

**MC/20/2782**

Date Received: 3 November 2020  
Location: Land Bounded by The Brook Car Park Queen Street  
Chatham Kent  
Proposal: Proposed development of 179 apartments on existing public car park site in 4No. blocks, with ancillary leisure facilities, associated car parking and landscaping (including 40 No. parking spaces retained for public use).  
Applicant: Creval (Chatham) Ltd  
Agent: Burke Rickhards Ltd  
Mr Stephen Rickhards Devcor House 91 North Hill  
Plymouth  
PL4 8JT  
Ward: River Ward  
Case Officer: Karen Cronin  
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 31st March 2021.**

**Recommendation - Approved Subject to S106**

- A. The applicant entering into an agreement under Section 106 of the Town and Country Planning Act to secure:
- Provision of at least 25% affordable housing on the adjacent MHS site (subject to this site being submitted and granted planning permission) accessed from Queen Street or alternatively provided on site
  - Contribution of £237,195.47 towards education and the provision of nursery, primary and secondary school places.
  - Contribution of £52,053.20 towards heritage and museums for improvements to the Old Brook Pumping Station.
  - Contribution of £465,691.77 to enhance open space facilities within the vicinity of the development, including Great Lines Heritage Park, Town Hall Gardens and the Paddock.

- Contribution of £115,417.41 for the NHS to support the purchase of equipment and infrastructure for a new Healthy Living Centre in the Chatham Central locality.
- Contribution of £30,143.60 towards improving facilities and equipment at Chatham Library
- Contribution of £5,940.00 towards signage, information and surface improvements to Public Rights of Way in the vicinity of the site.
- Contribution of £44,819.81 towards bird disturbance mitigation measures
- Contribution of £31,584.55 towards waste services for the provision, improvement and promotion of waste and recycling services.
- Contribution of £14,294.94 towards Medway Youth Services programme delivery for young people in the Chatham area.
- Contribution of £33,444.36 towards community facilities in the vicinity of the site.

B. And the following conditions:

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

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

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

Drawing numbers

Site Location Plan P1002 A  
 Site Block Plan 2203 - P1003 B  
 Existing Site Plan P1005  
 Ground Floor Plan 2203 - P1100 B  
 First Floor Plan 2203 - P1101 B  
 Second Floor Plan 2203 - P1102 B  
 Third Floor Plan 2203 - P1103 B  
 Fourth Floor Plan 2203 - P1104 A  
 Fifth Floor Plan 2203 - P1105 A  
 Sixth Floor Plan 2203 - P1106 A  
 Seventh Floor Plan 2203 - P1107 A  
 Proposed Roof Plan 2203 - P1150 B  
 Apartment Types 1 2203 - P1115 A

Apartment Types 2 2203 - P1116 A  
Apartment Types 3 2203 - P1117 A  
Proposed South West Elevation 2203 - 1201 B  
Proposed East Elevation 2203 - 1202 B  
Proposed South East Elevation 2203 - 1203 B  
Proposed North West Elevation 2203 - 1204 B  
Proposed Site Section A - A 2203 - P1210 B  
Proposed Site Section B - B 2203 - P1211 B  
Section Courtyard 1 Block A 2203 - P1212 A  
Section Courtyard 1 Block B 2203 - P1213 A  
Section Courtyard 2 Block B 2203 - P1214 A  
Section Courtyard 2 Block C 2203 - P1215 A  
Section Courtyard 3 Block C 2203 - P1216 A  
Section Courtyard 3 Block D 2203 - P1217 A  
Longitudinal Section 2203 - P1218  
Proposed External Materials 2203 - P1220 A  
Detailed Typical Elevation The Brook 2203 - P1222  
Proposed Landscape Plan Courtyards 2203 - P1230  
Proposed Landscape Plan The Brook 2203 - P1231  
Proposed Landscape Plan Cross Street 2203 - P1232  
Original Boundary Overlap 2203 - SK002  
Car Park Access Vehicle Tracking 2203 - SK003

received 3rd November 2020.

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

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

Reason: To ensure that features of archaeological interest are properly examined and recorded.

- 4 No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of hours of construction working; measures to control noise affecting nearby residents; wheel cleaning/chassis cleaning facilities; dust control measures; pollution incident control 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: Required before commencement of development in order to minimise the impact of the construction period on the amenities of local residents, business, road users and users of public transport and with regard to Policies BNE2 and T1 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 before commencement of development to avoid any irreversible detrimental impact on human health and/or water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 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 before commencement of development to avoid any irreversible detrimental impact on human health and/or water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 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 before commencement of development to avoid any irreversible detrimental impact on human health and/or water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

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

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 shall take place 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) has been submitted to and approved in writing by the local planning authority in consultation with the Lead Local Flood Authority. 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 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.

10. Prior to first 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 in writing by the Local Planning Authority to confirm that the agreed surface water system has been constructed as per the approved 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.

11. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework.

- 12 Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed residential development does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework.

