

MC/20/2009

Date Received: 18 August 2020
Location: Land Rear Of 19-27 Byron Road Gillingham
Medway ME7 5LP
Proposal: Construction of a part 2 storey/part 3 storey block comprising of seven 1 bedroom dwellings with associated parking, cycle store, amenity space and refuse facilities, together with boundary wall and fences - resubmission of MC/19/0874
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Ward: Gillingham South Ward
Case Officer: Tom Stubbs
Contact Number: 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 9th December 2020.

Recommendation - Approval with Conditions

- 1 The development hereby permitted shall be begun before the 1 May 2020.

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 2021 DE 02 and 2022 DE 03 recieved on 18 August 2020 and 2021 DE 01 Rev A, 2022 DE 04 Rev B and 2022 DE 05 Rev B recieved on 26 October 2020.

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

- 3 No development, including demolition of the existing buildings, shall commence until a Construction Environmental Management Plan that describes measures to control the noise affecting nearby residents, dust, hours of working, deliveries, operatives parking, wheel/chassis cleaning, pollution incident control and contact details in case of complaints, during the demolition and construction phases of the development has been submitted to and approved in writing by the Local Planning Authority and all construction works shall be undertaken in accordance with this approved plan.

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

- 4 Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 6 to 9 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 9 has been complied with in relation to that contamination.

Reason: Required prior to commencement of development to avoid any irreversible detrimental impact through the potential mobilisation of contamination and 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.

- 5 An investigation and risk assessment, 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 prior to commencement of development to avoid any irreversible detrimental impact through the potential mobilisation of contamination and to ensure that the development is undertaken in a manner

which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 6 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 prior to commencement of development to avoid any irreversible detrimental impact through the potential mobilisation of contamination and 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.

- 7 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 prior to commencement of development to avoid any irreversible detrimental impact through the potential mobilisation of contamination and 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.

- 8 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 5, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 6, which is subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in the approved remediation scheme a verification report providing details of the data that will be collected in order to demonstrate that the works set out in condition 6 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 7.

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.

- 9 No development above slab level shall take place until details and samples of all materials to be used externally, including the boundary wall and railings and surfacing of the parking area, have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

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

- 10 Prior to the first occupation of any dwelling herein approved details of the enclosed refuse storage arrangements for the building, including provision for the storage of recyclable materials, shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved refuse storage arrangements for that building are in place and all approved storage arrangements shall thereafter be retained.

Reason: In the interests of visual amenity and to ensure a satisfactory provision for refuse and recycling in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 11 No part of the development herein approved shall be occupied until details of the design of secure cycle storage have submitted to and approved in writing by the Local Planning Authority. The cycle storage provision shall be provided in accordance with the approved details prior to occupation of any residential unit herein approved and shall be retained thereafter.

Reason: To ensure that each individual dwelling has access to a reasonable and secure storage area for cycles in accordance with Policy T4 of the Medway Local Plan 2003

- 12 No part of the development shall be occupied until details of the provision of 2 electric vehicle charging points 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

- 13 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 parking spaces would be allocated within the site and how future users will be deterred from parking on street. The Parking Management Plan shall be implemented in accordance with the approved details prior to the first occupation of the development and shall thereafter be retained.

Reason: To ensure satisfactory off-street parking and reduce impact on neighbouring amenity on parking competition in accordance with Policies BNE2 and T13 of the Medway Local Plan 2003.

- 14 Piling or any other foundation designs using penetrative methods shall not be permitted other than the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: Required prior to commencement of development to avoid any irreversible detrimental impact through the potential mobilisation of contamination and 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.

- 15 No drainage system for the infiltration of surface water discharge into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: Required prior to commencement of development to avoid any irreversible detrimental impact through the potential mobilisation of contamination and 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.

- 16 The separating ceiling, floor and walls between the first, second and 'loft' floor flats shall resist the transmission of airborne sound such that the weighted standardised level difference (DnT,W +Ctr) shall not be less than 50 decibels as measured and calculated in accordance with BS EN ISO 16283-1 2014.

