

MC/21/0302

Date Received: 2 February 2021
Location: Land South Of Berwick Way, East Of Frindsbury Hill And North And West Of Parsonage Lane (known As Manor Farm) Frindsbury Rochester Medway
Proposal: Hybrid application seeking:
- Full planning permission for the construction of a new three-storey secondary school with sixth form and sports block with vehicular and pedestrian access from Frindsbury Hill, together with associated car parking and drop off area, multi-use games area, sports pitches, landscaping and other associated works.
- Full planning permission for the part conversion and extension of Grade I Listed Manor Farm Barn and change of use to a wedding venue and conference facility, including conversion and extension of former cattle byres to provide overnight accommodation, construction of single storey detached building for management facilities and construction of a new building to provide additional tourist accommodation with vehicular and pedestrian access from Berwick Way, car parking, landscaping and other associated works.
- Outline permission (with Frindsbury Hill access-detailed as part of the full planning permission for the school element) to be considered in detail and all other matters reserved for future consideration for the construction of up to 181 residential dwellings, together with Parsonage Lane access, parking, landscaping and associated works.
Applicant Agent: The Heritage Design and Development Team Ltd
DHA Planning Ltd
Mr Tim Spicer Eclipse House
Sittingbourne Road
Maidstone
Kent
ME14 3EN
Ward: Strood Rural Ward
Case Officer: Hannah Gunner
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 2 September 2021.

Recommendation - Approval subject to:

A. Section 106 agreement to secure the following:

i) NON-FINANCIAL

- Min 25 % affordable homes
 - 60% affordable rent
 - 40% shared ownership
- No more than 60 units occupied until the first phase of the barn conversion and extension works are complete
- No more than 130 units occupied until the final phase of the barn conversion and extension works are complete

ii) A financial contribution of £369,133.47 in total to be provisionally split in the following ways:

SCHOOL

- Works to relocate/reroute the RS326 or the sum of £2500 toward the diversion costs
- Works to relocate/reroute the RS328 of the sum of £2500 toward the diversion costs
- £15,870 toward improvements to signage and furniture for the RR9.

HOUSING

- £40,000 toward resurfacing works of the RR9, to help support sustainability and encourage walking to the station and Town Centre.
- £166,706.99 toward support the creation of additional capacity in primary care premises required (£644.79 per unit x 181 units)
- £30,480.40 toward improving facilities and equipment at Strood library local libraries (£168.40 per unit x 181 units)
- £33,818.04 toward improvements within Strood Town Centre (£186.84 per unit x 181 units)
- £31,937.45 toward waste and recycling (£176.45 per unit x 181 units)
- £45,320.59 toward Habitats Regulations (mitigation for Wintering Birds - £250.39 per unit x 181 units)

B. And the following conditions –

1. Approved Drawings

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

Overall

DHA/14019/11 - received 2 February 2021
568-ALA-00-XX-DR-L-0004 P01 - received 10 February 2021
DHA/14019/19 rev A - received 4 June 2021

Barn

29654A_003 rev A, 29654A_199 rev B, 29654A_204 rev D, 29654A_205 rev D, 29654A_206 rev D, 29654A_207 rev D, 29654A_208 rev E, 29654A_209 rev G, 29654A_210 rev F, 29654A_211 rev G, 29654A_212 rev G, 29654A_213 rev G, 29654A_214 rev B, 29654A_220 rev D, 29654A_221 rev D, 29654A_222 rev D, 29654A_300 rev D, 29654A_301 rev D, 29654A_302 rev E, 29654A_303 rev E, 29654A_305 rev C, 29654A_307 rev B, 568-ALA-00-XX-DR-L-003 P02 - received 2 February 2021
29654A_200 rev K, 29654A_201 rev J - received 4 June 2021

School

21023/005 Rev B, 21023/003 Rev F, FS0754-CPW-ZZ-XX-DR-E-6303 P02, FS0754-CPW-ZZ-XX-DR-E-6203 P03, FS0754-CPM-02-02-DR-A-2012 P03, FS0754-CPM-02-00-DR-A-2011 P03, FS0754-CPM-01-03-DR-A-2004 P03, FS0754-CPM-01-02-DR-A-2003 P03, FS0754-CPM-01-01-DR-A-2002 P03, FS0754-CPM-01-00-DR-A-2001 P03, FS0754-ALA-00-XX-DR-L-0002 P04, FS0754-ALA-00-XX-DR-L-0003 P03, FS0754-ALA-00-XX-DR-L-0004 P03, FS0754-ALA-00-XX-DR-L-0005 P05, FS0754-ALA-00-XX-DR-L-0006 P05, FS0754-ALA-00-XX-DR-L-0007 P05, FS0754-ALA-00-XX-DR-L-0008 P05, FS0754-ALA-00-XX-DR-L-0009 P05, FS0754-ALA-00-XX-DR-L-0011 P03, FS0754-ALA-00-XX-DR-L-0012 P03, FS0754-ALA-00-XX-DR-L-0013 P03, FS0754-ALA-00-XX-DR-L-0014 P02, FS0754-ALA-00-XX-DR-L-0016 P03, FS0754-ALA-00-XX-DR-L-0017 P03 - received 2 February 2021
FS0754-CPM-02-ZZ-DR-A-2013 P04, XXX-ALA-00-XX-DR-L-0001 P04 - received 10 February 2021
FS0754-CPM-01-ZZ-DR-A-2005 P07, FS0754-ALA-XX-XX-DR-L-0001 P05, FS0754-ALA-XX-XX-DR-L-0002 P07, FS0754-ALA-XX-XX-DR-L-0003 P04, FS0754-ALA-XX-XX-DR-L-0004 P04 - received 4 June 2021

Housing

DHA/14019/12 - land use plan, DHA/14019/14 - ground levels and building heights, DHA/14019/15 - residential character zones, 568-ALA-00-XX-DR-L-0001 P03 - landscape masterplan, 568-ALA-00-XX-DR-L-0002 P03 - landscape parameters plan - received 2 February 2021
DHA/14019/13 rev A - access strategy plan - received 4 June 2021

Reason: For the avoidance of doubt and in the interests of proper planning and having regard to the Town and Country Planning (Environmental Impact

Assessment) (Regulations 2017) against which the development has been assessed and that any material alteration to the design principles and development objectives may have an impact which has not been fully assessed.