- 13 No development above slab level shall take place until details and samples of all materials to be used externally have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

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

- 14 No development shall take place above slab level until full height detailed elevations, sections and details through external walls, balconies, courtyards, terraces & setbacks and coordinated with the full-size material samples & assemblies have been submitted to and approved in writing by the Local Planning Authority.

These drawings and models shall include, but are not limited to, ridge, eaves, verge, brick/material bonding & joint types, mortar & filler colours, scheme colourways, entrance recess soffits, solar panels & brackets, balcony structures, balustrades, handrails, parapets & capping's, balcony recesses, window and door sills - jambs - heads , ground connections, wall plane changes, junctions at material changes, visible flashings, roof vents, electricity cupboards, waste enclosures, boiler and other flue placements. windows, eaves, verges, lintels, sills, balconies, entrances and all other architectural detailing requested by the Local Planning Authority at the time. Details are to be submitted using a combination of 3D models, plan, section, mood boards, physical models and component assemblies.

Reason: To ensure that the appearance of the development is satisfactory for a scheme of exemplary quality and without prejudice to conditions of visual amenity in the locality and the Conservation Area, and in accordance with Policies BNE1 and BNE14 of the Medway Local Plan 2003.

- 15 No development above slab level shall take place until full details of both hard and soft landscape works, any artefacts to be located within the public space and a timetable for implementation have been submitted to and approved in writing by the Local Planning Authority. These details shall include but not limited to existing and proposed levels, hard-work material specifications/layout, street

furniture/accessories (e.g. seating, tree pits, tree grilles etc.), courtyard details, detailed planting plans & planting specifications, tree pit details (including soil build-up, tree cells, supports & accessories), green wall planting plans and planting/substrate construction details. 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.

- 16 Prior to the first occupation of any dwelling herein approved, a landscape management plan, shall be submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas for a minimum period of five years and arrangements for implementation. The development shall thereafter be implemented in accordance with the approved details.

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

- 17 No development above slab level shall take place until an Air Quality Emissions Mitigation Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall be prepared in accordance with the Medway Air Quality Planning Guidance and shall specify the measures that will be implemented as part of the development to mitigate the development related road transport emissions. The development shall be implemented, and thereafter maintained, entirely in accordance with the measures set out in the approved Mitigation Statement.

Reasons: In order to address issues of air quality and in accordance with Policy BNE24 of the Medway Local Plan 2003 and Paragraph 181 of the National Planning Policy Framework 2019.

- 18 Prior to the first occupation of the development 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 full 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. All works, which form part of the approved scheme, shall be



completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

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

- 19 The wall between the bedrooms and living/kitchen/dining rooms of residential units in separate occupation shall resist the transmission of airborne sound such that the weighted standardised level difference ( $D_{nT,W} + C_{tr}$ ) shall not be less than 50 decibels as measured and calculated in accordance with BS EN ISO 16283-1 2014.

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

- 20 Prior to the first occupation of the development hereby permitted, a scheme of acoustic protection against noise and vibration from the ground floor uses, as well as car park areas, shall be submitted to and approved in writing by the Local Planning Authority. The scheme must demonstrate that the internal noise levels within the residential units will conform to the indoor ambient noise levels for dwellings identified by BS8233 2014: Guidance on Sound Insulation and Noise Reduction for Buildings, and that levels of vibration do not exceed any applicable guideline levels. All works which form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

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

- 21 Prior to the first occupation of the development hereby permitted, a scheme to minimise the transmission of noise from the use of the premises, shall be submitted to and approved in writing by the Local Planning Authority. Noise from the premises should be controlled, such that the noise rating level ( $L_{Ar,Tr}$ ) emitted from the development shall be at least 10dB below the background noise level ( $LA_{90,T}$ ) at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014. All works which, form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

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

- 22 Residents of the scheme hereby permitted shall not be entitled to apply for or acquire residents parking permits for on street parking in the area.

Reason: To ensure that the development permitted does not prejudice conditions of highway safety or prejudice the amenities of residents living in the area to accord with Policy BNE2 of the Medway Local Plan 2003

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

## **Proposal**

The proposal is for the re-development of an existing car park to construct four buildings of the same design but differing heights, between 5 and 7 storeys, to provide 179 residential apartments with ancillary leisure facilities comprising gym, swimming pool and games room, associated 119 residential car parking spaces and 40 public pay and display spaces and landscaping.

The buildings are located in a prominent position, fronting The Brook, one of the main arterial roads through Chatham. The site is also bounded by Queen Street to the north west, Slicketts Hill to the south east and Cross Street to the north east. The site is set against the backdrop of the Great Lines. There has been a significant amount of new development on Cross Street in recent years.

The proposal will provide a mix of one (46), two (128) and three (5) bedroom units plus leisure facilities for occupants and includes the delivery of public realm improvements along The Brook. 119 car parking spaces would be provided for the residential element of the proposal plus 40 pay and display car parking spaces for continued public use.

