

MC/20/3264

Date Received: 21 December 2020
Location: Land Bound by Main Road, Saxon Shore Way and Vicarage Lane
Main Road
Rochester Hoo St Werburgh
Proposal: Change of use from agricultural land to community park, comprising the installation of a toilet facility, formation of two car and cycle parking areas, two vehicle accesses (Main Road and Vicarage Lane), landscaping, tree planting, boundary treatments and associated works.
Applicant: Medway Council
Mrs Fiona Leadley
Agent: BPTW
Miss Gabrielle Delorme 40 Norman Road
Greenwich
SE10 9QX
Ward: Peninsula Ward
Case Officer: Wendy Simpson
Contact Number: 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 21th July 2021.

Recommendation - Approval subject to:

- A. The satisfactory completion of an Appropriate Assessment; and**
- 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: 11088-LD-PLN-001_P01, 11088-LD-PLN-002_P01, 11088-LD-DET-600_P01, 11088-LD-DET-601_P01, 11088-LD-PLN-010_P01, 11088-LD-PLN-103_P01, 11088-LD-PLN-107_P01, 11088-LD-PLN-108_P01, 11088-LD-PLN-110_P01, 11088-LD-PLN-111_P01, 11088-LD-PLN-301_P01, 11088-LD-PLN-302_P01, P01, 11088-LD-PLN-304_P01, 11088-LD-SEC-203_P01, HCP-BPTW-01-00-DR-A-0101_P01, HCP-BPTW-02-00-SK-A-1001_P01, HCP-BPTW-03-ZZ-SK-A-2001_P01, P20039-SMCE-ZZ-XX-DR-D-0100_P02, P20039-SMCE-ZZ-XX-DR-D-0101_P02 received 21 December 2021, 11088-LD-SEC-202 P02 received on 23 February 2021 and 11088-LD-PLN-100 P03, 11088-LD-PLN-101 P02, 11088-LD-PLN-102 P02, 11088-LD-PLN-104 P02,

11088-LD-PLN-105P02, 11088-LD-PLN-106 P02, 11088-LD-PLN-109 P02, 11088-LD-PLN-300 P02, 11088-LD-PLN-303 P02, received on 17 June 2021.

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

- 3 No development (including creation of car parks, footpaths, toilet facilities) or landscaping (including woodland/orchard planting) shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological works for the various areas of the site, in accordance with a written specification and timetable for each area which has been submitted to and approved by the Local Planning Authority. All works shall be undertaken in accordance with the agreed details.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with Policy BNE21 of the Medway Local Plan 2003.

- 4 Notwithstanding submitted drawings and design documents, no development shall commence until full details of a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The details must take account of the archaeological findings in condition 3 and plans and information provided shall include:

- details of existing and proposed finished ground levels, means of enclosure, all paving and external hard surfacing, lighting and services (including drainage), tree grilles, minor artefacts and structures (seating, refuse receptacles and raised planters), retaining wall construction. Soft landscape works, including soiling plan, gradients for wetland meadow side slopes, 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; and
- a timetable for implementation.

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

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

- 5 Prior to the first use of the development hereby approved, a sitewide Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority. The content of the LEMP shall include the following.
- a) Details of the habitats to be managed
 - b) Details of the aims/objectives of the management
 - c) Appropriate management options for achieving aims and objectives.
 - d) Prescriptions for management actions, together with a plan of management compartments.
 - e) Maintenance schedules for all hard and soft landscape areas of the park, including play space and green roofs
 - f) Arrangements for implementation
 - g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
 - h) Dates of when the management plan will be reviewed and updated
 - i) Details of who will be implementing the management.
 - j) Details of on going monitoring

The document shall also include an appendix incorporating product specification sheets for all street furniture and play equipment, covering installation and maintenance requirements.

The LEMP shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To safeguard the landscape and ecological interests of the site in accordance with Policies BNE6 and BNE37 of the Medway Local Plan 2003.

- 6 No development shall commence 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.

Reason : To ensure protection of amenity for the area in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 7 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.

- 8 Prior to the installation of any external lighting on the site, details of such lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include: height, position, external appearance, any shielding, light intensity, colour, spillage (such as light contour or lux level plans showing the existing and proposed levels) and hours of use] together with a report to demonstrate its effect on: the landscaping of the site (including an overlay of the proposed lighting onto the site landscaping plans), the rural landscape, nearby residential properties, bats (including reference to the recommendations of the Bat Conservation Trust) and of how this effect has been minimised. All external lighting shall be implemented in accordance with the approved details.

Reason: In order to limit the impact of the lighting on the landscaping of the site, the surrounding landscape and, nearby residents and wildlife and with regard to: Policies BNE1, BNE2, BNE5, BNE25, BNE34 and BNE39 of the Medway Local Plan 2003.

- 9 Prior to the first use of the development hereby approved, full details of a wayfinding and interpretation scheme should be provided submitted to and agreed in writing with the Local Planning Authority. This should include plans and information providing details of the location, materiality and visual appearance of wayfinding aids and interpretation boards/ signage, and a timetable for implementation. The approved scheme shall 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.

- 10 Prior to the first use of the development hereby permitted details of a full scheme of the access arrangements as listed below:

- i. Access off Vicarage Lane
- ii. Access off Main Road

shall be submitted to and approved in writing by the Local Planning Authority.

The first use of the development shall not commence until the works have been completed in accordance with the agreed details and have been certified in writing as complete by or on behalf of the Local Planning Authority.

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

- 11 The accesses shall not be used until vision splays 43 metres x 2.4 metres have been provided on both sides of the vehicular access point(s) and no obstruction of sight, including any boundary treatment, more than 0.6m above carriageway level shall be permitted within the splays thereafter.

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

- 12 Prior to first use of the development hereby permitted the area shown on the submitted layout as vehicle parking spaces shall be provided, surfaced and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

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

- 13 Prior to first use of the development hereby permitted, a Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Parking Management Plan shall contain details of how the car parking spaces within the development are to be managed and secured for use of the Country Park. The Parking Management Plan shall be implemented in accordance with the approved details prior to the first use of the site and shall thereafter be retained.

