

**MC/20/1800**

**Date Received:** 27 July 2020  
**Location:** Land Off Lower Rainham Road Rainham  
Gillingham Medway  
**Proposal:** Full planning consent for 79 dwellings, including affordable housing together with access, open space, landscaping and associated infrastructure works  
**Applicant** Bellway Homes Ltd (Kent)  
C/o Agent  
**Agent** Miss Rosie Cavalier The Observatory  
Castle Hill Drive  
Castle Hill  
Ebbsfleet Valley  
DA10 1EE  
**Ward:** Rainham North Ward  
**Case Officer:** Oliver Ansell  
**Contact Number:** 01634 331700

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**Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 3rd February 2021.**

**Recommendation - Approval subject to:**

**A. A Section 106 Agreement under the terms of the Town and Country Planning Act 1990 to secure the following developer's contributions:**

- i. Secure 25% affordable dwelling units (equal to 20 dwellings).
- ii. Education contribution:

Nursery: £95,102.14 towards expansion towards one or more of: Mierscourt, Park Wood, Thames View, St Thomas of Canterbury, Riverside Primary and/or a new free school in the area.

Primary: £93,874.54 towards one or more of: Mierscourt, Park Wood, Thames View, St Thomas of Canterbury, Riverside Primary and/or a new free school in the area

Secondary: £175,052.96 towards one or more of: The Howard, Rainham Girls, Rainham Mark Grammar, Robert Napier, a new free school in the area

Sixth form: £10,550.65 Towards one or more of: The Howard, Rainham Girls, Rainham Mark Grammar, Robert Napier, a new free school in the area

- iii. Contribution of £13,939.55 towards the provision, improvement and promotion of waste and recycling services to cover the impact of the development
- iv. Contribution of £13,303.60 towards improving library facilities and equipment within the vicinity.
- v. Contribution of £205,528.77 towards open space and outdoor formal sport  
To enhance open space facilities within the vicinity of the development and Great Lines Heritage Park
- vi. Contribution of £53,000 towards ecological and public access provision management at Berengrave Nature Conservation site.
- vii. Contribution of £3,998 towards PROW signage in the immediate area and promotion the Saxon Shore Way regional trail.
- viii. Contribution of £6,308.94 to support young people to access computer training for skill improvements
- ix. Contribution of £32,319 towards local public transport infrastructure.
- x. Contribution of £19,611.75 towards sport facilities towards improvements to Splashes Leisure Centre.
- xi. Contribution of £19,780.81 towards bird mitigation measures

Total £742,370.71 = £9,397.10 contribution per dwelling

**B. The imposition of the following conditions:**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

Drawing numbers: FA19-1759-100, FA19-1759-101, FA19-1759-102, FA19-1759-103, FA19-1759-104, FA19-1759-105, FA19-1759-106, FA19-1759-107, FA19-1759-108, FA19-1759-109, FA19-1759-110, FA19-1759-111, FA19-1759-112, FA19-1759-113, FA19-1759-114, FA19-1759-115, FA19-1759-116, FA19-1759-117, FA19-1759-118, FA19-1759-119, FA19-1759-120, FA19-1759-121, FA19-1759-122, FA19-1759-123, FA19-1759-124, FA19-1759-125, FA19-1759-126, FA19-1759-127, FA19-1759-128, FA19-1759-129, FA19-1759-130, FA19-1759-131, FA19-1759-132, FA19-1759-133, FA19-1759-134, FA19-1759-135, FA19-1759-136, FA19-1759-137, FA19-1759-138, FA19-1759-139, FA19-1759-140, FA19-1759-142, FA19-1759-143, FA19-1759-144, FA19-1759-145, FA19-1759-146, FA19-1759-56A, FA19-1759-60C, FA19-1759-61B, FA19-1759-62B, FA19-1759-63B, FA19-1759-65C, FA19-1759-67FA19-1759-68, FA19-1759-80C, FA19-1759-81D, FA19-1759-84, FA19-1759-82C, FA19-1759-83C, FA19-1759-11A (Materials and Character Document)14657-T-03 Rev P2, 14657-T-05 Rev P2,14657-T-04 Rev P2; received 09 December 2020

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

- 3 No development above ground floor slab level of any part of the development hereby approved shall commence until schedule/sample of the materials and finishes to be used in the construction of the external walls, roofs, windows, doors and guttering of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The details submitted should be based on the design principles set out in the Character & Materials Assessment, November 2020, as prepared by Fluid. 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 Local Plan.

- 4 Prior to the first occupation of any dwelling/the development herein approved, full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall be based on the "Illustrative Landscape Masterplan", prepared by Allen Pyke Associates, Dwg 2920-LA-01 Rev P3 and include:

i. Plans and information providing 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, 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.

ii. Details for the design and specification of tree planting to enable healthy establishment at maturity. Information should provide details for the planting environment (including within hard landscape, 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).

iii. A timetable for implementation.

The development shall be implemented in accordance with the approved details and any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

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

- 5 Prior to commencement of development, the tree protection measures identified in the Arboricultural Impact Assessment prepared by Aspect Arboriculture, July 2020 10640\_AIA001 shall be installed and maintained until all equipment, machinery and surplus materials have been removed from Site. Nothing shall be stored or placed nor fires lit, within any of the area protected in accordance with this condition. The siting of barriers/ground protection shall not be altered, nor ground level changed, nor excavations made within these areas without the written consent of the Local Planning Authority.