The site falls within the defined urban area of Chatham, opposite Chatham town centre, close to the Pentagon Shopping Centre, bus station, River Medway and train station. The site lies to the east of The Brook, in an area of mixed commercial and residential use. The site is close to numerous heritage assets, including Chatham Lines Scheduled Ancient Monument and grade I listed Naval War Memorial and falls just outside Brompton Lines Conservation Area.

It is proposed to locate the affordable housing for the proposal on the adjacent MHS site, in partnership with Medway Development Company, however no planning application has been submitted at this time. If this site does not come forward it is proposed to provide the affordable housing on site.

## **Site Area/Density**

Site Area: 0.7 hectares (3.14 acres)

Site Density: 252 dph (562 dpa)

## Relevant Planning History

- MC/20/0222** Proposed development of 229 apartments on existing public car park site in 4No. blocks, with ancillary leisure facilities, associated car parking and landscaping (including 100 No. parking spaces retained for public use.  
Withdrawn by applicant  
17th November 2020
- MC/09/2626** Outline application for a mixed-use scheme comprising of residential and retail (Classes A1 and A2) development with ancillary parking.  
Approval with conditions  
21<sup>st</sup> April 2010

## 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.

Highways England, Historic England, Environment Agency, Natural England, Lead Local Flood Authority, NHS, EDF Energy, Southern Water, Southern Gas Networks, Kent Police, Medway Fire Service, KCC Ecology and KCC Archaeology have also been consulted.

**3 letters** have been received raising the following objections:

- Insufficient parking
- Increased traffic
- Loss of light
- Loss of privacy
- Increase in noise and traffic pollution
- Highway safety concerns
- Local infrastructure cannot cope with more development
- Impact on services such as GPs, hospital, schools
- The TVIA and its appendices are outdated and misleading – impact on Grade II listed Ragged School not included

**Highways England** raise no objection on the basis that the proposal will generate no unacceptable change in traffic on the Strategic Road Network.

The **Environment Agency** raise no objection subject to conditions related to contamination, surface water infiltration and piling.

**Kent Fire and Rescue Service** have made the following comments:

The off-site access requirements of the Fire and Rescue Service have been met. On site access is a requirement of the Building Regulations 2010 Volume 1 and 2 and must be complied with.

**Kent Police** raised concerns about some aspects of the development focused on Crime Prevention Through Environmental Design and Secured By Design. They encourage a dialogue with the developer about site specific designing out crime.

**Applicant** has liaised directly with Kent Police and made amendments to the scheme.

**Kent Police** have withdrawn their objection to the proposed scheme as a result.

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

**Historic England** does not object to this application on heritage grounds and concludes that it is capable of meeting NPPF requirements set out in paragraphs 190 and 194. Recommend conditions relating to the finer construction detail, materiality and landscape details.

**KCC Archaeology** advise that the development has the potential to impact a range of heritage assets, including the Brompton Lines Conservation Area, the townscape character of Chatham, the setting of the Grade I listed Chatham Naval War Memorial and undesignated buried archaeological remains, including but not limited to the remains of civilian settlement of seventeenth century date onwards and burials of Romano-British date. Recommend condition relating to a programme of archaeological work.

**Lead Local Flood Authority** raised an initial objection because the flood risk assessment and drainage strategy needed additional information.

**Applicant** has submitted additional information and a response to the flood risk objection.

**Lead Local Flood Authority** have withdrawn their previous objection and suggested conditions relating to sustainable drainage, verification report and surface water management plan.

**ESP Utilities** have sent an advice note on locating gas pipes, safe working practices, excavation and other works in close proximity to gas mains.

**Southern Gas Networks** advise that the site is in the vicinity of a low-pressure mains. There should be no mechanical excavations taking place within 0.5m of a low/medium

pressure system. You should, where required, confirm the position using hand dug trial holes.

**Southern Water** advise that there is a public surface water culvert crossing the site. It appears the applicant is proposing to divert public surface water culvert which needs to be agreed and approved by Southern Water before implementation. The letter sets out the clearance that is required from all water mains and sewers from various types of development and refer to their guide on tree planting.

Network reinforcement may be required as a result of the development. Condition suggested. Southern Water require a formal application for a connection to the public sewer. Informative suggested.

## **Development Plan**

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan). The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework 2019 and are considered to conform.

## **Planning Appraisal**

### *Background*

This site represents a regeneration opportunity in Medway as identified in the Chatham Centre and Waterfront Development Framework (2004), the Chatham Centre and Waterfront Development Brief (2008) and the recently adopted Chatham Centre masterplan 2019. The Framework and Brief are to all intents and purposes superseded by the recently adopted master plan

A planning application was submitted in 2020 for 229 apartments (50 units more than now proposed) within the same number (4) of blocks but higher than now proposed in order to accommodate the greater number of units. This application was withdrawn due to concerns about the scale, bulk and massing, its impact on the setting of the Lines and War memorial and the unacceptable dominance and overbearing impact on the Brook.

The proposal has been subject to pre-application discussion, Member Presentations and Design Review Panels (DRP).