Reason: to ensure satisfactory off-street parking in accordance with Policy T13 of the Medway Local Plan 2003.

- 14 Prior to first use of the development hereby permitted, details of the provision of 2 electric vehicle charging point shall be 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 electric charging points shall be provided in accordance with the approved details prior to the first use of the development and shall thereafter be maintained in situ and in good working order.

Reason: In the interests of sustainability in accordance with paragraph 110E of National Planning Policy Framework 2019.

- 15 Prior to the first use of the development hereby permitted the existing vehicular access to 'Tamarisk' on Main Road shall be reinstated as footway to the satisfaction of the Local Highway Authority.

Reason : To ensure the good function of the highway to accord with Policy BNE1 of the Medway Local Plan 2003.

- 16 Prior to first use of the development hereby permitted (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 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.

- 17 The car park and toilet facilities shall only be open from dawn until dusk throughout the year and outside of these times both car parks and the toilet facilities shall be securely locked.

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

- 18 Notwithstanding the submitted Arboricultural Impact Assessment, prior to the commencement of development on the site and following the agreement of landscaping in condition 4 a revised Arboricultural Impact Assessment shall be submitted and agreed in writing with the Local Planning Authority. Works shall be carried out in full accordance with the agreed assessment.

Reason : to account for any amendments to the landscaping of the site and suitably protect the retained trees in accordance with Policies BNE41 and BNE43 of the Medway Local Plan 2003.

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

Reason : To ensure no risk to health, living conditions and the natural environment from pollution in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 20 Prior to the first use of the development hereby permitted, details of a scheme to enhance and better reveal the significance of heritage assets (including buried archaeological remains), through interpretation and other on-site activities, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable in respect to any proposed on-site activities. Any approved infrastructure shall be installed on the site within 4 months of its agreement and maintained as such thereafter. Any

agreed on-site activities shall be undertaken in accordance with the agreed timetable.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with Policy BNE21 of the Medway Local Plan 2003.

- 21 Prior to the first use of any part of the park hereby permitted a Recreational Management Strategy for the Medway Estuary and Marshes SSSI, SPA and Ramsar Site. including details of measures to manage recreational disturbance, such as wardening strategy, signage, interpretation, along with collaboration with the Thames, Medway and Swale Strategic Access Management and Monitoring

Strategy, and including relevant timetabling and maintenance, management responsibility details shall be submitted to and agreed in writing with the Local Planning Authority. The use shall be carried out in full accordance with the agreed details.

Reason : To ensure that the impact of the development on the SSSI/SPA/RAMSAR site is suitably mitigated in accordance with Policies BNE37 and 39 of the Medway Local Plan 2003 and paragraph 175 of the National Planning Policy Framework 2019.

- 22 Prior to the first use of any part of the park hereby permitted a Recreational Management Strategy for the Tower Hill to Cockham Wood SSSI, including details of measures to manage recreational disturbance, such as wardening strategy, signage, interpretation, including relevant timetabling and maintenance, management responsibility details shall be submitted to and agreed in writing with the Local Planning Authority. The use shall be carried out in full accordance with the agreed details.

Reason : To ensure that the impact of the development on the SSSI is suitably mitigated in accordance with Policies BNE37 and 39 of the Medway Local Plan 2003 and paragraph 175 of the National Planning Policy Framework 2019.

- 23 Notwithstanding the submitted material, prior to the first use of any part of the use hereby permitted a Woodland Management Plan (WMP) for the woodland within the Tower Hill to Cockham Wood SSSI shall be submitted to and agreed in writing with the Local Planning Authority, in consultation with Natural England.

The WMP shall include the following:

- a) Review of existing constraints and opportunities.
- b) Management objectives and associated practical measures.
- c) Details of initial enhancements and long-term maintenance.

- d) Extent and location/area of management works on scaled maps and plans at a scale (which shall have first been agreed by the local planning authority in writing).
- e) A Timetable for implementation demonstrating that works are aligned with the proposed programme of development.
- f) Details for monitoring and remedial measures; and
- g) Persons responsible for implementing the works.

The measures set out in the WMP shall be implemented in accordance with the approved details and timetable(s).

Reason : To ensure that the management prescriptions maintain and enhance the importance of the SSSI in accordance with Policies BNE37 and 39 of the Medway Local Plan 2003 and paragraph 175 of the National Planning Policy Framework 2019.

Resolution to approve subject to agreement of outstanding ecology matters. Please see Planning Appraisal Section and Conclusions at the end of this report.

Proposal

The application proposes a development involving:

- change of use of land from agricultural land to community park
- installation of a toilet facility
- formation of two car park areas, including cycle parking
- two new vehicle accesses (Main Road and Vicarage Lane)
- landscaping, and tree planting
- boundary treatments
- associated works.

The park would have a linear form, arranged in an east-west orientation, with a spur off to the north where it meets Main Road Chattenden. The east and west sections narrow down where constrained by retention of existing farmland and existing urban developments. The central part of the site broadens out into more expansive open sections, with a large extent of existing woodland (Cockham Wood) to the south. The woodland will be inaccessible to park users, focusing activity between the woodland edge and Saxon Shore Way (Upper) to the north.

The proposed park would have an area of about 51.7 hectares. Of this, around 10.5 hectares is made up of woodland (Cockham Wood) in the southern part of the site. Excluding the woodland, the total area of land open to the public for recreational use will be 41.2 hectares.

Pathways would be created through the park connecting both ends together. Key access points are proposed around the northern, eastern and western boundaries, with small car parks off Vicarage Lane and Main Road Chattenden. Access to the south would be restricted to protect the woodland habitat.

Planting around the park would seek to retain key views and minimisation of intrusion from adjacent urban areas into, what would be, a semi-natural landscape with areas of 'meadows', 'lowlands', 'woods' and 'urban fringe'.

