

MC/21/0921

Date Received: 30 March 2021
Location: British Pilot Avery Way
Allhallows Rochester
Proposal: Change of use and extension of public house to create a convenience store (Use Class E) and conversion of the upper floors to create 5no. residential units (Use Class C3), including installation of 2x air conditioning units and refrigeration plant to ground floor of the North East side of the store together with associated works (including satellite dish and ATM) parking and hard and soft landscaping
Applicant Agent: DLD Property and Management Ltd
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Ward: Peninsula Ward
Case Officer: Tom Stubbs
Contact Number: 01634 331700

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

Recommendation - Approval with Conditions

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing numbers: 3275-001 Rev H, 3275-003 Rev E, 3275-004 Rev J, 5011-03 received on 30 March 2021; 3275-006 Rev C and 3275-007 received on 25 June 2021.

Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 No development above slab level shall take place until details and samples, of all materials to be used externally and details of the proposed window and

doors, 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 and so that the development is in keeping with the non-designated heritage asset, in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 4 No development shall take place above ground floor slab level until details of the provision of the electric vehicle charging points (15% active and 85% passive) for the residential accommodation have been submitted to and approved in writing by the Local Planning Authority. Details shall include the location, charging type (power output and charging speed), associated infrastructure and timetable for installation. The development shall be implemented in accordance with the approved details and shall thereafter be maintained.

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

- 5 Prior to the first occupation of the development herein approved, full details of both hard and soft landscape (including grasscrete customer parking) works and a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. 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.

- 6 The development shall be occupied until a plan indicating the positions, design, materials and type of boundary treatment to be erected (including the gate to residential parking) has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details before the building is occupied and shall thereafter be retained.

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

- 7 The first-floor flats with access to the flat roof shall not be occupied until details of privacy screening have been submitted to and approved in writing by the Local Planning Authority. The privacy screening shall be completed in accordance with the approved details before the flats are occupied and shall thereafter be retained.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity and in the locality and to prevent detrimental impacts on neighbour and future occupier amenity, in accordance with Policies BNE1 and BNE2 of the Medway Local Plan 2003.

- 8 The development shall not be occupied until details of secure private cycle parking provision in the form of individual lockers for have been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be implemented in accordance with the approved details before the building is occupied and shall thereafter be retained.

Reason: To ensure the provision and permanent retention of bicycle spaces in accordance with Policy T4 of the Medway Local Plan 2003.

- 9 The development shall not be occupied, until the area shown on the submitted layout (drawing 3275-003 Rev E) as vehicle parking spaces has been provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

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

- 10 The development herein approved shall incorporate the sustainable technologies and renewable energy sources described in the email to officer dated 27 June 2021. The development shall not be brought into use until a signed verification report has been submitted to and approved by the Local Planning Authority to confirm that the sustainable technologies and renewable energy sources have been implemented.

Reason: In the interest of climate change and sustainability in accordance with paragraph 150 of the NPPF.

- 11 The use hereby permitted shall only operate between the hours of 06:00 to 23:00 Mondays to Sundays and Public Holidays.

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.

- 12 No goods shall be loaded, unloaded, stored or otherwise handled and no vehicles shall arrive or depart, within the application site outside the hours 06:00 to 20:00 Mondays to Sundays and Public Holidays. Core lorry deliveries are to be restricted to between 07:00 to 20:00 Mondays to Sundays.

All deliveries should take place in accordance with the Noise Management Plan for Deliveries as set in paragraph 7.13 of the Delivery Noise Impact Assessment ref 89668/DNIA dated 25 May 2021.

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.

- 13 The development should retain the existing Cherrington's sign on the building as shown on drawing 3275 - 044 Rev J.

Reason: To retain the character of the of the non-designated heritage asset.

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

Proposal

This application seeks planning permission for the change of use and extension of public house to create a convenience store (Use Class E) and conversion of the upper floors to create 5no. residential units (Use Class C3), including installation of 2x air conditioning units and refrigeration plant to ground floor of the North East side of the store together with associated works (including satellite dish and ATM) parking and hard and soft landscaping.

The flat single storey rear extension would replace an existing rear projection. It would extend approx. 7.36m from the rear of the main building at a width of approx. 20m with a height of approx. 4m. The roof of the extension would provide a terrace area for the flats above. This would allow the change of use from a public house to a convenience store with a sales area of 259sqm at ground floor level with the first and second floors being converted into 5 flats accessed from a separate entrance within the eastern elevation.