Reason: To ensure that the development does not prejudice the amenities of neighbouring property in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 17 All first and second floor rear elevation windows 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 carried out and completed before any part of the development is occupied and shall be retained at all times 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

This application seeks planning permission for the construction of a part 2 part three storey block comprising of seven one bedroom dwellings with associated parking, cycle store, amenity space and refuse facilities, together with boundary walls and fences resubmission of MC/19/0874.

The mixed gable and hipped roof three storey block of flats would measure approx. 24m in width, approx. 10m in maximum depth with an approx. eaves height of 5.1m and an approx. maximum ridge height of 9.7m. There would be four rooflights and two hipped roof dormers to the front elevation and 6 pitched roof dormers to the rear roof slope to facilitate two flats in the roof. The front dormers would measure approx. 1.9m in width, approx. 2.3m in height and with a maximum projecting approx. 1.1m from the roof slope. While the 6 rear dormers would measure between 1.5m and 3.9m in width approx. 2.1m in height and project approx. 1.8m from the roof slope. All windows to the rear are proposed to be obscure glazed.

The flats would include four one bedroom flats over a single storey, a one bedroom flat over two storeys which also includes a study and two studio flats within the roof. There are two entrances one on the front elevation and one on southern side elevation with access ramp. There is a private outdoor amenity space for the one bedroom flat over two storeys and a shared lawn area for the remaining flats accessed from the main stairs. An area to the north would provide two parking spaces, bin stores and a cycle store.

Site Area/Density

Site Area: 0.036 hectares (0.089 acres)

Site Density: 194.444 dph (78.652 dpa)

Relevant Planning History

MC/20/2331	Additional environmental approval application to extend the time limit of planning permission MC/16/3583 - Condition 1 Decision: Approved Date: 19 October 2020.
MC/20/1792	Variation of conditions 2 (approved plans) of planning permission MC/16/3583 To make the scheme work along the slope of the existing site, and provide flush thresholds to

dwelling entrances, in accordance with Part M of the Building Regulations, we have had to amend the scheme to step down the slope, along the street and also to the rear. The entrance to the end terrace house has been moved to the side to also enable a flush threshold with ramped access.

Decision: Awaiting determination

MC/19/0874

Construction of a part two storey part three storey block comprising of seven 1-bedroom self-contained flats with associated parking, cycle store, amenity space, refuse storage facilities together with boundary wall and fences.

Decision: Refused

Decided: 30 September 2019

MC/18/3651

Construction of part two/part three storey block of 7no. flats self contained 1 bedroom flats with associated parking, cycle store, amenity space, refuse storage facilities together with boundary wall and fences.

Decision: Application returned

MC/16/3583

Construction of 2 storey block of 5 no self contained one bedroom flats with associated parking cycle store amenity space refuse storage facilities together with boundary walls and fences

Decision: Approved with conditions

Decided: 3 April 2017

Representation

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

Seven letters of representation have been received from four addresses raising the following concerns:

- Parking pressure on the area and under provision and loss of on street parking.
- Loss of neighbouring amenity of loss of privacy, sunlight and daylight.
- Smell and vermin from rubbish bins.
- Development too dense with doors and windows opening onto public footways.

Southern Water have written with regards to connection of public foul sewer which needs an application to themselves. It also indicates about there being a possible sewer to be public crossing the site and the need for investigation if uncovered. An informative will be added to draw the applicants attention to this letter.