The current application has been submitted with reduced number of units and thereby height of the blocks to address concerns relating to the previous application and respond positively to comments from members/officers and the DRP

## *Principle*

The proposal is for a new residential development consisting of four blocks of flats varying between 5 and 7 storeys in height to provide 179 new homes consisting of 46 no. 1 bedroom flats, 128 No. 2 bedroom flats and 5 No. 3 bedroom flats, gym, swimming pool and games room facilities on the ground floor and 119 residential parking spaces and 40 public pay and display car parking spaces.

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

The application site falls just outside Chatham Town Centre and the area allocated on the proposals map of the Local Plan to which Policy S5 relates. Policy S5 seeks to develop Chatham Town Centre as the major, multi-use 'city' centre for Medway. This site has that potential to have a significant impact on Chatham Town Centre and as such any scheme in this location should seek to contribute to the vitality and viability of the area.

The Chatham Master Plan 2019 sets out 4 visions for Chatham - a place for Medway; a place for fun; a place for working and learning; and a place for living all of which are important for the transformation and regeneration of Chatham. As part of that new residential within or on the edge of the centre will bring more demand and support for the local economy and greatly improve the evening economy (which is very limited). The site is located within the Brook character area where residential opportunities are promoted, including this site.

The Brook character area seeks to secure connectivity with both the Town Centre and the Great lines. Proposed improvements include sustainable urban drainage systems, urban greening, street tree planting, vertical gardens and shared spaces and raised green walkways.

Policy H4 of the Local Plan sets out certain development that will be permitted within the urban area including the use of vacant or derelict land or the redevelopment of existing residential areas and infilling in such areas (providing that a clear improvement in the local environment will result). The impact on the local environment will be addressed below but in principle there is no overriding objection to the redevelopment of this site for residential purposes with regard to this policy or to the more recent advice in the NPPF, including paragraph 10 which says that applications should be considered in the context of the presumption in favour of sustainable development. A key element of national housing policy is to minimise the loss of greenfield sites for residential use by making the best use of development opportunities within existing urban areas.

The site is in the existing urban area and on land that is accepted as a brownfield site. Local and National Policies are generally supportive of residential development in the

urban area and the re-use of previously developed land. Paragraph 117 of the NPPF seeks to make as much use as possible of previously developed or 'brownfield' land. Paragraph 118 of the NPPF gives substantial weight to the value of using suitable brownfield land within settlements for homes.

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

The NPPF has a presumption in favour of sustainable development so that development that is sustainable can be approved without delay. The proposal is in a sustainable location opposite Chatham Town Centre, close to Chatham bus station and train station. The NPPF supports the delivery of a wide choice and mix of high-quality homes to meet the needs of different groups in the community.

Part of the site has been allocated for new residential development in the Local Plan Proposals Map under Policy H1.

Planning permission has previously been granted on site under reference MC/09/2626 for an outline application for a mixed-use scheme comprising of residential and retail (Classes A1 and A2) development for 118 residential units comprising 14 houses and 104 flats with 107 parking spaces.

The redevelopment of the site for residential purposes is accepted in principle in accordance with Policy S1, S5, H4, H5 and R12 of the Local Plan, Chatham Town Centre Master Plan 2019, as well as Paragraphs 10, 11, 12, 117 and 118 of the NPPF.

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

The site is located in a prominent position on The Brook, opposite Chatham town centre, within the defined urban area of Chatham, close to the River Medway, Pentagon Shopping Centre, bus station and train station. The site lies on the east side of The Brook, in an area of mixed residential and commercial use. The site falls just outside Brompton Lines Conservation Area, close to the Scheduled Ancient Monuments of Chatham Lines and Brompton Lines. These Monuments are connected to Fort Amherst and the fortification of Chatham. There are several listed buildings close to the site, including the Ragged School and Brook Theatre. The assessment of the impact on heritage assets is set out in detail below.

The site is located opposite Chatham Town Centre, where the scale, massing, height and design of the buildings is mixed with a diverse character, however the Centre is predominantly 2 – 3 storey buildings, in retail use at ground floor with a mix of ancillary storage or residential above. The East side of The Brook is predominantly residential use with a mix of two storey terraced houses and flat blocks of 3, 4 and 5 storeys. Mountbatten House dominates this part of the Chatham town centre with the brutalist design and red brick clearly visible from the surrounding area.

This development has the potential to significantly impact on the character and appearance of the area as well as the vitality and viability of the core retail area and the town centre as a whole. Reflecting the master plan, no commercial use is proposed within this development so it will not be taking away from the retail offer on the High Street. It is intended to create an enhanced public realm along The Brook. It is anticipated that the development would also increase footfall and business in the town centre, which will aid in the regeneration of Chatham. Both aspects are reflecting the aims and vision of the adopted master plan.