2. EIA Compliance

The development herein approved shall be carried out in accordance with the design principles and development objective as set out in the Design and Access Statements Design and Access Statement by DHA (dated December 2020), Design and Access Statement by Bowmer + Kirkland (dated November 2020) and Design and Access Statement rev C by Clague Architects (dated November 2020); and the environmental assessment as set out in the Environmental Statement reference TS/AP/14158 by DHA (dated January 2021) received 2 February 2021 and as amended with revised Environmental Statement appendices received 4 June 2021.

Reason: Having regard to paragraph 126 of the National Planning Policy Framework 2021 and the Town and Country Planning (Environmental Impact Assessment) (Regulations 2017) against which the development has been assessed and that any material alteration to the design principles and development objectives may have an impact which has not been fully assessed.

3. Reptile Translocation

No development shall take place including site clearance in the school, barn or housing areas as shown on drawing DHA/14019/11 until all mitigation measures for reptiles for the respective element (school, barn or housing) has taken place in accordance with details contained within sections 3.3.4 to 3.3.7 of the Construction Ecological Management Plan by EAD Ecology (dated January 2021) and evidence of the translocation has been submitted to and approved in writing by the Local Planning Authority.

Reason: Required prior to commencement of development to ensure no irreversible detrimental harm to protected species in accordance with Policy BNE39 of the Medway Local Plan 2003.

4. Landscape and Ecological Management Plan (LEMP)

No development shall take place above ground floor slab level in the school, barn or housing areas as shown on drawing DHA/14019/11 until a revised Landscape and Ecological Management Plan (LEMP) for the respective element (school, barn or housing) has been submitted and approved in writing. The development shall thereafter be implemented in accordance with the approved details, retained thereafter and managed in accordance with the approved details.

Reason: To ensure the protected of protected species and the delivery of biodiversity enhancements in accordance with Policy BNE39 of the Medway

Local Plan 2003 and paragraph 174 of the National Planning Policy Framework 2021.

5. BARN

Time Limit

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).

6. Construction Environmental Management Plan (CEMP)

No development including any demolition in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, shall take place until a Construction Environmental Management Plan (CEMP) that describes measures to control, amongst other matters, hours of working, dust, lighting, pollution incident control measures, arising from the construction phase of the development and site contact details in case of complaints has been submitted to and approved in writing by the Local Planning Authority. The construction works shall be undertaken in accordance with this approved plan.

Reason: Required before commencement of development in order to minimise the impact of the construction period on the amenities of local residents and with regard to Policy BNE2 of the Medway Local Plan 2003.

7. Bats

No development including site clearance, shall take place within the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until all mitigation for bats has been carried in accordance with the outline details contained in sections 3.3.12 to 3.3.15 of the Construction Ecological Management Plan by EAD Ecology (dated January 2021) unless written evidence of a variation from Natural England has been submitted to and approved in writing by the Local Planning Authority.

Reason: Required prior to commencement of development to ensure no irreversible detrimental harm to protected species in accordance with Policy BNE39 of the Medway Local Plan 2003.

8. Programme of Archaeological Works

No development shall take place within the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until the implementation of a programme of archaeological work has been secured in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority. The archaeological works shall thereafter be carried out in accordance with the approved specification.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on any archaeological interest and in accordance with Policy BNE21 of the Local Plan 2003

9. Foundation Details

No development shall take place within the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until details of foundation designs and any other proposals involving below ground excavation 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: Required before commencement of development to avoid any irreversible detrimental impact on any archaeological interest and in accordance with Policy BNE21 of the Local Plan 2003.

10. Building Recording

No development shall take place within the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until the implementation of a programme of building recording has been secured in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority. The building recording shall thereafter be carried out in accordance with the approved specification.

Reason: Required before commencement to ensure that historic building features are properly examined and recorded in accordance with Policy BNE21 of the Local Plan 2003.

11. Contamination

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not take place in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11 until conditions 12 to 15 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified in writing by the Local Planning Authority until condition 15 has been complied with in relation to that contamination.

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

12. Contamination - Investigation and Report

No development shall take place in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11 until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, including risks to groundwater, whether or not it originates on the site. The scheme shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development with the 'Manor Farm Barn' area. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes.
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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

13. Contamination - Remediation Scheme

No development shall take place in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared and submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

14. Contamination - Implementation and Verification

No development shall take place (other than development required to enable the remediation process to be implemented) in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until the approved remediation scheme has been carried out in accordance with its terms. The Local Planning Authority must be given not less than two weeks written notification prior to the commencement of the remediation scheme works.

Following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and submitted to and approved in writing by the Local Planning Authority prior to the bringing into use of the development.

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

15. Contamination - Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. Development shall cease and an investigation and risk assessment must be undertaken in accordance with the requirements of condition 12, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 13, which shall be submitted to and approved in writing by the Local Planning Authority.

The remediation must be completed in accordance with the approved scheme and following completion of the measures a verification report providing details of the data that will be collected in order to demonstrate that the works set out in condition 13 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 14.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003

16. Surface Water Drainage

No development shall take place in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11 until a scheme based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- i. Details of the design of the scheme (in conjunction with the landscaping plan where applicable)
- ii. A timetable for its implementation
- iii. Operational maintenance and management plan including access requirements for each sustainable drainage component.
- iv. Proposed arrangements for future adoption by any public body, statutory undertaker or management company.

The development shall be implemented in accordance with the approved details and shall thereafter be retained.

Reason: Required before commencement of the development in order to manage surface water during and post construction and for the lifetime of the development in accordance with Paragraph 168 of the National Planning Policy Framework 2021.

17. Construction Surface Water Management Plan

No development shall take place in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11 until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on site during construction (including demolition and site clearance operations) is submitted to and approved in writing by the Local Planning Authority.