To facilitate this change of use the following external changes are proposed:-

North Elevation (front) – Widened entrance door.

East Elevation (side) – New deliveries door.

West Elevation (side) Two new roof dormers and blocking up of existing first level doors.

South Elevation (rear) – Single storey rear extension (as above); amending first floor fenestration to provide bi-fold doors onto newly created terrace above rear extension; a pitch roof infill extension with two additional dormers; the widening of an existing dormer and new window to existing roof gable.

The first floor would consist of three 2-bedroomed flats, while the second floor would

consist of a 2-bedroom and 3-bedroom flat. All flats would have a separate bathroom and an open plan kitchen/lounge/diner.

Nine grasscrete customer parking bays are to be located to the front of the site which will also double as the loading bays. A further two customer parking spaces (one being disabled bay) would be provided in the existing hardstanding. The remainder would form nine parking spaces behind a barrier for the flats. The plans also indicate enhanced landscaping to the front along with provision of cycle racks and plant area to the rear of the site.

The convenience store would create 20 full time (equivalent) jobs and proposes opening hours of 06:00 to 23:00 Monday to Sunday with deliveries 06:00 to 20:00 with core delivery (lorry) to be between 07:00 to 20:00.

Relevant Planning History

Land to rear of British Pilot Hotel: Not yet constructed.

MC/20/2438 Variation of condition 2 (approved plans) on planning permission MC/19/0007 to allow for a minor material amendment for changes to internal wall layouts; materials revised from zinc cladding to facing brickwork; roof pitch revised to create a central ridge at same height as original and roof materials change to roof tiles.
Decision: Approved subject to conditions
Date: 4 December 2020

MC/19/0007 Construction of five 3-bedroom chalets; one 4-bedroom chalet and a part two storey part three storey building comprising of one 2-bedroom and one 3-bedroom maisonette with associated parking, external storage and landscaping
Decision: Approved subject to conditions
Date: 11 April 2019

Representation

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

Fifty-three letters of objection (including the letter from Councillor Sands) have been received from the public raising the following concerns:-

- Social impact with regards to loss of last public house in Allhallows which is considered a community asset.
- Have the owners done everything to prove the pub is not viable such as marketing to others. / It should be retained as a community owned public house/or other social use.
- Allhallows already has sufficient shops.

- Increased vehicular and deliveries movements through Allhallows due to the location.
- Additional traffic, parking and deliveries from the use and impact on access to Kingsmead Park for emergency services and safety of pedestrians and cyclists.
- Parking for flats and proposed retail unit is not sufficient resulting in additional parking pressure in the area.
- Increased noise from late opening hours, car doors and deliveries activities and times and anti social behaviour.
- Threat to existing independent shops and post office in Allhallows.
- Extension to the north will be detrimental to the character of the building.
- Over development of the site when read in context of application MC/19/0007.
- More housing that local infrastructure cannot cope with.

Fifty-five letters of support have been received listing the following reasons:-

- Ways of socialising have changed. The pub hasn't been well used and now shut.
- There are alternative social activities to the closing pub with access to the bar within the village golf course, Yacht Club, social club at Kingsmead Park and approved café at Slough Fort.
- The proposal will result in a use that will benefit the area and prevent the building falling into disrepair and retain its character.
- A bigger store offering increased range of goods for residents, future residents of current housing development and users of the holiday park. Other villages have a variety of shops living in harmony.
- Would not cause much traffic or disruption to village as feared as many of neighbouring villages have similar shops and it would be mainly used by locals by foot and secure bike shelter to encourage sustainable means of transport. Could result in reduced traveling out of the village to shop elsewhere, which would be better for environment.
- Provision for disabled users which is lacking in other village stores.
- Delivery arrangement similar to other shops in the village and plenty of parking off the main road. Restrictions on delivery times could overcome disturbance concerns.
- More potential for anti-social behaviour from a pub or vacant property than proposed use.
- Full and part time job opportunities for locals.

Allhallows Parish Council provided a letter of representation providing mixed views regarding the proposals. There are concerns regarding the loss of the last public house in the village, questioned the viability, impact of additional traffic and competition to existing village shops and associated post office. However, it does indicate the proposed use would benefit the residents from a better range of goods available including a bakery and more competitive prices.