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

MC/19/0874 was refused for a three storey block of flats of 7 one bedroom flats. It was refused for the following reasons:-

1. By virtue of the proposed flats three storey height and poor quality, uninspiring contemporary design the development would appear out of character and alien to the two storey terraced property street scene within the locality and as such would not make a clear enhancement to the local environment, contrary to Policies BNE1 and H4 of the Local Plan and Paragraphs 124 and 127 of the NPPF.
2. By virtue of the proposed floor area and lack of outdoor private amenity area for two bedroom flat over two storeys would result in a poor level of amenity for the future occupiers contrary to Policies BNE2 and H4 of the Local Plan and paragraph 127 of the NPPF.
3. By virtue of the fenestration and potential use of the balconies for the second floor flats and relationship to residential gardens of properties within Rock Avenue, the development would result in a detrimental impact on the amenities of the occupiers of those properties in terms of overlooking and loss of privacy, contrary to Policy BNE2 of the Medway Local Plan 2003 and paragraph 127f of the NPPF.
4. The application fails to address the impact of the proposal on the Special Protection Areas of the Thames Estuary and Marshes and the Medway Estuary and Marshes through either the submission of details to allow the undertaking of an Appropriate Assessment or via a contribution towards strategic mitigation measures. In the absence of such information or contribution, the proposal fails to comply with the requirement of the Conservation of Habitat and Species Regulations 2010 and is contrary to paragraphs 175 and 176 of the National Planning Policy Framework and Policy BNE35 of the Medway Local Plan 2003.

This application differs from the previous refusal by changing the design approach from contemporary to reflect the design of the approved two storey block of flats approved under MC/16/3583 but changing the roof slope from 36 degrees to 42 degrees resulting in a change of approx. a meter in ridge height. The inclusion of dormers and roof lights to allow two studio apartments within the roof space. Windows to the rear are proposed to be obscure glazed and they have changed back to the approved parking layout of this previous approval.

Principle

The application site lies within a residential area and was previously used as a commercial use under as a builders yard, however does have an extant permission to

be converted to residential development which has not yet been commenced. The site is not designated as an employment site in the Local Plan. Policy ED3 states redevelopment should be restricted to B1 uses (Town and Country Planning Use Class Order 1987), however sets out in the preamble that *However, there are also sites which by reason of their age, impact on local amenity, physical constraints, or poor infrastructure are less suited to modern employment uses. In these cases, provided a suitable alternative site can be found for the relocation of existing firms, it would be appropriate to consider redevelopment for other uses to facilitate an improvement in local amenity and the environment of the area. Within the urban area the preferred form of redevelopment is likely to be housing.* It is considered in this instance due to its predominately residential area and size it is not suitable for redevelopment to B1 use, further more due to the site being vacant for some time no business would be required to be relocated.

Policy H4 of the Local Plan states that the use of vacant land or change of use of buildings no longer required for non-residential use will be permitted for residential development subject to a clear improvement in the local environment. Paragraph 11 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. While paragraphs 117 and 118 encourage making efficient use of land and encourage development on brown field sites, but seek to safeguard and improve the environment and ensuring safe and healthy living conditions. There is no objection in principle to the residential development on site subject to compliance with the detailed matters of these policies which are set out in the assessment below.

Design

Paragraphs 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.

The proposed development is located within a predominantly residential area consisting of two storey Victorian terraced properties, with small gardens to the front and a mixture of rooflights and dormers in the area. The existing site formed a triangular shaped builders yard with single storey vacant storage/office buildings and a steel framed open sided store area. The site is bounded by a public footpath and neighbouring gardens of residential properties.

The proposed block of flats has replicated the siting and foot print of the approved scheme MC/16/3583 and is considered to be of an appropriate size and scale for the size and shape of the triangular plot being offset from the side and rear boundaries by at least one metre. Although the buildings abuts the footpath (entrances have been recessed) and the rear communal area is not reflective of the large rear gardens to the surrounding area this is not considered to be significantly detrimental to the character of the area as it is limited by the plots size and shape. The scheme has been designed to create the appearance of a row of two storey terraced dwellings with parapet details breaking up the gabled roof to the front and rear and therefore it is considered to be of a good quality design in keeping with the character of the street scene and character of the area.

The changes to the previously approved scheme is the change in roof slope and the inclusion of dormers and rooflights within the front and rear elevation. The dormers to the front are considered to be of a suitable size and scale sitting within the verticality of the design. Although there are a number of rear dormers due to the staggered nature of the design of the block of flats and their proposed size and scale and siting in the roof slope they would not significantly dominate the rear roof slope.