The application is supported by the following documents: Air Quality Assessment; Preliminary Ecological Appraisal; Breeding Bird Survey; Wintering Bird Survey; Ecological Management Plan; EIA Screening Report; Flood Risk and Sustainable Drainage Assessment; Historic Environment Assessment; Transport Statement; Arboricultural Impact Assessment; Utilities Survey; Statement of Community Involvement; Planning Statement; Design and Access Statement

Site Area/Density

Site Area: 51.7 hectares (127.75 acres)

Relevant Planning History

No relevant history.

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.

KCC Archaeology, Historic England, Highway Agency, KCC Biodiversity, RSPB, Kent Wildlife Trust, Natural England, Environment Agency, Marine Management Organisation, Lead Local Flood Authority, Southern Water, EDF Energy, Southern Gas Network have also been consulted.

79 letters have been received raising the following objections:

- the loss of very productive agricultural land is unacceptable, it is necessary for food security
- incremental and cumulative loss of half of farmland happening in Kent
- traffic related to the development will cause noise in this quiet area
- traffic related to the development will increase the cumulative highway safety issues and accidents on Four Elms Hill
- changing the look of the area
- there should be no development near the Cockham Wood SSSI
- the loss of agricultural habitat
- risk of bird disturbance and them not returning
- roosting bats, badgers and Great Crested Newts use the site
- traffic accessing the site will add to air pollution
- no 'artificial structures' (eg childrens play) is required in what is supposed to be a 'natural' site

- The toilets and car parking will be very unpleasant view for houses overlooking the site
- If the car park (western) is open at night, it become a meeting point for drag racing on the Ratcliffe Highway and unsavoury behaviour
- security concerns for houses sharing a boundary with the site at its western end
- the areas of ancient woodland and SSSI 'will worsen with the introduction of public space next to these precious wildlife areas'
- 'the application....does not support a prosperous rural economy'...but...'will destroy the local rural community in Hoo and Chattenden'
- 'the application...will destroy the opportunity for the expansion of rural businesses, destroy the development and diversification or opportunity of land-based rural businesses and destroy sustainable rural tourism and the character of the countryside in Hoo and Chattenden'
- The site is not well served by public transport and would have an unacceptable impact on local roads
- Is not well related to existing settlements
- The historical character of Hoo will be harmed
- Will destroy an important valued landscape and ALLI
- Will destroy the character of undeveloped the coastline
- Will put pressure of the local natural capital and ecosystems
- Will adversely affect local soil, air, water and noise pollution
- Adjustments to the land will result in increased flood risk for local residences

The **British Horse Society** object to the proposal in so much that 'the opportunity within this application to provide for equestrians...has currently been missed despite the fact that the equestrian population within the area is far from insignificant. At a time when health and wellbeing has never been higher on both national and local agendas, horse riding is a sport which engages a high proportion of people with disabilities, women participants and participants over the age of 45. A recent survey found that nearly 40% of those taking part did not participate in other forms of physical activity. All these factors are very important in recognising that equestrianism is vital to the health of a significant section of the population which is known to be at risk. The gender and age profile of equestrianism is not matched by any other sport in the UK.'

3 letters have been received in support of the proposal for the following reasons:

- great advantage for local community

Medway Ramblers have also written in support of the proposal as the park, with car parking, would encourage people to walk and enjoy views of the countryside.

Highways England do not object to the proposal and are satisfied that the development will not materially affect the safety, reliability and/or operation of the strategic road network.

Natural England advise that following the submission of the wintering bird survey results and additional information, the site does not appear to support significant

numbers of wintering birds associated with the Medway Estuary and Marshes Special Protection Area or Ramsar Site. Subject to the agreement of management plans/measures, for visitor access to the SPA/RAMSAR areas and the Tower Hill to Cockham Wood Site of Special Scientific Interest, being secured through planning conditions, Natural England has no objection to the proposal. NE would also like to be party to the agreement of a management plan for the woodland within the SSSI, to ensure that the management prescriptions maintain and enhance the importance of the SSSI.

KCC Biodiversity advise that an Appropriate Assessment (AA) is required. Should the AA be successful then planning conditions would be required in relation to the enhancement and management of biodiversity through an Ecological Design Strategy and Landscape and Environmental Management Plan (LEMP).

Environment Agency do not object to the proposal but advise of the circumstances in which environmental permitting may be required.

Lead Local Flood Authority advise the site is not situated within a flood risk area with reference to the latest Environment Agency flood risk mapping, and the council do not have any records which indicate that the area has flooded, although is known to be prone to waterlogging due to the impermeable nature of the underlying clay geology. No objection subject to a condition related to verification of the drainage installation.

Southern Water supply a copy of their infrastructure maps and their standard requirements for development in relation to their infrastructure.

Marine Management Organisation (MMO) advise that if works fall below the Mean High-Water Springs then a license will be required from the MMO.

Historic England advise there are no nationally designated heritage assets within the site. The site, however, is located close to the Scheduled Monument at Cockham Wood Fort. Although the fort is not part of the proposed Cockham Country Park area it is within the contiguous Gull Down Plantation, and there could be an opportunity to both improve the management of a Scheduled Monument as part of the country park experience, and include an important heritage element within a new community green space. Bringing people to the shoreline to see the river and its defence heritage represented by the fort and the World War II era pillbox, could be powerful – the shoreline is already the Saxon Shore Way and access could be enhanced.

KCC Archaeology advise, in summary, that the site is rich in archaeological remains, spanning from earliest Prehistory to the Second World War. Important archaeological remains of Bronze Age, Romano-British and Anglo-Saxon date are recorded in the north-eastern part of the site. Archaeological assets here include evidence for funerary and settlement activity of potentially high significance. The impact of proposed tree-planting on important and shallowly buried archaeological remains in the north east part of the site (around Cockham Cottages and towards Hoo/Vicarage Lane) is of

significant concern. More generally, archaeological remains could be affected by construction works (creation of carparks, footpaths, toilet facilities, etc) or landscaping (woodland/orchard planting, etc). Appropriate archaeological investigation and recording should precede such works and could be secured by condition. Opportunities to enhance understanding and better reveal the significance of heritage assets (including buried archaeological remains) through interpretation and other on-site activities should be sought. This could include by means of a specific condition relating to on-site heritage interpretation.