Paragraph 85 of the NPPF states that planning policies and decisions should support the role that town centres play at the heart of communities, by taking a positive approach to their growth, management and adaption. It goes on to say that their long-term vitality and viability should be promoted through a suitable mix of uses that reflect their distinctive character. Paragraph 127 of the NPPF seeks developments that are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

The proposal is considered to contribute positively to the regeneration of the Chatham town centre area and the vitality and viability of the area. The development would be in accordance with Policies S1, S5, BNE1 and R12 of the Medway Local Plan 2003, the vision and objectives of the Chatham Centre master plan 2019 and paragraphs 85, 110, 122, 125, 127, 130, 185, 192, 195 and 196 of the NPPF.

#### *Impact on heritage assets*

The development of the site has the potential to impact upon a number of nearby heritage assets including Brompton Lines Conservation Area and grade I listed Chatham Naval War Memorial, as well as listed buildings in the vicinity of the site. Although the site is on relatively flat, low ground the topography of the land rises dramatically to the east towards Great Lines Heritage Park and the Naval War Memorial and the site is highly visible from these locations. A series of verified views have assessed the impact on these assets.

Policy BNE12 of the Local Plan states that special attention needs to be paid to the preservation and enhancement of the character and appearance of Conservation Areas. Policy BNE18 states that development which would adversely affect the setting of a listed building will not be permitted. Policy BNE20 states that development affecting Scheduled Ancient Monuments will not be permitted if it would be detrimental to their setting.

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



The key heritage assets affected by the proposal are the Brompton Lines Conservation Area and grade I listed Naval War Memorial, which form the backdrop to the site in views from within Chatham. The Naval War Memorial sits prominently atop the escarpment and is highly visible in most directions because of the topography of the land. It is significant as one of only three war memorials commissioned by The Imperial (now Commonwealth) War Graves Commission. It is considered a focal point in the townscape. It also offers panoramic views across Medway. Brompton Lines Conservation Area is based around the Chatham Lines, a key component of which is the fortification's great field of fire. The southern edge is a steep escarpment which forms a distinctive green backdrop.

The assessment of these views concludes that when considering development within the zone between The Brook and Brompton Lines Conservation Area there is a clear historic constraint on the height. These have informed the current proposals for the site and should also guide any future development proposals in this area.

The scheme has been developed from an understanding of the significance of the designated heritage assets in the vicinity of the application site, with a particular focus on long range views which better reveal the assets' significance and has been specifically designed and orientated in such a way to respect these assets while maximising the development on the site which is part of a wider regeneration project within Chatham.

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

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

The redevelopment of the site presents an important opportunity to enhance the historic townscape, as well as provide social and economic benefits. It is accepted that there is a long-standing ambition for redevelopment of the site.

The proposal is considered to contribute positively to the regeneration of the Chatham town centre area and to the overall need for housing without significant impact on heritage

assets. The development is in accordance with Policies BNE12, BNE18 and BNE20 of the Medway Local Plan 2003 and paragraphs 189, 192, 195, 196 and 200 of the NPPF.

### *Archaeology*

The application site is located close to a number of heritage assets and there is potential for buried archaeological remains at the site. An Archaeological Desk Based Assessment has been submitted as part of this application which aims to establish the archaeological potential of the proposed development site.

The assessment has established that the archaeological significance of the proposed site relates to housing built from the seventeenth to nineteenth century. The remains below ground might include the foundations of houses, yard buildings, rubbish pits and cess pits. The potential for earlier archaeological remains is also noted. Romano-British burials have been noted on the other side of The Brook and on the hillside above.

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

Given the close proximity of the site to the Chatham Lines, Chatham town centre, the River Medway and numerous heritage assets means care will need to be taken during the demolition and construction phases of the development to ensure that the any archaeological remains are protected, and this may shape the layout of the site if anything is found. Subject to the imposition of a condition for a programme of further archaeological work before commencement of the development, the development would be in accordance with Policy BNE21 of the Medway Local Plan 2003 and paragraph 184 and 196 of the NPPF.

### *Design*

The scheme is design led and has evolved through the pre-application and Design Review process. The massing has been carefully considered to minimise the impact on the Naval War Memorial, Brompton Lines Conservation Area, adjoining residential properties and the wider setting of The Brook and Chatham town centre whilst maximising the development potential of the site.

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

policy for all development. It seeks appropriate design in relation to the character, appearance and functioning of the built and natural environment.

The Council's design aspirations for the area are set out in Chatham Centre Master Plan 2019. The proposal would form a significant intervention within Chatham through the provision of much needed residential accommodation that acts as a catalyst for further regeneration.

### Height, scale and massing

The proposed development consists of four modern, taller buildings, up to 7 storeys. The scale and massing of buildings in the surrounding area are mixed with 2 storey dwellings but also 3-5 storey flat blocks. Both Mountbatten House and Anchorage House are over 10 storeys high with Mountbatten House in particular dominating the skyline. The Eye in Barrier Road is 7 storeys high but appears higher due to the topography of the land and is also clearly visible in the surrounding area. The proposed buildings the subject of this application have been designed to integrate well within the context of the site and minimise the impact on heritage assets and adjoining residential dwellings.

