local Plan 2003.

Amenity

Policy BNE2 and paragraph 127 of the NPPF seeks a good amenity for current and future occupiers.

Future Occupiers

The development has been assessed with regard to the Medway Housing Design Standards (interim) November 2011 and the Government's Technical Housing Standards 2015 and the units meet the minimum space standards and the provision of balconies/winter gardens. Residents will also benefit from communal space being available at ground floor level and communal external space.

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.

Neighbours Amenities

Whilst the block is set apart away from other residential property to the northwest, northeast and southwest to the southeast the proposed block continues the streetscape of large residential blocks. The gap between to the nearest residential block the southeast is about 9m.

In support of the application has been submitted a Daylight and Sunlight Assessment, which analyses, in part, the potential impacts of the development in the daylight and sunlight currently received by the neighbouring buildings. The adjacent residential block to the southeast (Block C – 26 to 40 Corporation Street) is referred to in that study, which concludes that in respect to daylight all habitable rooms will be within acceptable limits set out within the British Research Establishment (BRE) Guidelines or have retained daylight levels that meet or exceed targets set out by the BRE Guidelines when the proposed development is in place. These conclusions are accepted.

In respect to overshadowing the adjacent block has no communal outdoor amenity space but each unit has access to a winter garden. Therefore there is no adverse impacts from overshadowing as a result of the proposed development.

In respect to outlook, the closest units to the proposed development in Block C – 26 to 40 Corporation Street, is laid out so that the second bedroom of those units is served by a sole window facing northwest and facing the southeastern flank of the proposed development. The proposed block will clearly feature very prominently within the outlook from these rooms across the various floors but, due to the gap between the adjacent buildings, the presence of the proposed block will not be overbearing and there will be an appreciation of openness to the front and rear of the block.

In respect to privacy there are sole bedroom windows in the northeastern elevation of the adjacent block and secondary kitchen/living/dining room windows in the southern eastern elevations of the proposed blocks, which are at least 9m away.

As such, no objection to the proposal is raised in respect to amenities and the application accords with Policy BNE2 of the Medway Local Plan 2003 and the relevant parts of paragraph 127 of the NPPF.

Noise and Air Quality

Policy BNE3 of the Local Plan sets out noise exposure categories for new dwellings. Policy BNE24 of the local plan relates to air quality.

Corporation Street is a dual carriageway as the A2 and with site is located within the Central Rochester Air Quality Management Area and adjacent also to a railway embankment to the rear. In support of the application a Noise and Vibration Survey and Air Quality assessment have been submitted.

In respect to noise attenuation mitigation measures have been recommended within the supporting acoustic report. These are considered to be mainly acceptable, especially in relation to the building construction. The acoustic report shows that the noise criteria for the internal rooms facing the railway cannot be met by having open windows and recommends that trickle vents are suitable ventilation for the properties.

However, officer are minded that the use of trickle vents as the only means of ventilation would not be able to provide a level of comfort during hot weather and would lead to the residents opening the windows, negating the installation of the trickle vents as a means of noise mitigation. As such mechanical ventilation will be required. This can be the subject of a planning condition.

In relation to the proximity of the AQMA and the layout of the proposed flats it is advised that a clean air system is required within those properties facing the AQMA. This can be secured by planning condition.

Conditions are also required to ensure the use of Low NOx boilers and the installation of electric vehicle charging points.

Concerns in respect to poor amenity for neighbours during the construction phase can be controlled by the agreement of a Construction Environmental Management Plan, which can be secured by the use of a planning condition.

Subject to conditions the proposal complies with Policies BNE3 and BNE24 of the Medway Local Plan 2003.

Contamination

Policy BNE23 of the Local Plan requires that proposals for development of land likely to be contaminated be accompanied by the findings of a site examination, which identifies contaminants and ensure that new development is appropriate for its location, taking account of the likely effects of pollution on health, living conditions and the natural environment.

In this case the application has been supported by a Phase 2 Site Investigation report. The report is in line with current guidance and recommends further investigations following the results which indicate the presence of contamination on site.

As such standard contamination conditions are required to be attached to a grant of planning permission and subject to such conditions the proposal would comply with Policy BNE23 of the Medway Local Plan 2003.

Flood Risk

Paragraphs 155 to 160, 163 and 165 of the NPPF relate to flood risk and that new development should be both directed away from the areas at highest risk of flooding and should not increase flood risk elsewhere.

The applicant has submitted a Flood Risk Assessment and subsequently additional information in respect to drainage.

The site is situated within Flood Zone 1 in accordance with the most up to date Environment Agency mapping. The site is also at high risk of surface water flooding. Estimated flood depths across the site for a medium risk event are between 600-900mm. Therefore, habitable accommodation needs to be above this level or it be demonstrated that it is possible to suitably mitigate the risk to future occupiers.