Further details have been received in relation to the north eastern part of the site and a request has been made to KCC Archaeology for archaeological watching briefs conditions for the areas of concern to be secure by planning condition. Response is awaited.

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

Site context

The site is located on the north shore of the River Medway, between the settlements of Hoo St Werburgh to the North-East and Chattenden to the West, and covers 51.7 hectares of agricultural land, associated with Cockham Farm, and ancient woodland (Cockham Woods) on the Cockham Hill Ridge.

The northern boundary of the site is defined in part by the upper Saxon Shore Way (North), which runs along the entirety of the boundary and links Chattenden and Hoo St Werburgh. Beyond the Saxon Shore Way to the north is farmland in arable use. At its western end the northern boundary extends further north than the main body of the site and abuts Main Road, Hoo. In the centre of the northern boundary the boundary diverts south around Hoo Lodge and fields/paddocks to its west and east.

To the west of the site is the settlement of Chattenden and to the east the site bounds Vicarage Lane, beyond which is farmland in arable use. The staggered southern boundary of the site partly bounds the coast, partly adjoins woodland/scrub (Gull Down Plantation) and partly abuts the Hoo Marina Residential Park and a small field. The Saxon Shore Way (South) running along the shoreline.

Within the site, centrally is an area of exclusion around the Wilsonian Sailing Club house and car park.

The site is located within the Cockham Farm Ridge Area of Local Landscape Importance ALLI. The southern part of the site is dominated by deciduous woodland (BAP Priority Habitat), including Gull Down Plantation and Cockham Wood, much of

which is also classified as Ancient Woodland. Some of this woodland is also subject to an Area Tree Preservation Order. This southern part of the site, and the western part, is designated as a Site of Special Scientific Interest (SSSI) for its biological and geological interest (Tower Hill to Cockham Wood SSSI). Much of the site is included within the Greater Thames Marshes Nature Improvement Area. There is a small orchard on the eastern boundary.

Adjacent to or close to the southern boundary of the site, the riverside salt marshes and mudflats within the Medway estuary are designated as nationally and internationally important ecology habitat - Special Protection Area (SPA) and RAMSAR - designated as such for their international importance for wintering bird populations. The River Medway is also designated as a Marine Conservation Zone.

Principle of the development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan).

The proposal is for the development of a community park, which until recently would have fallen under a D2 use class (outdoor recreation). However, this use class has now been superseded and the new Class F2(c) is for 'Areas of places for outdoor sport or recreation (not involving motorised vehicles or firearms)' and applies to this proposal.

The pre-amble to the 'Leisure' section of the Local Plan details that:

'Leisure is a term to describe free time and the enjoyment of free time. Leisure uses involve a broad range of inter-related sport, recreation and cultural activities...Recreational activities are harder to define and encompass a wider range of pursuits. They are pursuits which result in the refreshing or entertaining of oneself and are pleasurable activities, for example, having access to the countryside in the form of a country park, cycling along a riverside walkway, non-competitive swimming, walking etc... Therefore, leisure activities can range from those carried out at indoor or outdoor facilities, involve passive and active pursuits and be within public or private ownership. "

However, none of the Local Plan policies directly relate to the provision of a 'new open space' outside of the following scenarios:

- allocated as such,
- required in lieu of additional residential population.
- landscaped amenity space in employment areas.

In this case the application is not being proposed as a requirement of a proposed urban development, but the applicant advises the proposal objective, is to 'improve residents' quality of life and enhance local ecology on the Peninsula' [Planning Statement]

As such, the proposal has not been submitted as tied to the provision of any urban development, but the applicant is proposing the park for its own sake and the benefits that it is advised would result to the local community and ecology interests in the area.

The site mainly comprises agricultural land with some elements of woodland. 'Agricultural land' is excluded from the definition of 'previously developed land' in the Annex 2 of the National Planning Policy Framework and as such the site is a greenfield site. The site is located within the countryside.

Policy S1 of the Local Plan is entitled 'Development Strategy' and in part says:

"In recognition of their particular quality and character, long-term protection will be afforded to: (i) areas of international, national or other strategic importance for nature conservation and landscape;"

Policy S2 of the Local Plan relates to 'Strategic Principles' and states that in the implementation of policy S1 will focus on:

"...(iii) the adoption of a sequential approach to the location of major people and traffic attracting forms of development, including retailing, leisure, educational and health facilities."

Policy BNE25 of the Local Plan states that development in the countryside will only be permitted if:

(i) it maintains, and wherever possible enhances, the character, amenity and functioning of the countryside, including the river environment of the Medway and Thames, it offers a realistic chance of access by a range of transport modes; and is either;

(ii) on a site allocated for that use; or

(iii) development essentially demanding a countryside location (such as agriculture, forestry, outdoor or informal recreation); or..."

Therefore, whilst the site is not allocated for the proposed use, it is recognised in Policy BNE25 part (iii) that the location of a community park, as a type of 'informal recreation' space can in principle be located within the countryside. Policy S2 requires a sequential approach for the provision of the park but no sequential approach demonstration has been submitted with this application showing what other sites have been considered. However, given that it is appropriate to locate this type of space in

the countryside under Policy BNE25, the site is located on land between the urban areas of Chattenden and Hoo St Werburgh and abuts these settlements on some of its boundary. With such an edge of urban location, providing informal recreation space for residents, sequentially the location is acceptable.

However, the proposal does also constitute the loss of agricultural land. This therefore needs to be taken into consideration in regard to the principle of the proposal.

Whilst there is no Local Plan policy in respect to the loss of agricultural land paragraph 170(b) of the NPPF states that planning decisions should recognise *“the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land...”*

The site includes a large area of agricultural land, which is classified on the Natural England’s ‘Agricultural Land Classification’ map as Grade 1 - ‘Excellent’. In terms of interpreting the NPPF, ensuring that any decision contributes to an enhanced natural and local environment is relevant.

The proposals will maintain some small-scale agricultural uses on the site, as well as the existing woodland areas. In addition, being a Community Park, there is the possibility that the land could be returned to agricultural use in the future should it be necessary, and the use proposed would not unacceptably impact on the quality of the land.