Councillor Sands has written an objection indicating that Allhallows has sufficient shops and a fourth is not needed. Building should be persevered and not the right use. A village pub is the heartbeat of a village community. The pub should be investigated

being in community ownership. The dead-end road location would provide road safety issues from deliveries to the retirement park opposite.

Dickens Country Protection Society have written to indicate the public house is considered to be of a character that should be retained. If consent is given consideration of restrained signage should be given at a later date.

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 application needs to be considered against the approved application for chalets surrounding the application site yet to be built as well as existing neighbours.

Principle

The application site lies within the confines of the rural settlement of Allhallows and is currently a public house (sui generis under the changes in use class order as of 1 September 2020). The pub has not been nominated on the community value asset register (as of drafting the report) and has ceased trading.

With regards to the residential element of the proposal Policy H11 of the Local Plan states that housing development in the rural area will be restricted to minor development within the confines of the following villages and settlements, as defined on the proposals map of which the site is both. While paragraphs 117 and 118 of the NPPF also encourages both mixed uses and efficient uses of brownfield sites but seek to safeguard and improve the environment and ensuring safe and healthy living conditions. The mixed use is therefore acceptable subject to the acceptability change of use of the ground floor.

With regards to the loss of the current public house use Policy R10 of the Local Plan indicates that the loss of retail, service and food and drink would not be permitted unless an improvement to the local amenity or the provision of community facilities occur that outweigh their needs within villages. Policy R13 of the Local Plan indicates the sequential test for provision of retail uses and the need to assess the impact of the proposal on the vitality and viability of the village. Policy CF1 of the Local Plan relates to the loss of community facilities and it would only be permitted where it can be demonstrated that exceptional circumstances exist such it would be beneficial to redevelop the site. Replacement facilities of a similar scale and kind would be sought. While paragraphs 83 of the NPPF indicates planning decision should enable the retention and development of accessible local services and community facilities, such as local shops and public houses.

It is noted that The British Pilot is the only public house within Allhallows. Objections and concerns are raised about the loss of the pub and as such would be considered a community asset. Although of a different category, the provision of a convenience store would in itself be considered a replacement community asset under the emerging local plan and paragraph 83 of the NPPF. While the change of use would be from one protective use to another under Policies R10 and R13. The sequential test provided by the applicant is acceptable, indicating that it could not locate within existing provision and that it would not prejudice existing retail premises. It is therefore necessary to balance the loss of the public house against the benefits of the proposed convenience store and, if there are exceptional circumstances for its loss including if it is demonstrated that the pub is no longer commercially viable.

The applicant has provided within both the planning statement and separate supporting information regarding viability circumstances for the loss of the public house. The accounts shared with LPA indicate that the pub is not viable, and they have also provided details of events scheduled to increase customer footfall, however with limited success mainly due to a change in pub culture which has resulted in many pubs closing across the county and the development of eat and drinking facilities within the neighbour holiday park impacting on the number of clientele. The pub also attempted to re-open in the summer during the easing of Covid restrictions but had to close due to limited response. On the basis of this information, although the pub has not been marketed for sale, it is considered that the applicant has provided sufficient evidence to demonstrate that the pub of this size would not be viable under any new owners and the applicant has sufficiently demonstrated exceptional circumstances.

Finally, the application needs to be considered against the presumption in favour of sustainable development and the overall planning balance due to the Councils current position on its Five-Year Land Supply. 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 Council accepts that the current Local Plan is of age, being adopted in 2003. However, the assessment above refers to Local Plan policies where they are still considered relevant and applicable.

The Council cannot demonstrate a five-year supply of housing land sought by paragraph 73 of the NPPF. There is therefore a significant need for new housing in the Medway area.

On the planning balance with regards to the social impact of the application, it would provide an additional 5 dwellings to meet local need. This would have significant weight in the social impact on sustainability. In contrast the proposal would result in the loss of the last public house in Allhallows, and this could result in the reduction of the social day to day need which would also have some weight. However, the weight of this impact is reduced because the applicant has demonstrated that the use is no longer viable and responses to consultation has indicated that other social environments akin to a public house are still available to Allhallows residents to meet their social day to day need, such as the Yacht Club and Golf Course albeit with the need for membership. Other social places include the approved (but yet implemented) café at Slough Fort. Finally, the social detriment weight of the loss of the public house is further reduced by the proposal securing additional retail which could be considered

a community asset in its own right. This provision would assist in the provision of suitable services for the current and future need as encouraged within the NPPF and the Local Plan. Therefore, it is considered the social detriment of the loss of the public house is outweighed by the social benefits.