Reason: To Safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development in compliance with Policy BNE 43 and NPPF.

- 6 Prior to the first occupation of the development herein approved, a Landscape Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include the management requirements detailed within the Ecological Mitigation, Enhancement & Management Plan; (Aspect Ecology; October 2020), together with long-term design objectives, management responsibilities and maintenance schedules for all hard and soft landscape areas, including play space and communal courtyard (except for small, privately owned, domestic gardens) for a minimum period of five years from commencement of development and arrangements for implementation. The document shall also include an appendix incorporating product specification sheets for all street furniture and play equipment, covering installation and maintenance requirements. The development shall thereafter be managed in accordance with the approved details.

Reason: Pursuant to condition 197 of the Town and Country Planning Act 1990 and 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.

- 7 Prior to the occupation of the development, full details of the pedestrian link on the western boundary of the application site to Berengrave Nature Reserve shall be submitted to and approved by the Local Planning Authority. The pedestrian link shall be provided in accordance with the approved details up to and adjoining the site boundary prior to the occupation of the 10th dwelling.

Reason: To enhance access to the natural environment in accordance with section 15 of the National Planning policy Framework.

- 8 Prior to the first occupation of the development details of the Locally Equipped Area for Play (LEAP) shall have been submitted to and approved in writing by the local planning authority. The details shall include the layout, drainage, equipment, landscaping, fencing, and future management of the areas to be provided. The development shall only be implemented in accordance with the approved details prior to the occupation of the 40th dwelling.

The respective play area shall be maintained in accordance with the approved details thereafter.

Reason: To ensure satisfactory provisional equipment and to ensure that play area is provided and retained within the development for use by the future residents and to comply with Policy L4 of the Local Plan.

- 9 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of:

- i. archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved in writing by the Local Planning Authority; and
- ii. following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

- 10 Prior to the construction of any dwellings hereby permitted, a scheme of acoustic protection against road traffic noise shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of acoustic protection sufficient to ensure internal noise levels (LAeq,T) no greater than 30dB in bedrooms and 35dB in living rooms with windows closed and a maximum noise level (LAm<sub>ax</sub>) of no more than 45dB(A) with windows closed. Where the internal noise levels will be exceeded with windows open, the scheme shall incorporate appropriate acoustically screened mechanical ventilation. The scheme shall include details of acoustic protection sufficient to ensure amenity/garden noise levels of not more than 55dB (LAeq,T). All works, which form part of the approved scheme, shall be completed before any part of the relevant dwellings are occupied and shall thereafter be maintained in accordance with the approved details.

Reason: In the interests of residential amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 11 Prior to the commencement of the development (excluding the erection of tree protection fencing and site hoarding) a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include: hours of construction working; measures to control noise affecting nearby residents; wheel cleaning/chassis cleaning facilities; dust control measures; pollution incident control, details of any site lighting and its location and site contact details in case of complaints. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning authority.

Reason: In the interests of residential of the adjoining properties and in compliance with Policy BNE2 of the Local.

- 12 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 (with the exception of the erection of tree protection fencing, hoarding and site clearance works). 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,
  - Ground waters 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: In the interests of residential amenities of the future occupiers of the dwellings and occupiers of the surrounding properties and in compliance with Policy BNE2 of the Local Plan.

- 13 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 (with the exception of the erection of tree protection fencing, hoarding and site clearance works). 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: In the interests of residential amenities of the future occupiers of the dwellings and occupiers of the surrounding properties and in compliance with Policy BNE2 of the Local Plan.

- 14 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 together with the erection of tree protection fencing, erection of hoarding and site clearance works) 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: In the interests of residential amenities of the future occupiers of the dwellings and occupiers of the surrounding properties and in compliance with Policy BNE2 of the Local Plan.

- 15 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 13, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 14, 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 14 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 14.

Reason: In the interests of residential amenities of the future occupiers of the dwellings and occupiers of the surrounding properties and in compliance with Policy BNE2 of the Local Plan.

- 16 The development shall be implemented, and thereafter maintained, entirely in accordance with the measures set out in the Air Quality Assessment prepared by Phlorum, dated October 2020.

Reason: In the interests of residential of the adjoining properties and in compliance with Policy BNE2 of the Local.

- 17 Prior to the installation of any external lighting a "bat sensitive lighting plan" for the site boundaries shall be submitted to and approved in writing by the local planning authority. The lighting plan shall:

Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;

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

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

Reason: To protect and enhance the natural environment in accordance with section 15 of the National Planning policy Framework.

- 18 Prior to and during construction works the ecological mitigation within the Ecological Mitigation, Enhancement & Management Plan (Aspect Ecology; October 2020) must be implemented as detailed. If the mitigation requirements change a revised mitigation strategy must be submitted to the LPA for written approval.

Reason: To protect and enhance the natural environment in accordance with section 15 of the National Planning policy Framework.

- 19 Prior to occupation of the development an ecological enhancement report shall be submitted to and approved in writing by the LPA. The report shall demonstrate



that the ecological enhancements detailed within Ecological Mitigation, Enhancement & Management Plan; (Aspect Ecology; October 2020) have been incorporated into the site.

Reason: To protect and enhance the natural environment in accordance with section 15 of the National Planning policy Framework.