With regards the layout there is no objection to the parking, bin store and cycle store on the block plan however further details with regards to the design would be required if the application is recommended for approval.

Subject to a materials condition the proposal is considered to comply with Policy BNE1 of the Local Plan and paragraphs 124 and 127 of the NPPF.

Amenity

There are two main amenity considerations, firstly the impact of the proposal 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 neighbouring amenities, by virtue of the design and distance to neighbours properties and their habitable windows there would not be any concerns on residential amenity regarding outlook and daylight. Concerns have been raised regarding overlooking (privacy), daylight and sunlight. With regards to overlooking the windows to the rear first floor level are proposed to be obscure glazed, it would therefore not result in the overlooking of the rear gardens within Rock Avenue, if the application is considered for approval then a condition would be required to ensure that the first floor rear elevation windows are obscure glazed. The ground floor rear windows would also not consider to result in overlooking due to the proposed boundary treatment. The side window serving the study, of the flat over two levels, due to its positioning would not result in a significantly detrimental impact in privacy to the immediate rear garden areas of the rear gardens within Rock Avenue.

With regards to sunlight there would be additional shadowing within the morning of the rear section of neighbouring properties rear gardens within Rock Avenue. However by virtue of location of the shadowing caused by the proposed design, orientation of the site, path of the sun and the existing shadow cast by the buildings on site, this would not be considered significant enough to warrant a refusal.

Concerns have been raised regarding the impact on neighbours regarding parking demand and this is considered within the highway section below. Further concerns have been raised regarding odour from the bin stores. The design of the bin store are not provided and details of enclosed bin stores would be required if considered for approval.

Due to the close proximity to the neighbouring properties there is potential impact from noise and dust during the construction stage, if the application is considered for

approval a condition recommending a Construction Environment Management Plan (CEMP).

Amenity of Future Occupiers

With regard to the amenities of future occupants of the development itself the proposed flats have been assessed with regard to the technical housing standards – nationally described space standard 2015 (the national standard). Within this application neither of the flats would benefit from private outdoor amenity space, the Medway Housing Standards (interim) November 2011 (MHDS) indicates that if no outdoor private amenity space is provided flats should it should be included within the internal provision.

All of the flats would meet the minimum Gross Internal Floor areas set out within the national standards with bedroom also meeting this standard. The split level flat has its own private amenity area greater than the MHDS standard. The remaining flats are unable to have balconies to prevent overlooking and all benefit from a shared garden area to the rear. The remaining four flats on the ground and first floor all exceed the national standards by approx. 1m² and are unchanged from the previous approval. With regards to two studio flats in the roof, one will provide the additional 5m² of the MHDS while the other just meets the national standards. Although it would be preferred provide the additional requirement of the MHDS as the majority of the flats exceed the requirements of the national standard and the historic approval it is considered on balance that the level of future amenity regards to space is acceptable subject to a condition regarding noise resistance between floors due to relationship to sleeping area and living areas to flats above and below. With regards to outlook all habitable rooms via windows or suitably positioned roof lights, while the rear obscure glazing would only be windows that serve non-habitable windows or secondary windows.

Subject to the abovementioned conditions the proposal is considered to be in accordance with Policy BNE2 of the Local Plan and paragraphs 127 and 170 of the NPPF.

Highways

Objections have been received on the impact of the parking provision and on Milton Road. The site is located within an area of high parking stress with clear evidence of on kerb parking at present but the area is covered by parking controls and this development could cause further issues in terms of parking capacity.

Medway Council's Interim Residential Parking Standards require the provision of one space per dwelling for a one bedroom dwelling plus 0.25 space per dwelling for visitor parking, making a requirement of eight spaces for the proposed development. Two spaces are to be provided to serve the proposed development, which would fall short of the standard. It would be considered that although the proposal is under standard by virtue the parking demand of the existing use of the development as a builders yard, cycle provision and its sustainable location subject to a condition to remove the future occupier's rights to obtain a parking permit this would resolve issues on the pressure of off street parking. The applicants have altered the previously refused parking layout

to reflect that one approved under MC/16/3583 and now meets the standard of 2.4m wide by 4.8m in length and therefore removing any potential overhanging onto the highway.