The proposed retail use would also result in sustainable benefits with regards to the economic benefit, providing additional local jobs and the environmental benefits to potentially reduce travel to other centres for groceries and securing a use to retain a non-designated heritage asset (see design section).

Consequently, the application is considered to be sustainable development on planning balance for the reasons stated above which show the social detriment is outweighed by the social, economical and environmental benefits. The mixed use is acceptable in principle subject to the detailed matters which are set out in the assessment below.

Design

Paragraphs 124 and 127 of the NPPF emphasises the importance of good design and Policy BNE1 of the Local Plan states that development should be satisfactory in terms of scale and mass and should respect the visual amenity of the surrounding area.

Letters of objection have been received indicating that the rear extension would be detrimental to the character of the building and result in an overdevelopment of the site when read in context with the approved development surrounding the site. While in contrast the letters of support indicate that the proposal will ensure the building is retaining its use so it does not fall into disrepair and the changes are sympathetic to the character of the building.

The pub is considered to be a non-designated heritage asset due to the pub being part of the original Allhallows on Sea 1930s development. The building is still of a very similar appearance including what appears to be the original Charringtons signage, which is to be retained.

The single storey rear extension is considered to be acceptable being a similar height of removed extension, while the size and scale is suitable for the size of the plot and would not be overbearing on the neighbouring approved chalets under MC/19/0007. The remaining alterations to the roof and fenestration are all considered to be sympathetic to the appearance of the building. However, a condition would be required for materials and finer details to ensure they match along with a condition to retain original features such as the original Charringtons signage detailing on the south eastern elevation.

The layout of the car parking would utilise the existing hardstanding area, while the additional car parking to the front has been sensitively designed utilising grasscrete to retain the grass verge appearance due to the sensitive position of the site on the edge of rural area. The proposal layout also indicates some additional areas for landscaping and a barrier to the customer parking. If recommended for approval conditions to finalise the landscaping and design of the barrier and any boundary treatment would be required.

The development is considered acceptable with regard to the character of the area and the existing building and will help secure the future use of a valued heritage asset. The proposal would be in accordance with Policies BNE1 of the Local Plan and paragraphs 124 and 127 of the NPPF.

Amenity

There are two main amenity considerations, the impact on neighbouring occupiers in terms of sunlight, daylight, outlook and privacy, and the standard of amenity of which would be experienced by future residents of the site itself. Policy BNE2 of the Local Plan and paragraph 127(f) of the NPPF relates to the protection of these amenities.

Neighbouring amenity

By virtue of the siting, the size and scale of the properties and the relationship to neighbouring properties and their windows, the orientation of the site and path of the sun there would be no detrimental impact on both the existing neighbours and consented development in terms of loss of outlook, sunlight and daylight from the requested changes.

With regards to privacy the roof extension provides additional overlooking of the closest approved neighbouring chalet. However due to the setback and windows being sited further away from the rear privacy area and the existing level of overlooking from the residential use within the building, this would not result in an unacceptable level. The use of the flat roof extension would result in additional overlooking closer to the site boundary and details of privacy screening would need to be conditioned to ensure that any overlooking is adequately mitigated.

Concerns have been raised regarding the increase in noise and disturbance from the proposed retail use with visitors in late opening hours and deliveries. It is important to remember due to the age of the existing pub it would not have planning restrictions on opening hours or delivery times. It is noted that the pub opening hours were listed until 00:00 on Fridays and Saturdays.

The applicant has submitted a noise assessment regarding the plant area proposed and deliveries noise assessment in support of the application. The information is acceptable with regards to the plant. The noise assessment report regarding deliveries sets out a noise management plan to reduce noise impacts, while the design and access statement indicated the following delivery times:

| Delivery Type (Source) | Vehicle | Frequency | Delivery Window |
|----------------------------------|--|--------------------|-----------------|
| Ambient (own depot) | Artic Lorry or 10.36m/12.19m rigid | 3 times a week | 07:00-20:00 |
| Fresh/Frozen/Milk (own depot) | Artic Lorry or 10.36m/12.19m rigid | 6 times a week | 07:00-15:00 |
| Bread (independent supplier) | 10m Rigid | 6 to 7 per week | 07:00-13:00 |

| | | | |
|--|-------------|-----------------|-----------------------------------|
| | | | |
| Newspapers and Magazines (independent supplier) | Transit Van | Daily | 06:00-09:00 |
| Sandwiches (independent supplier) | Transit Van | 6 to 7 per week | 07:00-11:00 |
| Ad hoc consumable items (independent supplier) | Transit Van | Ad hoc | 06:00-09:00 (Monday to Friday) |