- 20 The 15m landscape buffer on the eastern boundary with Berengrave Nursery shall be maintained in perpetuity

Reason: To protect and enhance the natural environment in accordance with section 15 of the National Planning policy Framework

- 21 The approved vehicular accesses onto Lower Rainham Road shall not be used until vision splays as outlined in drawing 14657- H-01 P4 have been provided on both sides of the vehicular access point(s) and no obstruction of sight, including any boundary treatment, more than 0.6m above carriageway level shall be permitted within the splays thereafter.

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

- 22 The proposed dwellings 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 2018 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

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

- 23 Prior to the occupation of the proposed development, a revised Travel Plan encouraging sustainable forms of transport shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be based on the "Interim Travel Plan, PL/HA/14657, July 2020 as prepared by DHA Transport. The approved travel plan shall be promoted and carried out by the future occupiers of the dwellings.

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

- 24 Prior to the first occupation of the development, details of on-site car parking provision with associated vehicular, pedestrian access and management for use by the residents of properties on the south side of Lower Rainham Road, between the application site and Station Road mini roundabout shall be submitted to and approved by the Local Planning Authority . The approved parking provision and associated access shall be provided in accordance with a timetable which has been submitted to and approved by the Local Planning Authority.

Reason: In the interests of highway safety and amenities of the local residents and in accordance with Policies, T1, T13 and BNE2 of the Medway Local Plan 2003.

- 25 The 8no on site car parking provision together with the associated vehicular and pedestrian access for the properties no 728 to 742 Lower Rainham Road shall be made available prior to the occupation of the 10th dwelling on site.

Reason: In the interests of highway safety and amenities of the local residents and in compliance with Policies, T1, T13 and BNE2 of the local plan.

- 26 There shall be no land constituting a ransom strip between the application site as showing in drawing FA19-1759-56 Rev A and the land to the east. The vehicular access link shall be constructed to an adoptable standards and be unobstructed for two way vehicle flows up to the boundary of the site.

Reason: In the interests of highway safety and amenities of the local residents and in compliance with Policies, T1, T13 and BNE2 of the local plan.

- 27 No development shall take place above ground floor slab level until details of the provision of electric vehicle charging points (1 per dwelling with dedicated parking and 1 per 10 unallocated parking spaces ) 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

- 28 No development (with the exception of the erection of tree protection fencing , erection of hoarding, site clearance works, archaeological works or remediation works) shall take place until a scheme based on the sustainable drainage principles outlined in the Herrington Flood Risk Assessment (December 2020), has been submitted to and approved in writing by the Local Planning Authority in

consultation with the Lead Local Flood Authority. Those details shall include (where applicable):

- i. Details of the design of the scheme in conjunction with the landscaping plan.
- ii. A timetable for its implementation (including phased implementation).
- iii. Operational maintenance and management plan including access requirements for each sustainable drainage component.
- iv. Proposed arrangements for future adoption by any public body, statutory undertaker or management company.
- V. Details of flood resilience and resistance measures specific to the building construction and site layout.

The development shall be undertaken in accordance with the agreed details.

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

- 29 Prior to occupation (or within an agreed implementation schedule) a signed verification report carried out by a qualified drainage engineer (or equivalent) must be submitted to and approved by the Local Planning Authority to confirm that the agreed surface water system has been constructed as per the agreed scheme and plans. The report shall include details and locations of critical drainage infrastructure (such as inlets, outlets and control structures) including as built drawings, and an operation and maintenance manual for the unadopted parts of the scheme as constructed.

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

- 30 No development shall commence (with the exception of the erection of tree protection fencing , erection of hoarding, site clearance works, archaeological works or remediation works) until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority in consultation with the LLFA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction

The approved CSWMP and shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:

- i. Temporary drainage systems.

- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses.
- iii. Measures for managing any on or offsite flood risk associated with

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

- 31 Prior to commencement, details of flood resilience and resistance measures specific to the building construction and site layout outlined in the Herrington Flood Risk Assessment (December 2020) should be submitted to and approved in writing by the LPA, in consultation with the LLFA. The approved measures shall be undertaken .....

Reason: This condition is sought in accordance with Paragraph 001 of National Planning Policy Guidance (NPPG): Flood and Coastal Change to ensure that the development is appropriately flood resilient and resistant for its users for the development's lifetime.

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

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

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

## **Proposal**

This is a full planning application for 79 dwellings (including 20 affordable dwellings) with access proposed to be from Lower Rainham Road.

The proposal will also comprise on-site open space, children's play space, surface water attenuation and ancillary works, landscape buffer along the sites eastern and western boundaries, pedestrian link to the adjoining Nature Conservation land and pedestrian and vehicle link from the eastern boundary to facilitate future connection to Station Road.

The proposal also involves provision for 8 on-site car parking spaces for the occupiers of houses no 728 to 742 (even) along Lower Rainham Road to allow displacement of cars

parked in front of these houses within the application site in perpetuity and therefore improve both vehicular movement and safety along this section of Lower Rainham Road.

The site plan shows the built form part of the site would be within the central and southern areas of the site and away from northern, eastern and western boundaries in order to minimise adverse impact on the nature conservation park, provide adequate provision for free flow and attenuation of surface water, link the open space with open space provision on land to the East and provide a well landscaped frontage to Lower Rainham Road.