The Building Height Policy for Medway 2006 (SPD) sets out criteria for the determination of applications for tall buildings, which are specified as those between 6 and 20 storeys in height. The Policy document also goes on to provide specific guidance on appropriate locations for taller buildings in accordance with sites identified through the Medway Waterfront Renaissance Strategy, a framework that sets out the ambitions for the regeneration programme and identified appropriate sites for potential redevelopment.

The proposed development site is assessed in the Building Heights Policy document as The Brook and Upper High Street as an area that can accommodate modest high townscape buildings with mixed use at ground floor level. The assessment also acknowledges the area's historic character, explaining that a proposed development for higher buildings in this location must be integrated with minimal effect on the green backdrop of the Great Lines. Special consideration is also needed in relation to different views from the Great Lines into the Town Centre.

Tall buildings by their nature are assertive and dominant. The Building Height Policy states that taller buildings will be considered if they are in the right place and of the highest architectural quality, where they could have a role in acting as landmarks that forge a new and exciting image for Medway's regeneration sites, and which deliver more sustainable working and living environments.

The site is located against the backdrop of Brompton Lines Conservation Area and the Naval War Memorial. The height has been tested in a series of verified views and will retain the green backdrop of Brompton Lines and ensure views of the Naval War Memorial are protected. It is also located close to Mountbatten House, which is 13 storeys. The proposal would be 6 storeys lower than Mountbatten House. It is considered that the

proposed development would be dominant within the street scene of The Brook but not in an unacceptable way and remain subservient in the wider skyline.

It is noted that the massing has been significantly reduced from earlier versions of the scheme to minimise impact on heritage assets and residential amenity. Any building which exceeds the scale of the surrounding townscape has the potential to impact on Medway's distinct skyline. The height and massing of the proposal has been tested against a series of views to ensure the buildings has limited impact on heritage assets. The majority of the views in the Heritage Assessment show a limited impact on heritage assets.

Paragraph 122 of the NPPF supports development that makes efficient use of land and paragraph 123 states that where there is an existing or anticipated shortfall of land for meeting housing need decisions should avoid homes being built at low densities particularly in town centres and locations that are well served by public transport.

The overall mass of the buildings is broken up with recessed windows and balconies incorporated into the building frontages. In addition to breaking up the façade, this movement in the elevations provides additional visual interest. Setbacks in the upper stories reduces the impact of the roof heights and design also provides interest and draws attention away from some of the less attractive buildings in the vicinity of the site. The design approach creates a modern and contemporary feel whilst drawing on the architectural style and materials used in surrounding buildings and standing out as a modern design to create an interesting and dynamic street scene.

The scheme also proposes significant improvements to the public realm and landscaping. The development produces a strong civic presence along The Brook. This part of the development is very important to achieve the Council's aspirations to create a tree lined boulevard along The Brook. The buildings have been set back to allow significant landscaping along the frontage. It is also proposed to have open courtyards occupied by soft landscaping. This will be secured by condition.

A material schedule has been provided to give an idea of the materials to be used on site and material samples and further details will need to be controlled by condition to ensure a satisfactory external appearance to the development. Attention to detail of the materials and detailing for the buildings, frontage and amenity/landscape areas will be essential to ensure the success of the proposal and appropriate detailed conditions are recommended

The proposal is considered to have a high quality, contemporary design and as such the development would be in accordance with Policy BNE1 of the Medway Local Plan 2003 and paragraphs 124, 127, 128 and 130 of the NPPF.

## *Amenity*

The development has been assessed with regard to the Medway Housing Design Standards (interim) November 2011 and the Government's Technical Housing Standards 2015 and meets these standards and as such the objectives of Policy BNE2 of the Medway Local Plan 2003.

The proposal will comprise the erection of 179 one-, two- and three-bedroom flats. The room sizes are all in accordance with the Government's Technical Housing Standards 2015. Private amenity areas and individual balconies have been provided in accordance with Medway standards. In addition to this are external courtyards that add to the overall amenity space.

A daylight assessment has been provided as part of this application.

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.

The scheme as previously submitted would have retained a 2 storey dwelling in the one of the corners of the site and the proposed development would have had an unacceptable impact on the amenities of the occupiers of that property. The amended scheme includes for the demolition of that property and its area included within the application site to address this issue. The scheme has been carefully designed in relation to the impact of the proposal on the amenities of the occupiers of the apartments and houses on Cross Street. Undoubtedly there will be a loss of view from those properties who currently look over the site and over Chatham. However, loss of view is not a planning issue – unless it is a protected historic view which these are not. The separation of the flats on Cross street from the proposed development is acceptable to ensure no unacceptable impact on outlook, light or privacy and this is further protected by the height of the proposed flats at Cross Street - 4 storey – and the orientation of the blocks separated by the amenity areas which will also benefit the existing residents of Cross Street.

Accordingly, the application accords with Policy BNE2 of the Medway Local Plan 2003 and paragraph 17 of the NPPF.