Overall, one of the primary aims of the proposed development is to contribute to and enhance the natural environment of the site, including specifically benefits to natural capital and ecosystem services that can facilitate biodiversity net gain.

A further significant aim of the proposal is, in the words of the NPPF, *“establishing coherent ecological networks that are more resilient to current and future pressures.”* This aspect further contributes to the proposal enhancing the natural environment in the area.

Furthermore, the NPPF states at paragraph 170(d) that *“development whose primary objective is to conserve or enhance biodiversity should be supported”*. As the proposed development meets these aims, as detailed in the Ecological Management Plan for the site in accordance with the Kent Nature Partnership Biodiversity Strategy 2020 to 2045, it is considered that the loss of agricultural land in this instance would not conflict with the objectives of the NPPF and is therefore not objectionable.

Therefore, the proposal is considered to be acceptable in principle and in relation to the policies and paragraphs above.

Impact on the ALLI/countryside

BNE25 relates to development in the countryside and part i) requires that if the development is acceptable in principle it would only be acceptable if it maintains, and wherever possible enhances, the character, amenity and functioning of the countryside, including the river environment of the Medway and Thames, it offers a realistic chance of access by a range of transport modes.

The first of these criteria reflects directly paragraph 170(b) concern for the "intrinsic character and beauty of the countryside". Policy BNE34 relates to Areas of Local Landscape Importance and that development should not materially harm the character and function of the area or the economic and social benefits are so important that they outweigh the local priority to conserve the area's landscape.

The NPPF sets out at paragraph 170 that: *"Planning...decisions should contribute to and enhance the natural and local environment by: (a) protecting and enhancing valued local landscapes...(in a manner commensurate with their statutory status or identified quality in the development plan", (b) recognising the intrinsic beauty of the countryside, and the wider benefits from natural capital and ecosystem services...'* NPPF paragraph 171 states that Local Planning Authorities should 'take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure...'

The Medway Landscape Character Assessment 2011 shows the site straddling two areas - 'Hoo Farmland' character area in the northern, western and eastern part of the site and 'Cockham Farm Ridge' character area in the southern part of the site.

Issues highlighted for the Hoo Farmland area:

- Barren denuded quality of landscape.
- weak hedgerow/ tree framework.
- low biodiversity value.
- Visual impact of settlements, industry and roads from countryside.
- loss of rural character and tranquillity.
- poorly treated edges to settlements and industrial areas.
- Rural fringe coalescence pressures – between Hoo St Werburgh, Chattenden and Marina.
- Poor sense of arrival at Hoo Village on approach roads (especially from A228).

Issues highlighted for the Cockham Ridge Farm area:

- Denuded quality of farmland to north – weak hedgerow and tree cover.
- poor biodiversity.
- Sensitivity and prominence of woodland as green backdrop in views from river and southern bank of River Medway.
- Balancing improved access with protection of woodland from rural fringe intrusions and overuse.

- Erosion of estuary shoreline – loss of woodland and loss of estuary path network between Upnor, Hoo, Kingsnorth and Grain.
- Area includes historic remains (often in poor state of repair) reflecting military past.
- Management of SSSI – pressures of illegal access in woodland.
- Importance of retaining and enhancing distinctive rural character around fringes of settlement at Upnor.
- Poor accessibility along shoreline at low tide.

In principle the change of use is acceptable. In terms of the details, the proposal seeks to be sympathetic to the various issues of these character areas and takes opportunities to address many of the issues with;

- Buffer planting to the ancient woodland and SSSI,
- Management of the SSSI woodland including minimising access to the woodland.
- Areas of new woodland planting and hedgerow,
- New habitat creation and biodiversity enhancement,
- Establishing of key viewpoints out of the park towards the river.

A concise package of information has been provided and includes the submission of General Arrangement plans, as well as typical details to viewpoints, play, seating, car park areas and boundary treatment.

The proposal is not considered to materially harm the character of the area but to **enhance** it, in accordance with Policies BNE34 and BNE25 of the Local Plan. It will both protect and enhance the ALLI valued local landscapes, is sympathetic to the intrinsic beauty of the countryside at this location and seeks to enhance the wider benefits from natural capital and ecosystem services in accordance with paragraph 171 of the NPPF.

Design/Landscaping/Trees

Local Plan Policy BNE1 'General Principles for Built Development' requires the design of development to be appropriate in relation to the character, appearance and functioning of the built and natural environment. Policy BNE6 of the Local Plan directs that in relation to major development important existing landscape features, including trees and hedgerows, should be retained and structural landscaping schemes should enhance the character of the locality. Policy BNE41 relates to trees with tree preservation orders and applications need to protect these trees as a first option and replace in an increased number if felling is required on a proposal that is otherwise acceptable. Policy BNE43 relates to trees on development sites and simply says that development should seek to retain trees, woodlands, hedgerows and other landscape features that provide a valuable contribution to local character. The Government attaches great importance to the design of the built environment. Paragraph 127 is key to the achieving well designed places.

NPPF Paragraph 175 states that *'development resulting in the loss or deterioration of irreplaceable habitats (such as **ancient woodland** and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists;'*

Due to the nature of the proposed development matters of design, landscaping and trees are all closely related.

In support of the application has been submitted layout drawings including landscape proposals, structure details drawings, design and access statement with supporting information, an Arboricultural Impact Assessment containing Tree Survey, Tree Protection Plan and Arboricultural Method Statement.

Overall, the proposal is acceptable in relation to these matters and policies. There have been ongoing discussions with the applicant during the progress of the application and a number of minor revisions have been agreed, primarily path alignments in relation to the Ancient Woodland buffers, the cesspit area for the toilet block and some planting matters. These revisions can be controlled by planning condition.

The design and finish of the toilet block with a simple timber cladding with green roof and the use of plastic reinforced grid for gravel for the parking bays and asphalt for the carriageways is considered appropriate and acceptable for these development aspects of a community park.