## **Relevant Planning History**

**MC/18/3160** Outline planning application with some matters reserved (appearance, landscaping, layout and scale) for up to 64 dwellings (including 25% affordable), planting and landscaping, informal open space, vehicular access point from Lower Rainham Road and associated ancillary works.  
Approved 29 November 2019

## **Site Area/Density**

Site Area: 3.44 hectares (8.5 acres)  
Site Density: 22.97 dph (9.29 dpa)

## **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.

**23 letters** have been received expressing comments about the following issues:

- Loss of agricultural land
- Impact on drainage in the area
- Impact on archaeology
- Lack of infrastructure to serve the development
- Traffic concerns
- Loss of green space
- Parking concerns
- Overdevelopment of the area
- Noise from construction
- Concerns over potential pedestrian access to south

**Highway England** offers no objection on the basis that the development will not materially affect the safety, reliability and/or operation of the strategic road network (the tests set out in DfT Circular 02/2013, particularly paragraphs 9 & 10, and MHCLG NPPF particularly paragraph 109) in this location and its vicinity

**Southern Water** requires a formal application for a connection to the public foul and surface water sewer to be made by the applicant or developer and recommends a condition regarding foul and surface water details.

Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Sewers for Adoption (Appendix C) and CIRIA guidance.

#### **Kent Wildlife Trust:**

On the basis that the applicant makes the relevant SAMMS contributions we do not consider that this scheme will cause negative impacts through recreational disturbance. This should be assessed via a Habitats Regulations Assessment.

The buffer proposed between the development and Berengrave Chalk Pit LNR and Local Wildlife Site has been reduced since the initial application (MC/18/3160) and is insufficient to mitigate adverse impacts.

A detailed lighting strategy is required to reduce negative impacts to the LNR/LWS.

Commitments to the long-term management of Berengrave Chalk Pit LNR and Local Wildlife Site must be secured to prevent its degradation through increased recreational disturbance.

The results of a biodiversity metric are required to establish if biodiversity net gain is being achieved. At present, it is deemed unlikely that the minimum requirement for net gain is being achieved in line with national planning policy and the upcoming Environment Bill.

A detailed habitat management plan is required to ensure that habitats created through this scheme are suitably managed in perpetuity.

**Natural England** has stated that the proposed development would cause the following impact:

- Have an adverse effect on the integrity of Medway Estuary and Marshes Special Protection Area (SPA) and Ramsar site, as well as other North Kent coastal SPAs and Ramsar sites
- damage or destroy the interest features for which Medway Estuary and Marshes Site of Special Scientific Interest (SSSI) has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measure is secured:

- Contribution to the Birdwise Strategic Access Management and Monitoring Strategy (SAMM)

**KCC Biodiversity** has stated that the submitted surveys detail the following:

- Presence of at least 8 species of foraging bats
- Slow worms and common lizards within the site boundaries
- The site is used by both wintering and breeding birds
- The site is adjacent to Berengrave Chalk Pit LNR/LWS

### *Reptiles*

We advise that we are satisfied that the proposed precautionary mitigation in conjunction with the enhancements within the site boundaries is appropriate reptile mitigation.

We advise that in addition to reptile exclusion fencing herras fencing must be erected to protect the exclusion fencing and therefore the reptile habitat from being damaged during construction. Information has been provided detailing that the reptile mitigation areas will only be cut once a year and all the cut grass will be left in-situ. We would prefer the reptile mitigation areas be cut less frequently than annually but we advise that this point can be addressed via the site wide management plan.

### *Bats*

The proposal will result in an increase in lighting and therefore the proposals will have a negative impact on foraging/commuting bats. We advise that any lighting scheme must be designed to be sensitive towards bats and minimise light spill. We recommend that any lighting condition requires the lighting plan to follow the recommendations within the Bats and artificial lighting in the UK document produced by the Bat Conservation Trust and Institution of Lighting Professionals.

### *Other species*

The submitted document has confirmed the following will be carried out prior to/during the proposed construction works to ensure the works will not impact protected species:

- Pre commencement badger survey
- Covering of holes/trenches at night or the inclusion of a mammal ladder
- Vegetation outside breeding bird season or pre commencement survey
- Protection of retained habitats.

We advise that the mitigation detailed for all species within the submitted report is appropriate and must be implemented if planning permission is granted

### *Local Nature Reserve/Local Wildlife Site*

Information has been submitted confirming that there will be a minimum of a 15m buffer between the proposed development and the adjacent Berengrave Chalk Pit LNR and

Local Wildlife Site and there will be direct access in to the LNR from the proposed development site. Therefore, the proposed development is likely to result in an increase in recreational pressure within the LNR and as such we recommend that the proposed development contributes to the ongoing management of the site to support it retaining its ecological interest

**KCC Archaeology** states that notwithstanding the applicant's Archaeology & Built Heritage Assessment, provision be made in any forthcoming planning consent for a programme of archaeological evaluation works to be followed, as appropriate, by safeguarding measures and/or further archaeological investigation and recording. No objection subject to an appropriate condition being imposed.

## **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 application site is a rectangular area of land measuring about 3.88 hectares. It has been used as a grazing land/paddock since the 1950s. The site has vehicular access onto Lower Rainham Road which forms the northern boundary of the site, from the west the site is enclosed by the Berengrave Nature Conservation site and an allotment, from the south by a housing estate, from the east by paddocks and associated stables and houses fronting Lower Rainham Road.

The land rises from north to south and due to its use for grazing purposes has no special landscape feature.