## *Noise*

The main source of noise to the site is from the main arterial road, The Brook, to the west of the site. An Acoustic Assessment has been submitted as part of this application. The acoustic assessment is acceptable and has demonstrated that acceptable internal noise levels are likely to be achieved with suitably specific glazing and means of ventilation. Further details can be covered by a condition on any permission. It will also be necessary to impose conditions to ensure separating partitions between bedrooms and living spaces and acoustic protection between ground floor uses, car parks and residential accommodation.

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

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

### *Air Quality*

The site falls just outside the Central Medway Air Quality Management Area, which has been declared for exceedances of the NO<sub>2</sub> annual mean objective since June 2010. An Air Quality Assessment has been submitted as part of this application. The air quality assessment is acceptable and has demonstrated that pollutant concentrations are predicted to meet the air quality objectives and have a negligible impact on local air quality. It is recommended that a condition be imposed to secure the submission of an Air Quality Emissions Mitigation Statement.

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

### *Highways*

The site is situated opposite Chatham town centre, close to Chatham bus station and train station. The development proposes 119 car parking spaces for residents, in an undercroft car park plus 40 pay and display spaces.

The development would have one vehicular access entering and exiting the site directly into the undercroft car parking from Queen Street, a one-way street. The car park exit onto Queen Street leads to a left turn only onto The Brook.

The site is opposite the Town Centre, close to the bus station and train station, and as such this is a highly sustainable location. A Transport Assessment has been submitted as part of this application which concludes that an under provision of parking spaces would be acceptable in this location. This is common in such town centre high density sites close to transport nodes, services and facilities.

There are many opportunities for sustainable travel in this very urban location, reducing the need and demand for private vehicle movements. By reducing parking on the site, densities can be increased in this highly sustainable location and thereby opportunities for sustainable travel can be maximised.

It is noted that in order to make the best use of previously developed land, and consequentially reduce the requirement for new housing to be built on greenfield land, it is necessary to increase densities which necessarily requires a relaxing of parking provision which accounts for significant proportion of land take on any site.

Also increasing densities on complex brownfield sites, such as this, increases the value of the land and thereby makes them more viable and deliverable, directly contributing towards achieving Medway Council's regeneration objectives.

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

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

The proposed development would result in the loss of a large amount of pay & display car parking; however, it is noted that Medway's Councils own parking survey data demonstrates parking demand in the Town Centre can be accommodated even with the loss of capacity that would result from the redevelopment of the Queen Street Car Park, which is currently under used.

The proposal has been considered in the light of the level of proposed parking provision, the access and egress in relation to the existing access arrangement and highway and pedestrian safety generally. No objection to the principle of this development have been raised in the light of this highway consideration, especially due to the location of the site in close proximity to the town centre, bus station and railway station, which permits a reduction to the Council's minimum parking standards. Paragraph 109 of the NPPF states that development should only be refused on highways grounds if there is an unacceptable impact on highways safety. Whilst it is considered that the development would result in an impact on the network, it is not considered to result in a severe impact that would be sufficient to warrant refusal of the application.

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

### *Contamination*

A Geo-environmental Assessment has been submitted as part of this application. The report concludes that there is a low to medium risk and that a ground investigation is recommended to test for contamination on site. Environmental Protection recommend conditions relating to site investigation and remediation.

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

### *Flood risk*

The site is located in Flood zone level 2 and 3 on the Environment Agency flood map and as such a Flood Risk Assessment has been submitted as part of this application. The Flood Risk Assessment identified a low risk of flooding. There is no residential accommodation on the ground floor fronting the Brook. The surface water runoff will be managed through sustainable means. The wastewater from the site will outfall to the existing public foul water sewer.

Southern Water raise no objection to the application but have stated that there may be a requirement for the culvert to be diverted. The applicant will need to work with Southern Water if this is necessary.

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

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

### *Climate Change*

The submission proposes measures in order to achieve an energy efficiency within the buildings. The following measures are envisaged:

- All materials will meet the requirements of the latest Building Regulations and in particular Part L (Energy Use).;
- Energy consumption will be reduced through energy saving devices.
- Fixed light fittings will have energy efficient fittings.
- The use of energy efficient goods including all kitchens fridge, freezers, washing machines, dishwashers and tumble dryers to be A+ rated as far as possible.
- Taps, fittings and WCs to be low water consuming.
- All gas-fired boilers to meet a minimum standard of < 40 mg NO<sub>x</sub>/kWh
- 1 Electric Vehicle charging point (best available technology) per dwelling with dedicated parking or 1 charging point per 10 spaces (unallocated parking)
- Travel plan including mechanisms for discouraging high emission vehicle use and encouraging the uptake of low emission fuels and technologies.
- All windows are double glazed and will achieve a u-value of 1.4W/m<sup>2</sup>K.



In addition to the above, there is biodiversity net gain, SUDs proposals and improvements to the public footpath. Appropriate conditions will secure implementation of these measures and verification that they have been delivered on site.