The applicant has submitted a Flood Risk Assessment and subsequently additional information in respect to drainage but at this time the proposed measures are not fully acceptable. Before a condition can be applied the proposal needs to go further in demonstrating that there is a suitable solution. An appraisal of safe access and egress should also be carried out with reference to Defra/Environment Agency R&D Technical Report FD2320/TR2, Flood Risk Assessment Guidance for New Development. Further work is required from the applicant before a condition for flood mitigation can be conditioned.

Whilst it is not considered to be likely unachievable to date insufficient information has been submitted to demonstrate that the proposal meets the requirements of the NPPF in relation to flood risk. Therefore any resolution to approve the application needs to be subject to the demonstration of suitable strategies for flood risk mitigation.

Highways

Policy T1 relates to the impact on new development on the highway network, Policy T2 is related to new accesses onto the highway and T13 is related to parking standards. 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. Paragraph 109 of the NPPF states that development should only be refused on highways grounds if there is an unacceptable impact on highways safety. Paragraph 110E outlines that development should provide electric charging facilities.

Medway Council's Interim Parking Standards require the provision of one space per unit plus one space per staff member (maxima) for sheltered accommodation. Cycle parking is to be determined on its individual merit.

Currently there is no-site parking serving the existing flats. The site is located close to local amenities, public transport nodes, Rochester High Street and public car parks.

A Transport Statement and supplementary document have been submitted in support of this application. The proposed flats are to be provided as affordable rented accommodation for the 60 plus age group. Parking would be provided to the rear of the building for 8 cars, including two electric vehicle charging points, and would be accessed via the parking area for the adjacent residential development to the southeast of the site. Two of the car parking spaces are proposed for staff and six for residents with allocation on either a first-come-first-served basis or a needs basis. Also proposed are a cycle storage for 10no. bikes and an electric buggy store provided. An ambulance parking space is also provided within the car park.

In considering the level of car parking provision, given the sustainability of the site in terms of its proximity to shopping facilities and public transport, the provision of nearby public car parks and the likely average age of the occupiers of the proposed units, a lower car parking provision is acceptable. However no details of the management of the parking spaces have been provided. Such management needs also to be considered in the light of the linked nature of this car park to that of the adjacent car park through which access is gained, which may lead both car parks to be open to abuse. Given the age group of residents in the proposed block there needs also to be consideration of the need for carers parking in the parking allocation and management. If it becomes apparent that more parking is required for non-resident parking site in this case it would be considered to be acceptable for a zero parking provision for residents given the sustainable location of the development. As such a suitably worded condition is required to secure the parking allocation regime and suitable management of this parking area. The provision and retention of the two electric vehicle parking spaces is also required.

In respect to the impact of the development on the highway network the proposal the applicants intend to use an existing access along Corporation Street, and it is not considered that intensifying this access would result in a severe impact to the safety or function of the highway network.

Highway England advise that the peak hour trip generation associated with the proposal is unlikely to result in a 'severe' impact on the strategic road network, particularly the M2 between junctions 1 and 3, and therefore will not materially affect the safety, reliability and / or operation of the strategic road network.

Therefore, subject to conditions the proposal complies with Policies T1, T2 and T13 of the Medway Local Plan 2003 and paragraph 109 and 110E of the NPPF.

Ecology

Policy BNE39 of the Local Plan states that "Development will not be permitted if statutorily protected species and/or their habitats will be harmed" and requires conditions or obligations to be attached to permissions to "ensure that protected species and/or their habitats are safely guarded and maintained". Paragraph 175 of the NPPF states that 'the planning system should contribute to and enhance the natural and local environment by...minimising impacts on biodiversity and delivering net gains in biodiversity where possible.'

In this case a preliminary Ecological Appraisal and supplementary information in respect to bats have been provided in support of the application. The Kent County Council ecologist is satisfied that sufficient information has been provided to give confidence that there is no requirement for a bat survey. They also advise that a suitably worded planning condition can be used in respect to ecological enhancements and an informative used in relation to nesting birds.

Subject to condition the proposal is considered to comply with Policy BNE39 of the Medway Local Plan 2003 and the relevant part of paragraph 175 of the NPPF.

S106 Matters

The Community Infrastructure Levy Regulations 2010 provide that in relation to any decision on whether or not to grant planning permission to be made after 6 April 2010, a planning obligation (a s106 agreement) may only be taken in to account if the obligation is:

- a. necessary to make the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development

Paragraph 56 of the NPPF says that it is for the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at application stage. In this case a viability assessment report has been produced, which addresses the viability of development across the application site. The viability assessment has been verified by an independent development consultant who concludes that the development of 44no. social rented dwellings is only a viable scheme if it contains no S106 contributions, of than the Bird Mitigation payment. This is taking into account that the approach taken by the applicant (a registered housing provider) is not allowing for any profit of return.