### *Principle*

Paragraph 47 of the NPPF and Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that all planning applications must be determined in accordance with the Development Plan unless other material considerations indicate otherwise. Bearing this in mind, the relevant starting point would be the consideration of the general principles of the development when assessed against the Government's National Planning Policy Framework (The Framework), The Government's National Planning Practice Guidance Notes (NPPG) and the relevant saved policies of the Medway Local Plan 2003.

Paragraph 11 of the NPPF sets out a clear presumption in favour of sustainable development. For decision making this means approving development that accords with an up to date development plan or (paragraph 11d) where the policies in the development



plan are out of date because the LPA cannot demonstrate a 5 year supply of deliverable housing sites, assessing proposed sites in terms of their sustainability.

Paragraph 8 of the NPPF sets out the 3 overarching objectives of sustainability – economic, social and environmental.

The application site is outside of the built confines of Rainham and within an Area of Local Landscape Importance. Policies BNE25 and BNE34 of the Local Plan therefore apply. Those elements of the policies which seek to control the supply of land for housing are considered to be out of date, as the LPA cannot demonstrate a 5-year supply of deliverable housing land. However, those parts of the policies which seek to set out particular landscape characteristics that should be protected are relevant.

Taking the 3 objectives of sustainable development in turn:

**Economic** – the proposal will provide employment during construction and will bring new people into the area with additional spending to help support existing services and facilities. In relation to the impact on existing infrastructure, including roads and services such as schools and health, these will be considered in detail in later paragraphs but in principle can be addressed through S106 contributions.

**Social** – the proposal will provide much-needed market and affordable housing. In principle, a well-designed and healthy scheme can be provided but the details will be considered in later paragraphs.

**Environmental** – While the site is outside of the built-up area of Rainham and within an Area of Local Landscape Importance (ALLI) and there is an important local nature conservation area along the western boundary of the site, the proposed layout shows that a landscaping buffer can be provided along the east, west and northern boundaries of the site in order to enhance the local landscape of the area. In addition, a financial contribution will also be made toward ecological enhancement and management of the Nature Reserve site.

In traditional sustainability terms, the site could connect pedestrian, cycle and vehicular access through the land to the east to connect Station Road to Lower Rainham in order to reduce traffic flow and potential congestion at the Station Road/ lower Rainham Road roundabout while also improving access to public transport and Rainham Town Centre facilities.

The Landscape Visual Impact Assessment submitted as part of the application assesses minor adverse effects on local landscape character is inevitable. However, the impact will decrease over time as landscaping on the site over time would establish and mature.

It is therefore considered that having regard to the above the proposal in this location is capable of forming a sustainable development that would be in accordance with NPPF guidance and acceptable in principle.

In recognising that the site and the proposal represent sustainable development and is acceptable in principle, the Planning Committee granting outline planning permission on 29 November 2019 under ref MC/18/3160 for residential development of up to 64 units.

The key planning issues are considered to be design, visual impact and landscaping; density of the development (including whether the site can suitably accommodate 79 dwellings); affordable housing and other contributions; residential amenity; access/highway safety, including capacity of the local highway network; ecology; flood risk, surface water management and drainage.

### *Layout, Scale and Design*

NPPF Chapter 12 'Achieving well-designed places' reinforces that design is a key aspect of sustainable development and indivisible from good planning and should contribute positively to making places better for people. Chapter 12 also confirms that high-quality design includes consideration of individual buildings, public and private spaces. Policies and decisions should ensure that development responds to the local character and history and reflects the identity of local surroundings and materials, to create distinctive places, with a consistent and high-quality standard of design. However, the level of detail and degree of prescription should be tailored to the circumstances in each place and should allow a suitable degree of variety where this would be justified.

The surrounding streets of Lower Rainham Road and Station Road are of a varied character with examples of more traditional properties offset with those of more modern design. The scale of properties within the area is predominantly two-storey in their design with some properties having utilised roof spaces for accommodation.

As originally submitted the application proposed 84 dwellings, with a mix of 1, 2, 3, and 4 bed units predominantly 2 storey's in height but including some at 2.5 storey's and 1 block of flats at 3 storey's in height. The site layout provided for a landscaped area to Lower Rainham Road, incorporating sustainable drainage along with the car park to serve existing units. The built development would be in the centre of the site with substantive landscaped buffers to the Berengrave nature reserve and to the east and a smaller landscaped buffer to the north. Within the centre of the site adjacent to the east boundary is proposed the open space and play area and the vehicular access linking this site through the site to the East to Station Road. The design of the individual houses attempted to balance the more contemporary form at Bakersfield to the East with the more traditional form of housing elsewhere within North Rainham.

In considering the scheme, it was considered that there was a need to reduce the number of units, improve landscaping within the site, reduce heights to no more than 2.5 storey's and to improve the detailing and attractiveness of the proposed dwellings.

Revised plans have now been received, which reduce the number of units by 5 down to 79, which enables enhanced landscaping within the site, for the 3 storey block to be

reduced to predominantly 2 storey but with a 2.5 storey element and for the design of the dwellings to be amended to bring more character and detailing in thereby not only blending in with but adding to the quality of the character of the area.