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

- i. Temporary drainage systems.
- ii. Measures for managing pollution/water quality and protecting controlled water and watercourses.
- iii. Measures for managing any on or off-site flood risk associated with the development.

The CSWMP shall be implemented in accordance with the approved plan throughout the construction phase of the development in the 'Manor Farm Barn' area.

Reason: Required before commencement of the development in order to manage surface water during and post construction and for the lifetime of the development in accordance with Paragraph 168 of the National Planning Policy Framework 2021.

18. Materials

No development above slab level shall take place in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, 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 heritage asset, in accordance with Policies BNE17 and BNE18 of the Medway Local Plan 2003.

19. Sample Brickwork Panel

No development shall take place above slab level in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until a panel of brickwork has been constructed and made available for inspection on the site for approval in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to heritage asset, in accordance with Policies BNE17 and BNE18 of the Medway Local Plan 2003.

20. Architectural Details

No development shall take place above ground floor slab level in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until details of the following have been submitted to and approved in writing by the Local Planning Authority:

1:20 Sectional Elevation of reception building with 1:0/1:5 new joinery details to both long elevations to show construction.

1:20 Sectional Elevation of Cow Shed building with 1:0/1:5 new joinery details to both long elevations to show construction.

1:20 details of new roof junctions of extensions with the Barn and the Cow Shed. 1:0/1:5 eaves details at north elevation.

Details of the perimeter enclosure to the site and the entrance gate.

Structural engineers report to support the design and function of the glazed screen.

The development shall thereafter be implemented in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to heritage asset, in accordance with Policies BNE17 and BNE18 of the Medway Local Plan 2003.

21. Plant Noise

No plant or equipment shall be installed in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until an acoustic assessment has been undertaken to determine the impact of noise arising from the mechanical plant and equipment. The noise rating level (L_{ar},T_r) of mechanical plant and equipment shall be at least 10dB below the background noise level (LA₉₀,T) at the nearest residential façade. All measurements shall be defined and derived in accordance with BS4142: 2014. The result of the

assessment and details of any mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the any building within the 'Manor Farm Barn' area is brought into use and shall thereafter be maintained in accordance with the approved details.

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

22. Extraction Equipment

No extraction equipment for the treatment of cooking fumes shall be installed in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until an acoustic assessment has been undertaken which details the measures to control noise and vibration from the equipment has been submitted to and approved in writing by the Local Planning Authority. Noise from the extraction system (LAeq,T), shall be at least 10dB(A) below the background noise level (LA90,T) at the nearest residential façade, when assessed in accordance with BS4142:2014. The approved measures shall be implemented before the any building within the 'Manor Farm Barn' area is brought into use and shall thereafter be maintained in accordance with the approved details.

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

23. Air Quality

No development shall take place above ground floor slab level in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until an Air Quality Emission Mitigation Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall be prepared in accordance with the Medway Air Quality Planning Guidance and shall include full details of the measures that will be implemented as part of the development to mitigate the air quality impacts identified in the approved Environmental Statement, reference TS/AP/14158, dated January 2021. The total monetary value of the mitigation to be provided shall be demonstrated to be equivalent to, or greater than, the total damage cost values calculated as part of the approved Environmental Statement. The development shall be implemented, and thereafter maintained, in accordance with the measures set out in the approved Emissions Mitigation Statement.

Reason To mitigate the impact on air quality in compliance with Policy BNE24 of the Medway Local Plan 2003.

24. Electric Vehicle Charging Points

No development shall take place above ground floor slab level in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until details of the provision of electric vehicle charging points have been

submitted to and approved in writing by the Local Planning Authority. Details shall include the number, 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 in working order.

Reason: In the interests of sustainability in accordance with paragraph 112E of National Planning Policy Framework 2021.

25. Parking

Prior to the first use of any of the buildings in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, the area shown on the submitted layout drawing number 29654A_003 Rev A as vehicle parking, loading and off-loading and turning space shall be provided, surfaced and drained. 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 that area of land or in such a position as to preclude vehicular access to the reserved vehicle parking area.

Reason: Development without provision of adequate accommodation for the parking, loading, off-loading and turning of vehicles is likely to lead to hazardous conditions in the public highway and in accordance with Policies T1 and T13 of the Medway Local Plan 2003.

26. Parking Management Plan

Prior to the first use of any of the buildings in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, 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 parking spaces within the 'Manor Farm Barn' area are to be managed during events and for non-event periods to prevent unauthorised parking. The Parking Management Plan shall be implemented in accordance with the approved details prior to the first use of any of the buildings in the 'Manor Farm Barn' area and shall thereafter be retained.

Reason: To ensure satisfactory parking for the events in accordance with Policy T13 of the Medway Local Plan 2003.

27. Cycle Parking

Prior to the first use of any of the buildings in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, details of secure cycle parking provision in the form of individual lockers shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be implemented in accordance with the approved details prior to the first use of

any of the buildings in the 'Manor Farm Barn' area 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.

28. Travel Plan

Prior to the first use of the any buildings in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include SMART targets and initiatives for promoting sustainable transport with particular emphasis on walking, bicycle use and bus travel, together with details of future monitoring and update procedures. The Travel Plan shall be implemented upon first use of the wedding venue and conference facility and shall be kept in place, and updated, thereafter. The approved Travel Plan shall be continually monitored with the results of the monitoring and any recommended actions to be submitted to and approved in writing to the Local Planning Authority on an annual basis starting from the date of the approval of the first Travel Plan, with the approved recommendations implemented as agreed as part of the annual review, improvement and reduction of car dependency.

Reason: In the interests of promoting safe and sustainable development and to accord with Policy T14 of the Medway Local Plan 2003.

29. Temporary Access

Prior to the first use of any of the buildings in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, a timetable shall be submitted to and approved in writing by the Local Planning Authority setting out the temporary the period for use of Parsonage Lane by visitors to the wedding venue/conference facility and the arrangements and timescales for directing visitors to use the access from Berwick Way.

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

30. Landscaping

Prior to the first use of the any buildings in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, The landscaping shall be implemented in accordance with the approved drawing numbers 29654A_213 rev G and 568-ALA-00-XX-DR-L-003 P02.