The reports indicate a noise rating level associated with deliveries from the lorry's would result in a +23dB to the closest effect residents. This is indicative of a significant adverse impact according to BS4142, however context is of relative importance, there is a limited number of deliveries to the store each week by lorry and possibly only 1 or 2 a day. Whilst there may be short term increases in noise levels associated with deliveries these occasions will be limited and can be conditioned so they occur during daytime hours and this would therefore not be considered to be significantly detrimental especially when considering the existing pub use would have operated later hours and have similar impact from deliveries which were uncontrolled.

Consequently, it is considered that subject to the restriction of operation hours, delivery times and utilising noise management plan for deliveries that the noise impact would not be significantly detrimental to neighbours.

Occupier amenity

With regard to the amenities of future occupants of the development itself the proposed flats have been assessed with regard to the technical housing standards – nationally described space standard 2015 (the national standard). Within this application two flats would have private amenity space and the others will not. The Medway Housing Standards (interim) November 2011 (MHDS) indicates that properties should have a private amenity space of 5sqm but if this cannot be provided it should be included within the internal provision.

Flats 1 and 5 would fall short of the requirements of the national standard for gross internal floor areas (GIA) of 61sqm for a two-bedroom three person dwelling and 70sqm for a two-bedroom four person dwelling respectively. The remaining flats either provide sufficient outdoor amenity space or provide additional internal space in accordance with the MHDS. On balance no objection is raised by this shortfall to national standards to flats 1 and 5 due to this being a conversion and the demonstration in the plans of a suitable layout. In addition, flat 1 would benefit from an approx. 40sqm roof terrace. The habitable rooms within all the flats would be provided with satisfactory outlook and daylight.

The proposed layout would result in flats above commercial areas, while first and second floors would result in potential noise transfer between living areas and sleeping areas of residential units. If the application were considered acceptable, conditions would be imposed for the resistance to transmission of airborne noises through

ceilings to mitigate noise and disturbance between living areas above bedrooms and the commercial unit and flats.

Consequently, subject to the suggested conditions, no objections are raised in terms of the amenities of both the future occupiers and neighbour amenities under Policy BNE2 of the Local Plan and paragraphs 127f and 170 of the NPPF.

Highways

Within consultation there has been a number of objections regarding the impact of additional traffic through Allhallows, the impact of deliveries and insufficient parking resulting in an impact on the access to Kingsmead Park. To the contrary letters supporting the scheme have indicated that this could result in less traffic through the town as people can do shop at proposed convenience store and not have to drive to other villages and towns, while the loading and unloading is similar to other shops in the village. A further supporting argument is the provision of disabled parking not provided within other shops in the village.

Paragraph 127 of the NPPF requires that new development functions well within the area in which it is situated. Saved policy T2 of the Local Plan requires that, where new accesses are being formed to the highway, that the access is not detrimental to the safety of vehicle occupants, cyclists and pedestrians; or the access can be improved to a standard acceptable to the Council as Highway Authority. Saved policy T3 requires that new pedestrian routes should closely follow pedestrians' preferred routes and should be designed to provide an attractive and safe pedestrian environment, and ensuring they are accessible by people with disabilities. Saved policy T13 relates to the council's adopted vehicle parking standards.

With regards to the concerns about the increased cars through the village it is not considered that this would be significant with locals predominantly visiting on foot and it could reduce other journeys people within the village make currently to other shops.

The application proposes an extended continuous dropped kerb along the frontage to serve the commercial unit providing 9 parking spaces which also doubles up as the lorry unloading during delivery times. The existing pub car parking area would then have a further 2 spaces of the commercial unit including a disabled space. The rear section of the existing parking area would provide 9 parking spaces for the residential units behind gates to prevent customers accessing these spaces. The parking provision is considered to be acceptable with regards to numbers and layout while the applicants have provided a swept path analysis how that delivery lorries can turn onsite and park safely within the proposed bays and it is therefore not considered to have a detrimental impact on highway safety or junctions in the proximity to the site.

With regards to the concerns about the increased cars through the village it is not considered that this would be significant with locals predominantly visiting on foot and any additional traffic over the existing large public house use could be offset by a reduction of other journeys from residents making trips to other village.