A variety of different house types, sizes and tenures, including 25% affordable dwellings, is proposed to be provided within the development to create a diverse and mixed community. This comprises 33 three bedroom and 26 four bedroom private sale dwellings and 7 one bed, 6 two bed, 5 three bed and 2 four bed affordable dwellings based on a 60:40 tenure split). The dwellings have a variation in their scale, form and massing that would provide a diverse and attractive street scene. Dwellings houses would have a variation in height from ground to ridge or eaves (up to 2.5 storey) and the arrangement of buildings across the site have changes in height to create a varied roof line across the development which adds visual interest to the street scene.

The proposed dwellings are of a suitable size and scale with a design that would be in keeping with the mixed character of the area. The layout would reflect the spatial pattern of built form and provides a visual interest in the form of a street hierarchy. In addition to this, the development has been revised to allow for additional landscaping on two streets which helps to form a stronger visual connection and pathfinding between the adjacent nature reserve to the west and the areas of open space to the east. This area of open space will connect with development to the east.

The development is accessed from Lower Rainham Road though the dwellings proposed are set back from the main road with areas of open space and landscaping between. The use of brick and cladding on the elevations of the proposed properties would be in keeping with the area.

A key factor to the success in delivering a quality scheme on this site is the architectural detailing and materials of the dwellings as well as the detail of the landscaping. The plans demonstrate that this can be achieved subject to appropriate conditions to ensure high quality design in accordance with paragraph 127 of the NPPF.

Having regard to the above it is considered that the site can satisfactorily accommodate the number of dwellings proposed and the development would relate well (and indeed improve upon) to the character, density and appearance of the wider surrounding. Therefore, the development is considered to comply with Policy BNE1 of the Local Plan.

### *Amenity*

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

### *Neighbouring Residential Amenity*

The nearest residential properties to the site are along the southern boundary and northeast corner of the site. With regards to privacy, outlook, sunlight and daylight the scheme, by virtue of the siting, size and scale of the development and the distance and relationship to neighbouring properties, would not result in an unacceptable loss of privacy, overlooking, loss of light or overbearing to neighbouring occupiers. Notwithstanding this there is the potential for neighbouring occupiers to be impacted during construction. Due to this, a condition is recommended for a Construction Environment Management Plan (CEMP).

### *Amenity of Future Occupiers*

The proposed dwellings have been considered against the Technical housing standards - nationally described space standard dated March 2015 (the national standard) and are considered to be acceptable. All double bedrooms meet the national standards area and width requirements, and all habitable rooms would also be provided with suitable outlook. As guidance, the Medway Housing Standards (interim) November 2011 (MHDS) states that gardens should be 10m in depth and 7m when constraints exist. The proposed depth of the gardens would measure between approx. 8m and approx. 13m and therefore no objection is raised.

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

### *Noise*

The application is accompanied by an acoustic assessment which demonstrates that acceptable internal and external noise levels can be achieved with relatively modest mitigation. Guideline internal noise levels can be achieved with windows closed; however, this then raises an issue with regard to thermal comfort, which in other circumstances would be provided by having windows open. Whilst this issue is only likely to affect a small number of properties that directly front towards Lower Rainham Road, these dwellings should be provided with an alternative to having an open window for control over thermal comfort in the form of acoustically screened mechanical ventilation which provides higher rates of ventilation as and when required by the occupants. An appropriate condition is recommended to address this.

### *Air Quality*

Air pollution has a wide-ranging impact on human health and new development can have an adverse impact on air quality through increased transport movements and congestion.

The application includes an Air Quality Assessment including a damage costs assessment, carried out in accordance with the requirements of the Medway Air Quality Planning Guidance. Subject to an appropriate condition securing a scheme of mitigation the proposed development will not generate adverse air quality effects and would comply with Local Plan policy BNE24 and paragraph 181 of the NPPF.

### *Archaeology*

Reflecting the comments of KCC archaeological officer a full archaeological investigation in accordance with a pre-agreed specification is recommended via an appropriately worded condition. Subject to that no objection is raised in relation to archaeology with respect to Policy BNE21 of the Local Plan.

### *Contamination*

Desktop Phase 1 Geo- Environmental reports have been submitted with the application. The report recommends a phase 2 intrusive investigation to be undertaken due to the potential contamination from the nearby sources. Appropriate contamination conditions are therefore recommended. Subject to this the application complies with Policy BNE23 of the Local Plan.

### *Ecology*

The application is supported by an ecological mitigation, enhancement & management plan which is considered sufficient to consider the application. Whilst it is noted that comments are raised by Kent Wildlife Trust in regard to the presence of a footpath within the 15m buffer of the nature reserve, in consultation with KCC Ecology and Natural England neither party raised objection. The submitted ecological mitigation, enhancement & management plan details mitigation and enhancement work that can be reasonably secured by condition. In addition to this the proposal will result in an increase in lighting and therefore the proposals could have a negative impact on foraging/commuting bats. Accordingly, a condition requiring the submission of a bat sensitive lighting scheme is also recommended. Subject to the conditions suggested no objection is raised under Policy BNE37 of the Local Plan and paragraph 175 of the NPPF.

### *Flood Risk*

The site is situated in Flood Zone 1 (low risk) with respect to river and tidal flooding. However eastern and northern parts of the site are at high risk of surface water flooding due to an overland flow route. There is also a potential for groundwater levels to become elevated in some areas across the site.