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.

31. Boundary Treatment

Prior to the first use of any of the buildings in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, a plan indicating the positions, design, materials and type of boundary treatment to be erected including around the car parking area shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details before any of the buildings in the 'Manor Farm Barn' area are brought into use 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 Policies BNE1, BNE14 and BNE18 of the Medway Local Plan 2003.

32. Refuse Storage

Prior to the first use of any of the buildings in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, details of the refuse storage arrangements for the buildings, including provision for the storage of recyclable materials, shall be submitted to and approved in writing by the Local Planning Authority. The refuse storage arrangements shall be implemented in accordance with the approved details before any the buildings in the 'Manor Farm Barn' area are brought into use and shall thereafter be retained.

Reason: In the interests of visual amenity and to ensure a satisfactory provision for refuse and recycling in accordance with Policies BNE1, BNE14 and BNE18 of the Medway Local Plan 2003.

33. Amplified Music

Prior to the first use of any of the buildings in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, an acoustic assessment shall be submitted to and approved in writing by the Local Planning Authority which includes details of any noise mitigation measures required to ensure the music noise levels in the 63Hz and 125Hz octave centre frequency bands (Leq) do not exceed 47dB and 41dB (Leq) respectively inside habitable rooms of noise sensitive receptors; and entertainment noise (Leq) shall not exceed 10dB below the background noise level (L90) without the entertainment noise present, in each octave band at noise sensitive receptors. All noise mitigation measures shall be implemented in accordance with the approved details prior to the first use of any of the buildings in the 'Manor Farm Barn' area and shall thereafter be retained.

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

34. SUDs Verification

Prior to the first use of any of the buildings in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, (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 systems 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: To ensure a suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk on site or elsewhere in accordance with paragraph 168 of the National Planning Policy Framework 2021.

35. Construction Ecological Management Plan

The development within the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, shall implement the ecological enhancement measures as set out in the Construction Ecological Management Plan by EAD Ecology (dated January 2021). The ecological enhancement measures shall be provided prior to the first use of any of the buildings within the 'Manor Farm Barn' area.

Reason: Required prior to commencement of development to ensure no irreversible detrimental harm to protected species in accordance with paragraph 174 of the National Planning Policy Framework 2021.

36. Lighting

Prior to the installation of any external lighting anywhere within the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, which includes the access road to the barn, 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, biodiversity, bats (including reference to the recommendations of the Bat Conservation Trust) and of how this effect has been minimised. Any external lighting shall be implemented in accordance with the approved details.

Reason: To limit the impact of the lighting on the Listed Buildings, the Conservation Area, the landscaping of the site, the surrounding landscape,

nearby residents and wildlife and with regard to Policies BNE1, BNE2, BNE5, BNE12, BNE14, BNE34 and BNE39 of the Medway Local Plan 2003.

37. CCTV

Prior to the installation of any CCTV anywhere within the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, which includes the access road to the barn, details of such CCTV shall be submitted to and approved in writing by the Local Planning Authority. Details shall include height, position and external appearance. Any CCTV shall be implemented in accordance with the approved details.

Reason: To limit the impact of the setting and appearance of the Listed Buildings and the Conservation Area and with regard to Policies BNE1, BNE12 and BNE14 of the Medway Local Plan 2003.

38. Opening Hours

The wedding venue and conference use hereby permitted shall only operate between the hours of 08:00 to 00:00 Mondays to Saturdays inclusive and between the hours of 10:00 to 00:00 on 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.

39. Deliveries/Servicing Hours

No commercial goods shall be loaded, unloaded, stored or otherwise handled and no vehicles shall arrive or depart, within the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, outside the hours 07:00 to 19:00 Mondays to Fridays inclusive and between the hours of 08:00 to 18:00 on Saturdays or at any time on 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.

40. Overnight Accommodation

The overnight guest rooms shall only be used in association with the use of the buildings within the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11 as a wedding venue and conference facility or for tourist accommodation and not for any other residential accommodation purpose. The accommodation herein permitted shall not be occupied as guest or tourist accommodation for more than 28 consecutive days at any one time.

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

41. Archaeological Publication

Within 6 months of the first use of the Barn as a wedding venue/conference facility, an Archaeological Post-Excavation Assessment Report shall be submitted to and approved in writing by the Local Planning Authority. The Post-Excavation Assessment Report shall include an Updated Project Design and accompanying timetable for any further analysis and publication of the findings of the archaeological investigations, and for the deposition of the resulting archaeological archive. The analysis, archaeological publication and the deposition of the archive shall be funded by the developer and carried out in accordance with the programme and timetable set out in the Updated Project Design.

Reason: To ensure the result of the archaeological investigations are made publicly accessible in accordance with paragraph 205 of the National Planning Policy Framework 2021.

42. SCHOOL

Time Limit

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).

43. Construction Environmental Management Plan (CEMP)

No development including any demolition, shall take place until a Construction Environmental Management Plan (CEMP) that describes measures to control, amongst other matters, hours of working, dust, lighting, pollution incident control measures, and the arising from the construction phase of the development and site contact details in case of complaints has been submitted to and approved in writing by the Local Planning Authority. The construction works shall be undertaken in accordance with this approved plan.

Reason: Required before commencement of development in order to minimise the impact of the construction period on the amenities of local residents and with regard to Policy BNE2 of the Medway Local Plan 2003.

44. Programme of Archaeological Investigation

Prior to the construction of the new secondary school within the area identified as 'School Zone' as shown on drawing number DHA/14019/11, the programme of archaeological investigations shall be carried out in accordance with the submitted Written Scheme of Investigation Phase 2 Archaeological Works by Canterbury Archaeological Trust, December 2020.

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

45. Surface Water Drainage

No development shall take place in the area identified as 'School Zone' as shown on drawing number DHA/14019/11 until a scheme based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- v. Details of the design of the scheme (in conjunction with the landscaping plan where applicable)
- vi. A timetable for its implementation
- vii. Operational maintenance and management plan including access requirements for each sustainable drainage component.
- viii. Proposed arrangements for future adoption by any public body, statutory undertaker or management company.