Paragraph 110E outlines that development should provide electric charging facilities, therefore a suitably worded condition has been attached to fulfil this objective. There is also concern regarding the proposed cycle storage being unsecure however a condition could overcome this if the application were considered acceptable.

Therefore with suitably worded conditions, the proposal is conforms to Policies BNE2, T1, T2, T4 and T13 of the Local Plan and paragraphs 109 and 110E of the NPPF.

Contamination

Policy BNE23 of the Medway Local Plan 2003 requires that land known to be or likely to be contaminated should be accompanied by detailed site examination and appropriate remedial measures to reduce or eliminate risk to human health and the wider environment be agreed. No preliminary risk assessment or desk top study has been provided.

The previous use of the site as a builders yard could of resulted in contamination, however as the application is for flats with limited open space it is considered that the need for a desk top study at the application stage is not required, however to be conditioned prior to commencement if considered for approval. The Environment Agency were consulted on the previous application and they requested conditions regarding surface drainage and pilling due to the location of site above a principle aquifer and the historic use of the site and these conditions should be re-imposed if the application were considered for approval.

Subject to suitably worded conditions no objection is raised to the proposal under Policy BNE23 of the Local Plan and paragraph 178 of the NPPF.

Climate Change and Energy Efficiency

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

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

The close proximity of amenities including public transport, leisure facilities, businesses and shopping facilities, all within walking distance to the proposed development mean the length of journey is minimal promoting walking and making it not essential to own a car. Secured bike storage is shown to be provided. As such the development offers the opportunity for a sustainable transport solution.

Bird Mitigation

As the application site is within 6km of the North Kent Marshes SPA/Ramsar Sites, the proposed development is likely to have a significant effect, either alone or in combination, on the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites from recreational disturbance on the over-wintering bird interest. Natural England has advised that an appropriate tariff of £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.

There is already a secure contribution for 5 units as per the permission MC/16/3583. The applicants have agreed to pay the remaining contribution if it were granted approval and are in the process of completing a SAMM Mitigation Contribution Agreement form. No objection is therefore raised under Policies S6 and BNE35 of the Local Plan and paragraphs 175 and 176 of the NPPF.

Climate Change and Energy Efficiency

The applicant has indicated that all materials will be used to exceed the requirements of the latest building regulations and in particular Part L (Energy Use). All new windows are to be double-glazed windows which will significantly reduce noise and improve heat insulation. All lights fitted with low energy LED fittings, improved air tightness construction, Low NOx boilers, external water butts, electric car points for each unit will also be provided, while all hard standings will be self-draining.

They have also indicated that local building materials will be sourced and local trades to be employed where possible.

The close proximity of amenities including public transport, leisure facilities, businesses and shopping facilities, all within walking distance to the proposed development mean the length of journey is minimal promoting walking and making it not essential to own a car. Secured bike storage is shown to be provided. As such the development offers the opportunity for a sustainable transport solution.

Local Finance Considerations

There are no local finance considerations.

Conclusions and Reasons for Approval

The proposal is considered acceptable in terms of principle, design, amenity, contamination and highway aspects and with regard to all other material planning considerations. It is therefore recommended that the proposal be approved subject to appropriate conditions and the completion of the SAMMS mitigation form. The proposal accords with the provisions of Policies ED3, H4, BNE1, BNE2, BNE23, BNE35, S6, T1, T2, T4 and T13 of the Local Plan and paragraphs 11, 109, 110, 117, 118, 124, 127, 170, 175, 178 of the NPPF. The application is accordingly recommended for approval.

The application would normally be determined under delegated powers but is being referred for Committee determination due to the number of representations contrary to the officers 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 <https://publicaccess1.medway.gov.uk/online-applications/>