In addition to a condition for the revisions referred to above, further conditions are required in relation to tree protection measures; finalising hard & soft landscaping, wayfinding & interpretation; Landscape & Ecological Management Plan, materials and lighting (for the toilet block).

Subject to suitably worded conditions the proposal is considered to comply with Policies BNE1, BNE6, BNE41 and BNE43 of the Local Plan and the relevant parts of paragraph 175 of the NPPF.

Ecology

Policy BNE37 of the Local Plan states that development will not be permitted unless:

- there is an overriding need for the development that outweighs the importance of these wildlife resources.
- and the development is designed to minimise the loss.
- and appropriate compensatory measures are provided.

Policy BNE38 of the Local Plan is concerned with the provision of wildlife habitats in new developments that link into wider wildlife networks.

Consistent with the statutory duties. Policy BNE39 of the Local Plan states that "Development will not be permitted if statutorily protected species and/or their habitats will be harmed" and requires conditions or obligations to be attached to permissions to "ensure that protected species and/or their habitats are safely guarded and maintained".

Paragraph 175 of the NPPF states that 'the planning system should contribute to and enhance the natural and local environment by...minimising impacts on biodiversity and delivering net gains in biodiversity where possible.'

In support of the application has been submitted Preliminary Ecological Assessment, Ecological Management Plan, Breeding Bird Survey, Wintering Bird Survey. Following initial comments from Natural England and KCC Biodiversity there has been the submission of a fourth wintering bird survey and additional information.

Natural England (NE) advise that the site does not appear to support significant numbers of wintering birds associated with the Medway Estuary and Marshes Special Protection Area or Ramsar Site.

NE consider that that there is the potential for increased visitor access to the coast and elements of the proposal, such as the proposed car park off Vicarage Lane, may facilitate greater access to the coastal public rights of way which could increase disturbance to bird species within the Medway Estuary and Marshes SSSI, SPA and Ramsar Site. Natural England recommends that further clarity on the measures that are proposed to ensure recreational impacts to the coastal sites are avoided should be provided. Such measures should include a wardening strategy, signage and interpretation, along with collaboration with the Thames, Medway and Swale Strategic Access Management and Monitoring Strategy and can be secured by the use of a planning condition. Similarly a condition related to management of additional visitor numbers to the Tower Hill to Cockham Wood SSSI, which may include details of the wardening strategy along with signage and interpretation, should also be the subject of a planning condition.

KCC Biodiversity accept that any impacts upon protected species would be minimised in the proposal. They consider that the change of land-use to parkland provides excellent opportunities to enhance biodiversity long-term. They welcome the retention of the existing habitats of higher value, including the traditional orchards, surrounding hedgerows, and blocks of woodland. They require that a biodiversity method statement is secured by the use of a planning condition which would provide a detail strategy (including timings and the locations) of any required mitigation measures. Additionally they require a planning condition to secure measures to enhance and manage biodiversity, through the agreement of an Ecological Design Strategy and a Landscape and Ecological Management Plan (LEMP).

Subject to the undertaking and completion of a satisfactory Appropriate Assessment and suitably worded planning conditions the proposal is considered to comply with Policies BNE37, 38 and 39 of the Local Plan and particularly paragraph 175 of the NPPF.

Amenity

Policy BNE2 relates to the protection of the amenities of future occupiers of the development and of neighbours in terms of privacy, daylight, sunlight, noise, vibration, heat, smell, airborne emissions. Paragraph 127 of the National Planning Policy Framework requires that development functions well over its lifetime and provides a high standard of amenity for neighbours.

In terms of neighbours' amenities some concern has been raised by residents at both the western and eastern ends of the site.

Questions raised in representations from neighbours included an understanding of the hours that access to the car park area and toilet blocks will be possible. The applicant has confirmed that operating times for the parkland will be from dawn until dusk and will include securing both the car parks and the toilet facilities outside of these times.

The question of 'paid parking' in the car park has also been raised in respect to overflow parking into the residential streets and onto Vicarage Lane. The applicant confirms that there will be no parking charge for the use of the car parks.

At the eastern (Hoo St Werburgh) end of the site there are dwellings to the northern side of the site, separated by an area of field that is to be retained. Some dwellings face south across the site. To the south of the site, again for the most part separated by an area of retained field, is the Hoo Marina residential park. The proposed park will be adjacent to the park home site in its north-western corner.

The proposed car park and toilet facilities will be at some distance from any residential dwellings. The proposal is not considered to impact dwellings in Hoo St Werburgh in terms of noise, daylight or sunlight. In terms of privacy and security the park boundary is set away from the majority of the residential properties in the area, the exception being the north-western corner of Hoo Marina residential park. However the park layout shows that formal paths will be kept away from the boundary with the residential park and buffer planting is proposed within the park at the boundary with the residential park.

At the eastern end of the site there has been some concern raised in respect to users of the park accessing through into the residential area. The site plans show that between the car park off Main Road and the private access road, (to be re-provided for the existing house 'Tamarisk') will be Chestnut cleft pale fencing and hedgerow. As such the users of the site are being contained within the 'public access' area of the application site and away from residential boundaries. To the rear of housing on Main Road additional hedgerow will be planted to reinforce the existing boundary. There is no proposal to erect fencing between the existing footpaths which run along the eastern boundary of the adjacent residential area to the west but additional landscaping is proposed between this residential area edge and the new private road to Tamarisk.

In respect to the potential for noise disturbance from the car park, the closest dwellings to the proposed car park (45 spaces) are Ferncroft and Broadwood, which are to its north-western side. Whilst it is accepted that this proposal will constitute a change from the current situation at these properties, with the layout proposed, keeping the car park a distance of about 11.5m from the eastern boundary of 'Broadwood' and about 37m from the house, the activities of the park will not harm the residential amenity of dwellings in Chattenden in terms of loss of outlook, privacy, daylight or noise and disturbance.