To manage the overland flow routes, it is proposed to install a drainage ditch along the southern boundary of the site to intercept and convey flow via the eastern and western boundaries, discharging to a Flood Storage Area (FSA) at the lowest part of the site. Surface water runoff from the development will be managed within a separate surface

water drainage system comprised of permeable paving and attenuation tanks connected to a designated Drainage Basin. There is no formal discharge provision for the FSA, which means that during a design flood event water will pond. This is likely to be for some time due to the likely poor infiltration and potential high groundwater levels on the site. Therefore, the potential to connect the FSA to the surface water network needs to be explored fully to assist the drainage of this area under a flood condition at a detailed design stage.

Subject to conditions for full details, verification report, construction management plan and flood resilience measures, the application is considered to be acceptable and in accordance with paragraph 165 of the NPPF

### *Affordable Housing*

The application seeks planning permission for 79 dwellings. In compliance with the Local Plan Policy H3, the development would need to deliver 25% affordable units, equal to 20 dwellings. Also, in compliance with the Council's developers' contribution guide, 60% of the 20 units would need to be for social rent and 40% for shared ownership. This will be secured through the S106 agreement proposed and the applicant has agreed to this.

### *Highways*

The Transport Assessment (TA) submitted with the application summarises the relevant sections of policy from the NPPF, NPPG, Medway Local Plan, the emerging Medway Local Plan (2012 - 2035) and Medway's Interim parking standards for both car and cycle parking.

### *Existing Conditions.*

With regard to pedestrian provision, a narrow footway is provided along the southern side of Lower Rainham Road to the west up until Berengrave Lane and to the east, there is a short narrow footway which then transfers over to the northern side of Lower Rainham Road.

It is noted that the applicant intends to provide a footpath connection into Berengrave Nature reserve, this connection is welcomed as it provides an alternative route for pedestrians travelling to the west and would be a betterment over the existing situation. In relation to cycling provision, there is National Cycle Route 1 (Dover – John O'Groats) and this provides connectivity to Higham and Gravesend to the west and Sittingbourne, Faversham and Canterbury to the east. In terms of service for public transport, the closest bus stops to the site are "West Motney Way" and "The Angel", but it is considered that the level of bus provision and service frequency is poor within this location.

The closest railway station is Rainham, which is located approximately 1.2km to the south of the site by road. From this station, regular train services depart to a range of destinations including London St Pancras International via Gravesend and Ebbsfleet

International, Faversham, Margate, Ramsgate, Deal, Dover Priory, and Maidstone West. Direct train services to and from London run six to eight times per hour during peak periods, with High-speed journey times of just 35 minutes available.

### *Accessibility*

With regard to accessibility, it is noted that the majority of attractions are within 'acceptable' walking distances as set out in the publication 'Guidelines for Providing for Journeys on Foot' (CIHT 2000). It is considered that whilst the development is not ideally located, it is accepted that there is potential for the residents to walk and cycle to local amenities.

### *Road Safety*

Personal Injury Accident data has been obtained for the latest three-year period available. The proposed development would not materially exacerbate the existing highway safety record and therefore no objection would be raised. In addition, it is considered that by providing onsite parking to serve the existing dwellings on Lower Rainham Road, this will remove on street parking, which currently causes both congestion and a potential highway danger. This is seen as a positive enhancement to highway safety and will be supplemented by a TRO (Traffic Regulation Order).

### *Access & Offsite works*

The access arrangements propose removing the current speed cushions adjacent to the proposed access and inserting a raised table with a further raised table to the east of the side to facilitate the new parking area for existing residents which is considered to be acceptable.

In regard to the highway connection from Lower Rainham Road to Station Road through the application site and the proposed site to the east, this would help to alleviate pressure on the Lower Rainham Road/Station Road roundabout, which would provide a wider benefit to the function of the highway network within the vicinity. It is recommended that a condition be attached to secure this link through the neighbouring land to the east. The highway would need to be constructed to the Highway Authority adoptable standards.

It is considered that the proposed arrangements and off-site works are acceptable in principle. In order to implement the arrangements, it will be necessary for the applicant to enter into a Section 278 Agreement.

### *Internal Layout*

In line with Medway Interim Parking Standards, 1 car parking space should be provided for every 1-bedroom dwelling, 1.5 parking spaces for every 2 bedroom dwelling and 2 spaces for every 3+ bedroom dwelling. Based on the information provided within the

application form, this will lead to a requirement of 166 parking spaces (including visitor spaces). The site plan indicates that this level of provision is met.

The applicants have provided swept path analysis for larger vehicles, demonstrating that these can track through the site with no identified issues

It is noted that with the updated NPPF 2019, there is a requirement for new developments to be fitted with Electric Vehicle charging points and therefore a condition is recommended which requires each individual property to have one fitted prior to occupation. This requirement is also reflected in Medway's Air Quality Guidance.

### *Development Trip Generation and Impact*

It is noted that the site has the benefit of planning permission for 64 units and therefore an assessment relates to the additional level of units (15 units).

The level of trips that will be generated by the proposed development has been estimated by reference to the TRICS database. The assessment has estimated the proposed development would generate a total of 6 vehicular trips in the AM peak and 7 vehicular trips in the PM peak. It is considered that the assessment carried out is reasonable and reflective of the likely travel demand that will be generated by the development.