The development shall be implemented in accordance with the approved details and shall thereafter be retained.

Reason: Required before commencement of the development in order to manage surface water during and post construction and for the lifetime of the development in accordance with Paragraph 168 of the National Planning Policy Framework 2021.

46. Construction Surface Water Management Plan

No development shall take place in the area identified as 'School Zone' as shown on drawing number DHA/14019/11 until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on site during construction (including demolition and site clearance operations) is submitted to and approved in writing by the Local Planning Authority.

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

- iv. Temporary drainage systems.
- v. Measures for managing pollution/water quality and protecting controlled water and watercourses.
- vi. Measures for managing any on or off-site flood risk associated with the development.

The CSWMP shall be implemented in accordance with the approved plan throughout the construction phase of the development in the 'School Zone' area.

Reason: Required before commencement of the development in order to manage surface water during and post construction and for the lifetime of the development in accordance with Paragraph 168 of the National Planning Policy Framework 2021.

47. Plant Noise

No development shall take place above ground floor slab level in the area identified as 'School Zone' as shown on drawing number DHA/14019/11, until an acoustic assessment has been undertaken to determine the impact of noise arising from mechanical plant and equipment. The noise rating level (Lar,Tr) of mechanical plant and equipment shall be at least 10dB below the background noise level (LA90,T) at the nearest residential façade. All measurements shall be defined and derived in accordance with BS4142: 2014. The result of the assessment and details of any mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the any building within the 'School Zone' area is brought into use and shall thereafter be maintained in accordance with the approved details.

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

48. Air Quality

No development shall take place above ground floor slab level in the area identified as 'School Zone' as shown on drawing number DHA/14019/11, until an Air Quality Emission Mitigation Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall be prepared in accordance with the Medway Air Quality Planning Guidance and shall include full details of the measures that will be implemented as part of the development to mitigate the air quality impacts identified in the approved Environmental Statement, reference TS/AP/14158, dated January 2021. The total monetary value of the mitigation to be provided shall be demonstrated to be equivalent to, or greater than, the total damage cost values calculated as part of the approved Environmental Statement. The development shall be implemented, and thereafter maintained, in accordance with the measures set out in the approved Emissions Mitigation Statement.

Reason To mitigate the impact on air quality in compliance with Policy BNE24 of the Medway Local Plan 2003.

49. Electric Vehicle Charging Points

No development shall take place above ground floor slab level, in the area identified as 'School Zone' as shown on drawing number DHA/14019/11, until details of the provision of electric vehicle charging points as shown on drawing number FS0754-CPW-ZZ-XX-DR-E-6203 P03 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 in working order.

Reason: In the interests of sustainability in accordance with paragraph 112E of National Planning Policy Framework 2021.

50. Access

Prior to the first occupation of the school, the access from Frindsbury Hill shall be implemented and complete, in accordance with approved drawing number 21023/005 Rev B, unless alternative arrangements to secure the specified works have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the school is provided with a safe and practical access that does not interrupt the free flow of traffic on Frindsbury Hill, in accordance with Policies T1 and T2 of the Medway Local Plan 2003.

51. Parking

Prior to the first use of the school, vehicle parking space and circulation shall be provided, surfaced and drained in accordance with a revised drawing (that amends the parking and drop off bays) 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 that area of land or in such a position as to preclude vehicular access to the reserved vehicle parking area.

Reason: Development without provision of adequate accommodation for the parking, loading, off-loading and turning of vehicles is likely to lead to hazardous conditions in the public highway and in accordance with Policies T1 and T13 of the Medway Local Plan 2003.

52. Parking Management Plan

Prior to the first use of the school, 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 parking spaces within the development are to be managed during to prevent unauthorised parking. The Parking Management Plan shall be implemented in accordance with the approved details prior to the first use of the school and shall thereafter be retained.

Reason: to ensure satisfactory off-street parking in accordance with Policies BNE2 and T13 of the Medway Local Plan 2003.

53. Cycle Parking

Prior to the first use of the school, details of secure cycle parking shall be 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 school is brought into use 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.

54. Travel Plan

Prior to the first use of the school herein approved, a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The School Travel Plan shall include provision of the arrangements for the appointment of a School Travel Plan Coordinator and working group, SMART targets and initiatives for promoting sustainable transport with particular emphasis on walking, bicycle use and bus travel, together with details of future monitoring and update procedures. The School Travel Plan shall be implemented upon first use of the school and shall be kept in place, and updated, thereafter. The approved School Travel Plan shall be continually monitored with the results of the monitoring and any recommended actions to be submitted to and approved in writing to the Local Planning Authority on an annual basis starting from the date of the approval of the first School Travel Plan, with the approved recommendations implemented as agreed as part of the annual review, improvement and reduction of car dependency.

Reason: In the interests of promoting safe and sustainable development and to accord with Policy T14 of the Medway Local Plan 2003.

55. Landscaping

Prior to the first use of the school, the landscaping shall be implemented in accordance with the approved drawing numbers FS0754-ALA-00-XX-DR-L-0002 P04, FS0754-ALA-00-XX-DR-L-0005 P05, FS0754-ALA-00-XX-DR-L-0006 P05, FS0754-ALA-00-XX-DR-L-0007 P05, FS0754-ALA-00-XX-DR-L-0008 P05 and FS0754-ALA-00-XX-DR-L-0009 P05.

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.

56. Biodiversity Net Gain

Prior to the first use of the school, a statement shall be submitted demonstrating how the proposal will maximise biodiversity net gain on site and seek to achieve 10% biodiversity net gain where possible.

Reason: In the interests of enhancing biodiversity and to positively address concerns regarding climate change in accordance with paragraphs 154 and 179 the National Planning Policy Framework 2021.

57. Boundary Treatment

Prior to the first use of the school, a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be 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 school is brought into use 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 Policies BNE1, BNE14 and BNE18 of the Medway Local Plan 2003.

58. Refuse Storage

Prior to the first use of the school, details of the refuse storage arrangements for the buildings, including provision for the storage of recyclable materials, shall be submitted to and approved in writing by the Local Planning Authority. The refuse storage arrangements shall be implemented in accordance with the approved details before the school is brought into use and shall thereafter be retained.