The matter of the use of the park by horses has been raised. The applicant advises that *"The proposals do not currently allow for formal bridleways through the site but equally does not prevent them from being established in the future. During consultation and review of surrounding public access routes it was not deemed practical to provide routes through as they would connect to roads at either extent rather than continuous routes. A wider appraisal, beyond the influence of the site boundary would need to be established to ensure a safe passage could be achieved. Equine groups have been consulted as part of the wider SEMS scheme, along with the Public Right of Way Officer, to look at more joined up routes as part of the wider HIF proposal."*

In respect to the construction phase of the development, given the proximity of some of the site to residential dwellings a Construction Environmental Management Plan will be required to ensure that there is suitable control of noise, hours of work, dust suppression and the prevention of the escape of pollutants. This can be secured by planning condition.

Therefore, subject to suitably worded conditions, no objection is, therefore raised in terms of neighbour amenity under Policy BNE2 of the Local Plan.

Impact on Heritage Assets

Policy BNE18 of the Local Plan relates to the protection of the setting of listed buildings. Policy BNE20 states that development affecting Scheduled Ancient Monuments will not be permitted if it would be detrimental to their setting. Policy BNE21 seeks to account for and protect/mitigate from harm/record findings at archaeological sites, from and during development, as do paragraphs 189 and 192 of the NPPF.

In support of the application has been submitted a Historic Environment Assessment. Whilst there are no nationally designated heritage assets within the site, the proposed parkland is located close to the Grade I Listed Church of St Werburgh and the Scheduled Monument at Cockham Wood Fort, dating from 17th century and built after the 1667 Dutch raid on the Medway.

The fort is on the Heritage at Risk Register mainly due to tidal erosion but it extends up the riverbank into the woodland behind the gun batteries, which had a tower for self-defence. Although the fort is within the site, Historic England propose that there could be an opportunity to both improve the management of a Scheduled Monument, as part of the country park experience, and include an important heritage element

within a new community green space. They advise that bringing people to the shoreline to see the river and its defence heritage represented by the fort and the World War II era pillbox, could be powerful – the shoreline is already the Saxon Shore Way and access could be enhanced.

In response to comments from both Historic England and the KCC Archaeologist the applicant advises that *“One of the principle aims of the parkland is to mitigate recreational impacts on the designated sites in the estuary used by wintering and migratory birds. The parkland proposal therefore does not seek to provide direct links to the shoreline with new fencing preventing any formal access from the site to the South, through Cockham Woods or the Gull Down Plantation. For this reason, Cockham Wood Fort has been excluded from the parkland boundary and will remain under the ownership of the current landowner.”* This is accepted in this case given the international status of the bird habitat.

The KCC Archaeologist had also highlighted an area of the site that some of the new woodland, orchard and buffer planting could result in damage to buried archaeological remains and suggest either a redesign of planting, removing tree planting from particularly sensitive areas or further archaeological investigation prior to determination of the application, so revisions to the landscaping proposal can take account of the archaeology and open up views to the church of St Werburgh. If so, this can be required by planning condition as there will also be a condition requiring revision to the landscaping to address targeted areas. Further archaeology conditions are also required in respect to a watching brief for areas of construction (including creation of car parks, footpaths, toilet facilities) and landscaping (including woodland/orchard planting) and a condition in respect to a scheme for heritage interpretation on the site.

The submitted report concludes that there would be minimal harm to the setting of the Grade I listed Church of St Werburgh due to distance and separation, which is agreed by Historic England.

Therefore, subject to a suitably worded planning condition the proposal is considered to comply with Policies BNE20 and BNE21 of the Local Plan and paragraphs 189 and 192 of the NPPF.

Air quality

Policy BNE24 of the Local Plan states that *'Development will not be permitted when it is considered that unacceptable effects will be imposed on the health, amenity or natural environment of the surrounding area, taking into account the cumulative effects of other proposed or existing sources of air pollution in the vicinity'*. Paragraph 181 of the NPPF relates to air quality and that planning decisions should take account of improving air quality and mitigating identified impacts.

In support of the application has been submitted an Air Quality Assessment which concludes that the effects on local air quality as a result of the development, including in the nearby Four Elms Hill Air Quality Management Area, will not be significant.

In this case the scheme provides substantial environmental enhancement and with green infrastructure, walking and cycling routes etc would likely more than outweigh any damage costs and no further mitigation is required as the emissions mitigation costs are already incorporated in the development design. In this case the provision of 2 electric vehicle charging points would be acceptable. The applicant confirms that electric heating would be used for the toilet block.

Subject to a condition to provide the electric vehicle charging points the proposal is considered to comply with Policy BNE24 of the Local Plan.

Contamination

Policy BNE23 of the Local Plan requires that proposals for development of land likely to be contaminated be accompanied by the findings of a site examination, which identifies contaminants. Policy BNE23 and paragraphs 178 and 179 of the NPPF require that decisions should ensure that new development is appropriate for its location and takes account of the likely effects of pollution on health, living conditions and the natural environment.

No contamination report has been required to be submitted with the application however some of the site may be at risk from contaminated land due to historical use as agricultural land. Due to the proposed use of the site, it is sufficient to use a condition in respect to the discovery of unexpected contamination during the construction phase.

Therefore, subject to a suitably worded condition, no objection is raised in terms of contamination under Policy BNE23 of the Local Plan.

Flood Risk & Drainage

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

The site is not situated within a flood risk area with reference to the latest Environment Agency flood risk mapping, and the Council do not have any records which indicate that the area has flooded, although it is known to be prone to waterlogging due to the impermeable nature of the underlying clay geology.

In support of the application there has been submitted a Flood Risk Assessment and Sustainable Drainage Strategy.

The report states that the proposed drainage system for both the car parking areas and the toilet roof block in the Vicarage Lane car park will be via infiltration. The system will be designed to ensure that in events that exceed infiltration capability there will be swales leading to shallow depressions where water can be stored. Infiltration is proposed via grasscrete paving although it is proposed that the roadway is tarmacked. The report states that the grasscrete areas will provide a means of managing water quality and that runoff from the tarmac will enter the swales via the grasscrete to provide the same pollution prevention. This is accepted and a condition is required in relation to verification of the drainage installation.