### *Affordable Housing*

Policy H3 of the Medway Local Plan sets out the proportion of affordable housing required in schemes for residential developments. Within the urban area, this means developments which include 25 or more dwellings or where the site is 1 hectare or more. The Council's target is to seek 25% of homes to be affordable homes on any site meeting the Council's size thresholds. The Council seeks a tenure mix of 60% affordable rented and 40% intermediate affordable housing (of which shared ownership is the preferred option).

The applicant has agreed to provide 25% affordable housing. It is proposed to provide the affordable housing on the adjacent MHS site, outlined in brown on the site plan, however a planning application for this site has not yet been submitted. It is intended to demolish the existing two storey houses and build a block of 45 flats to match the proposed scheme in partnership with Medway Development Company.

If no development comes forward on the adjacent site, the applicant has proposed to provide 25% affordable housing on site.

### *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 £239.61 per dwelling (excluding legal and monitoring officer's costs, which separately total £550) should be collected to fund strategic measures across the Thames, Medway and Swale Estuaries. The strategic measures are in the process of being developed but are likely to be in accordance with the Category A measures identified in the Thames, Medway & Swale Estuaries Strategic Access Management and Monitoring Strategy (SAMM) produced by Footprint Ecology in July 2014. The interim tariff stated above should be collected for new dwellings, either as new builds or conversions (which includes HMOs and student accommodation), in anticipation of:

- An administrative body being identified to manage the strategic tariff collected by the local authorities.
- A memorandum of understanding or legal agreement between the local authorities and administrative body to underpin the strategic approach.

- Ensure that a delivery mechanism for the agreed SAMM measures is secured and the SAMM strategy is being implemented from the first occupation of the dwellings, proportionate to the level of the housing development.

The applicants have agreed to pay this tariff, and this will be covered as part of the above S106 agreement. No objection is therefore raised under Paragraphs 175 and 176 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 into account if the obligation is:

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

The obligations proposed comply with these tests because they have been calculated based on the quantum and location of the development. The contributions have been partly reflected in a formulae-based approach, as final quantum of the development is not known. The contributions are based on an occupancy level of 2.45 people. New residential development can create additional demand for local services. Policy S6 of the adopted Local Plan states conditions and/or legal agreements should be used to make provision for such needs.

- Provision of 25% affordable housing on the adjacent MHS site (subject to this site being submitted and granted planning permission) or on site
- Contribution of £237,195.47 towards education and the provision of nursery, primary and secondary school places.
- Contribution of £52,053.20 towards heritage and museums for improvements to the Old Brook Pumping Station.
- Contribution of £465,691.77 to enhance open space facilities within the vicinity of the development, including Great Lines Heritage Park, Town Hall Gardens and the Paddock.
- Contribution of £115,417.41 for the NHS to support the purchase of equipment and infrastructure for a new Healthy Living Centre in the Chatham Central locality.
- Contribution of £30,143.60 towards improving facilities and equipment at Chatham Library

- Contribution of £5,940.00 towards signage, information and surface improvements to Public Rights of Way in the vicinity of the site.
- Contribution of £44,819.81 towards bird disturbance mitigation measures
- Contribution of £31,584.55 towards waste services for the provision, improvement and promotion of waste and recycling services.
- Contribution of £14,294.94 towards Medway Youth Services programme delivery for young people in the Chatham area.
- Contribution of £33,444.36 towards community facilities in the vicinity of the site.

The applicants have confirmed the above contributions are acceptable and on this basis no objections are raised with regards policy S6 of the Medway Local Plan 2003.

### *Local Finance Considerations*

There are no local finance considerations

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

The application site is an important regeneration site in Medway for which the principle of redevelopment to accommodate a residential development was established in previous approval; in the now superseded Chatham Centre and Waterfront Development Framework 2004 and the Chatham Centre and Waterfront Development Brief 2008 and in the recently adopted Chatham Centre master plan 2019.

The proposed development has a modern, contemporary design that is sympathetic to the character and appearance of the surrounding area and does not cause significant harm to the setting of the Conservation Area and heritage assets, including Chatham Naval War Memorial. The proposal would result in an attractive residential development on the site. In addition, the benefits of the delivery of high quality residential and commercial accommodation must be considered as an advantage to Medway and the long term aims of the regeneration of Chatham taking into account that the proposal will increase local activity also enabling increased appreciation of a number of surrounding built heritage assets.

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

The proposal is acceptable in accordance with Policies S1, S5, S6, BNE1, BNE2, BNE12, BNE18, BNE20, BNE21, BNE23, BNE24, BNE35, H3, H4, H5, R12, T1, T2, T3, T4, T13

and CF13 of the Medway Local Plan 2003 and paragraphs 10, 11, 12, 17, 85, 102, 103, 109, 110, 117, 118, 122, 123, 124, 125, 127, 128, 130, 149, 155, 163, 165, 170, 175, 176, 178, 179, 180, 181, 184, 185, 189, 192, 195, 196 and 200 of the NPPF

The application would normally be determined under delegated powers but is being referred for Committee determination due to the significance of the proposal and the land being owned by Medway Council.

---

## **Background Papers**

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

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess1.medway.gov.uk/online-applications/>