Paragraph 110E of the NPPF encourages sustainable development, the development should provide electrical charging facilities and a condition would be required to

provide 15% active and 85% passive for the residential parking spaces. Further the applicant has provided 4 cycle hoops for the visitors of the commercial unit, however no cycle storage for the residential has been provided so a further condition would be required.

Subject to the abovementioned conditions, the application is considered to be acceptable in respect of the transport and parking policies T1, T2, T3, T4 and T13 of the Local Plan and paragraphs 109, 110E and 127 of NPPF.

Climate Change and energy efficiency

The applicant has indicated that all materials will be sourced responsibly from suppliers who are environmentally accredited (ISO14001, BES6001 or similar); all timber used onsite and in construction shall be legally sourced from accredited suppliers and sources; Materials with an Environmental Product Declaration (EPD) shall be chosen over similar products without an EPD. All materials will be used to exceed the requirements of the latest building regulations and in particular Part L (Energy Use)

The development will have a maximum water usage of 110L per person per day. Rainwater will be collected and reused for garden areas.

All new windows are to be double-glazed windows which will significantly reduce noise and improve heat insulation. All hard standings will be self-draining.

The site offers local residents convenience grocery shopping opportunities within the village of Allhallows. This means residents do not have to travel out of the village for their day-to-day shopping and can rely on more sustainable modes of transport such as walking, cycling and public transport. The site is located immediately next door to Haven Leisure Park which is a self-catering holiday accommodation and holiday homeowners with the capacity to accommodate thousands of caravans and currently expanding the site. Many holiday makers use public transport/coach transportation to access the holiday park therefore would visit the Co-op on foot or bicycle. Directly opposite the site is Kingsmead park which is a residential park for over 55's, many have no means of transport and some poor mobility to venture very far. These customers will be visiting the Co-op on foot/scooter.

In addition to the above, The Co-op offers sustainable initiatives, such as:

Responsible sourcing

- All Co-op meat is British and sourced from farmers working to approved farmed assurance schemes
- Co-op are proud to be the UK's leading convenience supporter of Fairtrade
- 100% of the palm oil Co-op use in their own brand products is sustainable

Packaging and food waste

- All of Co-op packaging will be easy to recycle in 2021, either at kerbside or through film collection bins in selected Co-op stores
- Co-op were the first UK food retailer to introduce a certified compostable carrier bag

- Through their Food Share scheme, surplus food is shared from our stores with local community groups. In 2020, they redistributed nearly 8.5 million meals

Carbon reduction

- All Co-op stores, funeral homes and depots run on renewable electricity
- Co-op are industry-leading in the setting of ambitious science-based greenhouse gas emissions targets. They have committed to reducing their product-related emissions by 11%, and direct emissions by 50%, both by 2025
- Co-op are committed to the British Retail Consortium's Climate Action Roadmap – a world leading ambition to get the UK retail sector to reach net zero emissions by 2040

Bird Mitigation

As the application site is within 6km of the North Kent Marshes SPA/Ramsar Sites, the proposed development is likely to have a significant effect, either alone or in combination, on the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites from recreational disturbance on the over-wintering bird interest. Natural England has advised that an appropriate tariff of £250.39 per dwelling 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 paid this tariff and completed a SAMM Mitigation Contribution Agreement form. No objection is therefore raised under Policies S6 and BNE35 of the Local Plan and paragraphs 175 and 176 of the NPPF subject to this being completed before the decision date.

Local Finance Considerations

There are no local finance considerations.

Conclusions and Reasons for Approval

The proposal is considered to be sustainable development and acceptable in terms of principle, design, amenity, and highways aspects and with regard to all other material planning considerations. It is therefore recommended that the proposal be approved subject to appropriate conditions. The proposal accords with the provisions of Policies H11, R10, R13, CF1, BNE1, BNE2, BNE35, S6, T1, T2, T3, T4 and T13 of the Medway

Local Plan 2003 and paragraphs 11, 73, 83, 109, 110, 117, 118, 124, 127, 170, 175 and 176 of the NPPF.

The application would normally be determined under delegated powers but is being referred for Committee for determination due to the number of letters of representation contrary to the officer's recommendation.

Background Papers

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report. Any information referred to is available for inspection on Medway Council's Website <https://publicaccess1.medway.gov.uk/online-applications/>