Subject to the use of a suitably worded planning condition the proposal is considered to comply with paragraphs 155 to 160, 163 and 165 of the NPPF.

Highways

Policy T1 of the Local Plan relates to the highways impact of new development. Policy T13 relates to the council's adopted vehicle parking standards. Paragraph 127 of the National Planning Policy Framework requires that new development functions well within the area in which it is situated. Paragraph 109 of the NPPF clarifies that development should only be prevented or refused on highways grounds if: there would be an unacceptable impact on highway safety; or the residual cumulative impacts on the road network would be severe.

A Transport Statement has been submitted in support of the application together with drawings related to the proposed access points.

A simple priority access is proposed to serve the car park accessed from Vicarage Lane on the eastern side of the site. An acceptable 2.4m x 43m visibility splay can be achieved. The applicants have also provided additional drawings to demonstrate the access can accommodate a 7.5 tonne box van and a small refuse vehicle (to empty bins etc) and it is considered these are satisfactory.

Access to the car park on the north western side of the site is proposed from Main Road, Chattenden and this again would be via a simple priority access. It is noted that this is proposed approximately 6m west of the location of the existing access which serves the Tamarisk residential property to the south. 2.4m x 43m visibility splays can be achieved at this new access, along with forward visibility to the Main Road roundabout to the east and forward visibility for vehicles travelling eastbound along Main Road. Box vans and small refuse vehicles can also satisfactorily access the site here.

The proposal seeks to provide a separate new access to serve all movements associated with the Tamarisk property to the south. The existing access is proposed to be closed with the crossover removed. The new access is proposed in a location approximately 13m west of the proposed car park access. Given that this access would have minimal trips, no objection would be raised.

There are a number of existing pedestrian connections within the local area, which connect the site to local residential areas. The existing footway provision on Vicarage Lane and the southern side of Main Road Chattenden assist in providing connections with the local communities of Hoo St Werburgh and Chattenden. Additionally, public footpaths connect the site with Main Road to the north and Vicarage Lane to the east.

In terms of cycle connections, National Cycle Routes NCR 1 and NCR 179 are in close proximity to the site and could be used to facilitate cycle trips to and from the site.

The application proposes 90 spaces with the provision of 45 spaces, including 3 disabled bays and 2 Electric Vehicle Charging Point (EVCP) spaces, in the eastern car park, accessed from Vicarage Lane, and 45 spaces, with the provision of 2 disabled bays, in the western car park, accessed from Main Road, Chattenden.

In terms of cycle parking provision, the applicants have proposed 6 Sheffield Racks in each car park to provide an overall provision of 24 spaces. It is noted that this is scope to increase cycle parking if demand required.

The applicants have reviewed parking arrangements at neighbouring Country Parks (Capstone and Riverside) to form a basis of the parking provision. No objection this level and nature of provision is raised.

In terms of the impact of the proposal on the highway network, the applicants have provided a TRICS assessment to determine the likely trip generation resulting from this development. They demonstrate that that daily traffic generation would be approximately 276 vehicles. The likely peak demand would be over the weekend when traditionally traffic levels are lower. Furthermore, given the site's close proximity to residential areas, it is considered that there is a realistic alternative to the private motor vehicle, which may reduce the level of vehicles arising from the proposed development. Overall, it is not considered the development would result in a severe impact on the highway network.

Highways England also advise that they are satisfied that the development will not materially affect the safety, reliability and/or operation of the strategic road network.

Overall, therefore, subject to the use of suitably word planning conditions related to the delivery of the car parks/accesses/visibility splays; the closing of the existing access to Tamarisk; surfacing and drainage of the car parks and access road to Tamarisk; provision of electric charging points; and a Parking Management Plan the proposal is considered to comply with Policies T1, T2 and T13 of Medway Local Plan 2003 and paragraphs 109 and 110E of NPPF.

Marine Plans

Paragraph 166 of the NPPF requires that *"In coastal areas, planning policies and decisions should take account of the UK Marine Policy Statement and marine plans.*

Integrated Coastal Zone Management should be pursued across local authority and land/sea boundaries, to ensure effective alignment of the terrestrial and marine planning regimes.”

The site is close to the river and subject to the South East Inshore Marine Plan which is regulated by the Marine Management Organisation (MMO). In consultation on this application the MMO advise that *“Under the Marine and Coastal Access Act 2009 ch.4, 58, public authorities must make decisions in accordance with marine policy documents and if it takes a decision that is against these policies it must state its reasons. MMO as such are responsible for implementing the relevant Marine Plans for their area, through existing regulatory and decision-making processes.”*

It is not considered that the proposal will result in any unacceptable impact on the coast and indeed could provide additional protection As such the proposal complies with the relevant Marine Plan policies and paragraph 166 of the NPPF.

Local Finance Considerations

No local finance considerations.

Conclusions and Reasons for Approval

The application site would in the future form part of the Sustainable Environmental Management Scheme for the HIF project but planning permission is being sought separate to the wider HIF scheme. The applicant is proposing the park for its own sake and the benefits that it is advised would result to the local community and ecology interests in the area. As such the application is assessed on its own merits and not as part of any wider or strategic plans for development.

Notwithstanding this, in respect to ecology matters the proposal must be understood within the context of its function within the wider area, which includes ecologically sensitive areas and habitats.

The principle of the application is acceptable. The proposal would enhance the character of this part of the ALLI and countryside. The design of the proposal is acceptable. Subject to the imposition of relevant planning conditions referred to above the proposal is considered acceptable in relation to matters of heritage assets, amenity impacts, air quality, contamination matters, flood risk, highway matters and marine plans.

The proposal is acceptable in accordance with Policies S1, S2, S5, BNE1, BNE2, BNE6, BNE12, BNE18, BNE20, BNE21, BNE23, BNE24, BNE25, BNE41, BNE43, T1 and T13 of the Medway Local Plan 2003 and particularly paragraphs 109, 110, 127, 155 to 160, 163, 165, 166, 170, 171, 178, 179, 181, 189, 192 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, the number of objections received, the importance of the proposal to the Regeneration of the area and as the application has been submitted 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/>