Concerns were raised by the Highway Authority over the impact of these additional trips in particular to three junctions which were;

B2004 Lower Rainham Road/Berengrave Lane  
B2004 Lower Rainham Road/ Station Road (Mini RBT)  
B2004 Lower Rainham Road "Three Mariners" Shuttle Signals

The applicants provided a further Transport Addendum assessing the above junctions. Whilst the junctions show additional impact, it is not considered that those impacts would be at a level that would be considered severe when considered against paragraph 109 of the NPPF 2019. It is therefore considered that these minimal increases to the traffic flow would not be considered severe as outlined in the NPPF and therefore no objection is raised.

Work on the emerging Local Plan includes a Strategic Transport Assessment. While consideration of this site would not result in unacceptable severe highway capacity issues, it is likely that improvements will need to be undertaken to improve the free flow of traffic along the Lower Rainham Road Corridor. Accordingly a request for a contribution to upgrade the infrastructure is considered appropriate.



### *Travel Plan*

The applicant has provided an Interim Residential Travel Plan Statement (TP) and in principle the statement appears acceptable. An appropriate condition is recommended requiring a detailed travel plan to be submitted before the first occupation of the proposal.

### *Summary*

The application is considered to be acceptable in respect of the transport and parking policies T1, T2 and T13 of the Medway Local Plan 2003 and paragraph 109 of National Planning Policy Framework 2018.

### *Loss of Grade II agricultural land*

The proposal would result in the development of Grade II (very good quality) agricultural land. However, there is no record that since the early 1950s the land has been used for farm and food production. Also, the site is relatively small. It is therefore considered that its loss to housing would not have a detrimental impact on the local or national agricultural production.

### *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) should be collected to fund strategic measures across the Thames, Medway and Swale Estuaries. The strategic measures are in the process of being developed, but are likely to be in accordance with the Category A measures identified in the Thames, Medway & Swale Estuaries Strategic Access Management and Monitoring Strategy (SAMM) produced by Footprint Ecology in July 2014. The interim tariff stated above should be collected for new dwellings, either as new builds or conversions (which includes HMOs and student accommodation), in anticipation of:

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

The applicants have agreed to pay this tariff and have agreed that this is included in the S106 process. No objection is therefore raised under Paragraphs 109 and 118 of the NPPF and Policies S6 and BNE35 of the Local Plan.

## *S106 Matters*

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

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

The obligations proposed, comply with these tests because they are necessary to make the development acceptable in planning terms, they are directly related to the development and are fair and reasonable in scale and kind. The following contributions are sought:

- Secure 25% affordable dwelling units (equal to 20 dwellings).
- Education contribution:
  - Nursery: £95,102.14 towards expansion towards one or more of: Mierscourt, Park Wood, Thames View, St Thomas of Canterbury, Riverside Primary and/or a new free school in the area.
  - Primary: £93,874.54 towards one or more of: Mierscourt, Park Wood, Thames View, St Thomas of Canterbury, Riverside Primary and/or a new free school in the area
  - Secondary: £175,052.96 towards one or more of: The Howard, Rainham Girls, Rainham Mark Grammar, Robert Napier, a new free school in the area
  - Sixth form: £10,550.65 Towards one or more of: The Howard, Rainham Girls, Rainham Mark Grammar, Robert Napier, a new free school in the area
- Contribution of £13,939.55 towards the provision, improvement and promotion of waste and recycling services to cover the impact of the development
- Contribution of £13,303.60 towards improving library facilities and equipment within the vicinity.
- Contribution of £205,528.77 towards open space and outdoor formal sport. To enhance open space facilities within the vicinity of the development and the Great Lines Heritage Park
- Contribution of £53,000 towards ecological and public access provision management at Berengrave Nature Conservation site.
- Contribution of £3,998 towards PROW signage in the immediate area and promotion the Saxon Shore Way regional trail.
- Contribution of £6,308.94 to support young people to access computer training for skill improvements
- Contribution of £32,319 towards local public transport infrastructure.
- Contribution of £19,611.75 towards sport facilities to improve swimming pool and associated changing area.
- Contribution of £19,780.81 towards bird mitigation measures

Total £742,370.71 = £9,397.10 contribution per dwelling

### *Local Finance Considerations*

None relevant

### **Conclusions and Reasons for Approval**

The development at this site would extend the urban boundary of Rainham further to the north and west. The development would provide 79 new dwelling units of which 25% would be affordable housing.

Whilst the development would have an impact on the local ecology and open character of the area, it is not considered that this would be significant having regard to the mitigations proposed and developer's contribution agreed. In addition to this, the lack of a 5 year housing land supply and the resultant NPPF requirement to grant permission on sustainable sites holds significant weight which outweighs the harm.

The site is in a sustainable location where there is access to public transport facilities as well as a number of other services and facilities. The development would conform to the aspirations of the NPPF.

The proposed development due to its countryside location is contrary to Policy BNE25 of the Local Plan. However, because of the lack of 5 years housing land supply, the NPPF states that planning applications for housing development should be considered in the context of the presumption in favour of sustainable development and for the above reasons the development is considered to be sustainable.

This proposal will deliver a much-needed mix of market and affordable dwellings of different sizes, types and tenure required to meet the needs of a mixed community in a quality an attractive environment and will assist in delivering and enhance infrastructure in the locality. The proposal is considered to be in compliance with Policies S1, S6, BNE1, BNE2, BNE3, BNE6, BNE21, BNE22, BNE23, BNE24, BNE25, BNE37, BNE39, BNE43, BNE48, H3, H10, L2, and T1, and the NPPF 2019.

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.

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### **Background Papers**

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report. Any information referred to is available for inspection on Medway Council's website.