Reason: In the interests of visual amenity and to ensure a satisfactory provision for refuse and recycling in accordance with Policy BNE1 of the Medway Local Plan 2003.

59. SUDs Verification

Prior to the first use of the school, (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 systems 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: To ensure a suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk on site or elsewhere in accordance with paragraph 168 of the National Planning Policy Framework 2021.

60. Construction Ecological Management Plan

Prior to the first use of the school, the ecological enhancement measures as set out in the Construction Ecological Management Plan by EAD Ecology (dated January 2021) shall be implemented within the area identified as 'School Zone' as shown on drawing number DHA/14019/11. The ecological enhancement measures shall thereafter be retained.

Reason: Required prior to commencement of development to ensure no irreversible detrimental harm to protected species in accordance with paragraph 174 of the National Planning Policy Framework 2021.

61. Lighting

Prior to the installation of any external lighting anywhere within the area identified as 'School Zone' as shown on drawing number DHA/14019/11, 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, biodiversity, bats (including reference to the recommendations of the Bat Conservation Trust) and of how this effect has been minimised. Any external lighting shall be implemented in accordance with the approved details.

Reason: To limit the impact of the lighting on the Listed Buildings, the Conservation Area, the landscaping of the site, the surrounding landscape, nearby residents and wildlife and with regard to Policies BNE1, BNE2, BNE5, BNE12, BNE14, BNE34 and BNE39 of the Medway Local Plan 2003.

62. CCTV

Prior to the installation of any CCTV anywhere within the area identified as 'School Zone' as shown on drawing number DHA/14019/11, details of such CCTV shall be submitted to and approved in writing by the Local Planning Authority. Details shall include height, position and external appearance. Any CCTV shall be implemented in accordance with the approved details.

Reason: To limit the impact of the setting and appearance of the Listed Buildings and the Conservation Area and with regard to Policies BNE1, BNE12 and BNE14 of the Medway Local Plan 2003.

63. Materials

The development shall be implemented in accordance with the External Materials Schedule by Bowmer + Kirkland (dated 23 June 2021) or other

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

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.

64. Community Use Agreement

Prior to the first use of the school, a Community Use Agreement (CUA) shall be prepared in consultation with Medway Council and shall then be submitted to and approved in writing by the Local Planning Authority. The CUA shall describe all the facilities included in the agreement and shall include details of pricing policy, access by non-educational establishment users, management responsibilities and a mechanism for review. Following the first use of the school, the school facilities shall thereafter be used in accordance with approved CUA.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Policy L8 of Medway Local Plan 2003.

65. Hours for Community Uses

The facilities to be used for community purposes as outlined in the Community Use Agreement (CUA) shall not be used outside of the following hours:

For Internal Spaces

17:00 to 22:00 Monday to Friday

08:00 to 22:00 on Saturday, Sunday and Public Holidays

For External Pitches

17:00 to 20:00 on Monday to Friday

09:00 to 20:00 on Saturday

10:00 to 17:00 on Sunday and Public Holidays

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

66. Floodlighting

There shall be no external floodlighting to any sports facility within the area identified as 'School Zone' as shown on drawing number DHA/14019/11.

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

67. Archaeological Publication

Within 6 months of the first occupation of the school, an Archaeological Post-Excavation Assessment Report shall be submitted to and approved in writing by the Local Planning Authority. The Post-Excavation Assessment Report shall include an Updated Project Design and accompanying timetable for any further analysis and publication of the findings of the archaeological investigations, and for the deposition of the resulting archaeological archive. The analysis, archaeological publication and the deposition of the archive shall be funded by the developer and carried out in accordance with the programme and timetable set out in the Updated Project Design.

Reason: To ensure the result of the archaeological investigations are made publicly accessible in accordance with paragraph 205 of the National Planning Policy Framework 2021.

68. Highway Mitigation Works

Prior to the intake of year 11 at the school, the works to the Sans Pareil Roundabout and associated mitigation as set out on either drawing number 21023/005 Rev B or drawing number 21023/003 Rev F (The HIF funded scheme being brought forward by Medway Council) shall be brought forward and works completed in accordance with either of those approved drawings, unless alternative arrangements to secure the specified works have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the school is provided with a safe and practical access that does not interrupt the free flow of traffic on Frindsbury Hill, in accordance with Policies T1 and T2 of the Medway Local Plan 2003.

69. Traffic Movement Monitoring and Mitigation

Upon 90% occupation of the school, a survey shall be carried out to assess the impact on traffic at the junctions of Bill Street Road/ Frindsbury Hill and the Frindsbury Road/ Station Road Signal Junction with the methodology and timetable for implementation to be submitted to and approved in writing by the Local Highway Authority. The survey shall be implemented in accordance with the approved methodology and timetable and the results of the survey along with any proposed mitigation measures and a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall thereafter be implemented in accordance with the approved details and timetable and shall be retained thereafter.

Reason: To ensure that the school is provided with a safe and practical access that does not interrupt the free flow of traffic on Frindsbury Hill, in accordance with Policies T1 and T2 of the Medway Local Plan 2003.

70. Education Use Only

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification) the school herein approved shall be used for education and community uses as approved as part of the Community Use Agreement (CUA) only and shall not be used for any other purposes, including any other use that would fall within Use Class F1(a) of the schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to those classes in any statutory instrument revoking and re-enacting that order with or without modification) and no change of use shall be carried out unless planning permission has been granted on an application relating thereto.

Reason: To enable the Local Planning Authority to control such development in the interests of the amenities of the local residents and highway safety and in accordance with Policies BNE2 and T1 of the Medway Local Plan 2003.

71. Climate Change Verification

The school development herein approved shall incorporate the measures to address energy efficiency and climate change as set out within the Environmental Statement, Volume 2, Appendix 6.2: Maritime Academy Energy Statement (dated January 2021). The school shall not be occupied until a verification report prepared by a suitably qualified professional has been submitted to and approved in writing by the Local Planning Authority confirming that all the approved measures have been implemented.