Subject to the delivery of 100% affordable rented units on this site and the payment of the required Bird Mitigation amount it is agreed that no obligations are sought by S106.

Affordable Housing

Policy H3 of the Medway Local Plan sets out the proportion of affordable housing required in schemes for residential developments. Within the urban area, developments which include 25 or more dwellings or where there the site is 1 hectare or more. The Council's target is to seek 25% of homes to be affordable homes on any site meeting the Council's size thresholds. The application is for 44 units and as such meets the threshold to be required to provide any affordable housing.

However in this case the applicant is a Registered Provider of affordable housing and proposes that the whole development be for social rented housing. It is on this basis that no S106 obligations are being pursued, for which the threshold for those obligations is met with the 44 units being provided, other than Bird Mitigation. As such the planning permission needs to be tied by planning condition so that all of the dwellings are provided and retained as social rented units (other than under the provisions of Right to Buy legislation).

Climate Change and Energy Efficiency

A sustainability and Energy Statement has been submitted in support of the application. The submitted proposal proposes measures in order to achieve an energy efficiency within the building. The following measures are envisaged:

- Highly insulated building fabric to achieve the following U Values:
 - Floors - 0.13 W/m² K
 - External Walls - 0.18 W/m² K
 - Party Walls - 0.0 W/m² K
 - Roofs - 0.13 W/m² K
 - Doors and Glazing - 1.40 W/m² K
- Air tight building fabric with:
 - Domestic units target permeability value of 6.0 m³ / (h.m²)
- Accredited Construction Details have been specified
- Space heating and (domestic) hot water. Heating to be from a combination of:
 - Mains gas communal boilers
 - CHP
- Hot water for the communal areas to come from indirect hot water cylinder
- Ventilation is from a mix of intermittent extract fans, MEV and MVHR (depending on zone use)
- LZC Technology - 26.95 kWp Solar Photovoltaic array specified

The whole development will achieve a 36.70 % reduction in CO₂ as compared to the Building Regulations baseline.

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 £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 before the decision notice is issued. Subject to the full payment being made prior to the issuing of the decision no S106 obligation or Unilateral Undertaking is required and no objection is therefore raised under Paragraphs 175 and 176 of the NPPF and Policies S6 and BNE35 of the Medway Local Plan 2003.

Local Finance Considerations

No local finance considerations.

EIA screening

The application is considered under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 (as amended by the 2015 Regulations) (the EIA Regulations) for a request for a screening opinion as to whether an Environmental Impact Assessment is necessary for an application for 44 new dwellings. No separate application for screening has been submitted.

The proposed development constitutes type 10b development (urban development projects) under Schedule 2 of the EIA regulations 2017. The threshold to indicate when a development may need to be assessed against the selection criteria set out in Schedule 3 to the Regulations advise that, in relation to housing developments, the

development includes more than 150 dwellings or the overall area of the development exceeds 5 hectares.

In this case the application is for 44 houses and the site area is 0.27 hectares – both being significantly below the indicative threshold for the development to require screening under Schedule 3 of the EIA regulations. The site is not within or very close to any 'sensitive areas'.

By virtue of the quantum of development and site area both being below the Schedule 2 threshold, and that the site is not within a close proximity to any 'sensitive area' it is concluded that the proposal is not EIA development and an Environmental Statement was not required to be submitted with the planning application.

Conclusions and Reasons for Approval

The application site is a prominent site within the Corporation Street Development Framework and its redevelopment makes a very significant contribution to the aspirations of the Framework. The site redevelopment is also very sensitive given its relationship to the significant heritage in this vicinity.

The proposed development has a modern, contemporary design with the L-shaped block suitably addressing the corner of Corporation Street with Blue Boar Lane. The careful use of varying heights, projections, glazing, materials, architectural detailing and landscaping result in the form being broken-up and creating a building and development with quality and interest. It is considered to be 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.

Subject to suitably worded planning conditions 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, biodiversity enhancement, contamination and surface water management, air quality, noise or highways safety.

The proposal is acceptable in accordance with Policies S1, S5, BNE1, BNE2, BNE3, BNE6, BNE12, BNE18, BNE21, BNE23, BNE24, BNE35, BNE39, BNE43, H3, H4, H5, T1, T2 and T13 of the Medway Local Plan 2003 and particularly paragraphs 109, 110, of the NPPF.

Matters of flood risk remain to be fully satisfied under paragraphs 155 to 165 of the NPPF. The Bird Mitigation tariff needs also to be paid prior to the issuing of a planning permission to satisfy Policies BNE35 and S6 of the Medway Local Plan 2003 and paragraphs 176 and 176 of the NPPF.

The application would normally be determined under delegated powers but is being referred for Committee determination due to the number of representations received expressing a view contrary to officer's recommendation.

Background Papers

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

Any information referred to is available for inspection on Medway Council's website.