Reason: In the interests of sustainability and to positively address concerns regarding climate change in accordance with paragraph 154 the National Planning Policy Framework 2021.

72. HOUSING (OUTLINE)

Approval of Reserved Matters

Approval of the details of the layout, scale and appearance of the buildings, the means of access thereto and the landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To accord with the terms of the submitted application and to ensure that these details are satisfactory.

73. Time Scale for Reserved Matters

Plans and particulars of the reserved matters referred to in Condition 72 above shall be submitted in writing to the Local Planning Authority for approval. Such application for approval shall be made to the Authority before the expiration of

three years from the date of this permission and the reserved matters shall be carried out in accordance with the approved details.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

74. Time Limit for Implementation of Outline and Reserved Matters

The development to which this permission relates must be begun no later than the expiration of 2 years from the final approval of the reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

75. Construction Environmental Management Plan (CEMP)

No development including any demolition, shall take place within a phase or sub phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, until a Construction Environmental Management Plan (CEMP) that describes measures to control, amongst other matters, hours of working, dust, lighting, pollution incident control measures, and the arising from the construction phase of the development and site contact details in case of complaints has been submitted to and approved in writing by the Local Planning Authority. The construction works shall be undertaken in accordance with this approved plan.

Reason: Required before commencement of development in order to minimise the impact of the construction period on the amenities of local residents and with regard to Policy BNE2 of the Medway Local Plan 2003.

76. Programme of Archaeological Works

No development shall take place within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, until the implementation of a programme of archaeological work has been secured in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority. The archaeological works shall thereafter be carried out in accordance with the approved specification.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on any archaeological interest and in accordance with Policy BNE21 of the Local Plan 2003.

77. Foundation Details

No development shall take place within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11,

until details of foundation designs and any other proposals involving below ground excavation 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: Required before commencement of development to avoid any irreversible detrimental impact on any archaeological interest and in accordance with Policy BNE21 of the Local Plan 2003.

78. Contamination - Compliance

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not take place within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11 until conditions 79 to 82 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified in writing by the Local Planning Authority until condition 82 has been complied with in relation to that contamination.

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

79. Contamination - Investigation and Report

No development shall take place within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11 until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, including risks to groundwater, whether or not it originates on the site. The scheme shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development with the phase or sub-phase with the 'Residential Zone' area. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes.
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,

archaeological sites and ancient monuments;
(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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

80. Contamination - Remediation Scheme

No development shall take place within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared and submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

81. Contamination - Implementation and Verification

No development shall take place (other than development required to enable the remediation process to be implemented) within a phase or sub-phasing within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, until the approved remediation scheme has been carried out in accordance with its terms. The Local Planning Authority must be given not less than two weeks written notification prior to the commencement of the remediation scheme works.

Following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and submitted to and approved in writing by the Local Planning Authority prior to the bringing into use of the development.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on human health and/or water courses as a

result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

82. Contamination - Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, that was not previously identified it must be reported in writing immediately to the Local Planning Authority. Development shall cease and an investigation and risk assessment must be undertaken in accordance with the requirements of condition 29, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 80, which shall be submitted to and approved in writing by the Local Planning Authority.

The remediation must be completed in accordance with the approved scheme and following completion of the measures a verification report providing details of the data that will be collected in order to demonstrate that the works set out in condition 80 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 81.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

83. Surface Water Drainage

No development shall take place within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11 until a scheme based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- ix. Details of the design of the scheme (in conjunction with the landscaping plan where applicable)
- x. A timetable for its implementation
- xi. Operational maintenance and management plan including access requirements for each sustainable drainage component.
- xii. Proposed arrangements for future adoption by any public body, statutory undertaker or management company.

The development shall be implemented in accordance with the approved details and shall thereafter be retained.

Reason: Required before commencement of the development in order to manage surface water during and post construction and for the lifetime of the development in accordance with Paragraph 168 of the National Planning Policy Framework 2021.

84. Construction Surface Water Management Plan

No development shall take place within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11 until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on site during construction (including demolition and site clearance operations) is submitted to and approved in writing by the Local Planning Authority.

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

- vii. Temporary drainage systems.
- viii. Measures for managing pollution/water quality and protecting controlled water and watercourses.
- ix. Measures for managing any on or off-site flood risk associated with the development.

The CSWMP shall be implemented in accordance with the approved plan throughout the construction phase of the development within that phase or sub-phase within the 'Residential Zone' area.

Reason: Required before commencement of the development in order to manage surface water during and post construction and for the lifetime of the development in accordance with Paragraph 168 of the National Planning Policy Framework 2021.

85. Noise

No development shall take place above ground floor slab level within a phase or sub-phase in the area identified as 'Residential Zone' as shown drawing number DHA/14019/11, until a scheme of acoustic protection has been submitted to and approved in writing by the Local Planning Authority. The scheme of acoustic protection shall ensure internal noise levels (LAeq,T) no greater than 30dB in bedrooms and 35dB in living rooms with windows closed and a maximum noise level (LAm_{ax}) of no more than 45dB(A) with windows open. Where the internal noise levels will be exceeded with windows open, the scheme shall incorporate appropriate acoustically screened mechanical ventilation. The scheme shall include details of acoustic protection sufficient to ensure amenity/garden noise levels of not more than 55dB (LAeq,T). The approved measures shall be implemented before the any building within the relevant phase or sub-phase within the 'Residential Zone' area is brought into use and shall thereafter be maintained in accordance with the approved details.

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

86. Air Quality

No development shall take place above ground floor slab level within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, until an Air Quality Emission Mitigation Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall be prepared in accordance with the Medway Air Quality Planning Guidance and shall include full details of the measures that will be implemented as part of the development to mitigate the air quality impacts identified in the approved Environmental Statement, reference TS/AP/14158, dated January 2021. The total monetary value of the mitigation to be provided shall be demonstrated to be equivalent to, or greater than, the total damage cost values calculated as part of the approved Environmental Statement. The development shall be implemented, and thereafter maintained, in accordance with the measures set out in the approved Emissions Mitigation Statement.

Reason To mitigate the impact on air quality in compliance with Policy BNE24 of the Medway Local Plan 2003.

87. Electric Vehicle Charging Points

No development shall take place above ground floor slab level place within a phase or sub phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, until details of the provision of electric vehicle charging points (1 per dwelling for dwellinghouses and 1 per 4 flats) 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 in working order.

Reason: In the interests of sustainability in accordance with paragraph 112E of National Planning Policy Framework 2021.

88. Travel Plan

Prior to the first occupation of any dwelling within a phase or sub-phase, within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include initiatives for promoting sustainable transport to new residents with particular emphasis on walking, bicycle use and bus travel. The Travel Plan shall be implemented prior to the first occupation of any dwelling within that phase or sub-phase.

Reason: In the interests of promoting safe and sustainable development and to accord with Policy T14 of the Medway Local Plan 2003.

89. SUDs Verification

Prior to the first use of any of the buildings within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, (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 systems 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: To ensure a suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk on site or elsewhere in accordance with paragraph 168 of the National Planning Policy Framework 2021.

90. Boundary Treatment

No dwelling shall not be occupied within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, until a plan indicating the positions, design, materials and type of boundary treatment to be erected 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 any dwelling 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.

91. Refuse Storage

Prior to the first occupation of any dwelling within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, details of the refuse storage arrangements for the dwellings, including provision for the storage of recyclable materials, shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved refuse storage arrangements for that dwelling are in place and all approved storage arrangements shall thereafter be retained.

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

92. Landscaping

Applications for the approval of reserved matters in relation to landscaping for a phase or sub-phase within the area identified as 'Residential Zone' as shown

on drawing number DHA/14019/11, shall include full details of both hard and soft landscape works, any artefacts to be located within the public space of that phase or sub-phase and a timetable for implementation. These details shall include existing and proposed finished ground levels; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; all paving and external hard surfacing; decking; minor artefacts and structures. Soft landscape works shall include details of planting plans, written specifications (including cultivation and other operations associated with grass and plant establishment, aftercare and maintenance); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate. 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.

93. Retained Trees

Applications for the approval of reserved matters in relation to landscaping and layout for a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, shall include:

- a) A plan showing the location of all existing trees on site or on land adjacent to the site which have a stem with a diameter exceeding 75mm when measured over the bark at a point 1.5m above ground level. The plan shall provide a reference number for each tree and shall identify which trees are to be retained and the crown spread of each retained tree.
- b) The species, diameter (measured in accordance with paragraph a), the approximate height and an assessment of the general state of health and stability of each retained tree.
- c) Any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site.
- d) Any proposed alterations in existing ground levels and the position of any proposed excavation within the crown spread of any retained tree or of any tree on land adjacent to the site where the alterations and/or excavations are within the root protection area of any retained tree, or any tree on land adjacent to the site, equivalent to half the height of that tree.
- e) The specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.

In this Condition "retained tree" means an existing tree which is to be retained in accordance with paragraph a) above.

Reason: To protect and enhance the appearance and character of the site and locality, in accordance with Policies BNE1 and BNE43 of the Medway Local Plan 2003.

94. Parking

Applications for the approval of reserved matters in relation to layout for a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, shall show land reserved for parking or garaging in accordance with the adopted Parking Standards. None of the buildings shall be occupied until this area has been provided, surfaced and drained in accordance with the approved details. Thereafter no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to the reserved vehicle parking area.

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking and in accordance with Policies T1 and T13 of the Medway Local Plan 2003.

95. Construction Ecological Management Plan

Prior to the first occupation of any dwelling within a phase or sub-phase the ecological enhancement measures as set out in the Construction Ecological Management Plan by EAD Ecology (dated January 2021) shall be implemented within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11. The ecological enhancement measures shall thereafter be retained.

Reason: Required prior to commencement of development to ensure no irreversible detrimental harm to protected species in accordance with paragraph 174 of the National Planning Policy Framework 2021.

96. Lighting

Prior to the installation of any external lighting within a phase or sub-phase within the area identified as 'Residential Zone; as shown on drawing number DHA/14019/11, 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, biodiversity, bats (including reference to the recommendations of the Bat Conservation Trust) and of how this effect has been minimised. Any external lighting shall be implemented in accordance with the approved details.

Reason: To limit the impact of the lighting on the Listed Buildings, the Conservation Area, the landscaping of the site, the surrounding landscape,

nearby residents and wildlife and with regard to Policies BNE1, BNE2, BNE5, BNE12, BNE14, BNE34 and BNE39 of the Medway Local Plan 2003.

97. Play Equipment

Prior to the first occupation of any dwelling within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, details of the areas for equipped play facilities together with the play equipment and safe surfacing to be provided shall be submitted to and approved in writing by the Local Planning Authority. The play area(s) shall be provided in accordance with the approved details prior to the first occupation of any dwelling herein approved and shall thereafter be retained.

Reason: To ensure the satisfactory provision of play equipment in accordance with Policy L4 of the Medway Local Plan 2003.

98. Phased Sites - Security Fencing and Landscaping

Prior to occupation of a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, details of any boundary treatment and temporary landscaping to provide security between the development site and remaining undeveloped phases shall be submitted to and approved in writing by the Local Planning Authority. The security measures and any temporary landscaping shall be implemented in accordance with the approved details and shall be maintained and retained until the development of the adjacent undeveloped phase commences.

Reason: To ensure the appearance of the development is satisfactory and without prejudice to the conditions of visual amenity in the locality and to provide security in accordance with Policies BNE1 and BNE8 of the Medway Local Plan 2003.

99. Archaeological Publication

Within 6 months of the first occupation of a dwelling within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, an Archaeological Post-Excavation Assessment Report shall be submitted to and approved in writing by the Local Planning Authority. The Post-Excavation Assessment Report shall include an Updated Project Design and accompanying timetable for any further analysis and publication of the findings of the archaeological investigations, and for the deposition of the resulting archaeological archive. The analysis, archaeological publication and the deposition of the archive shall be funded by the developer and carried out in accordance with the programme and timetable set out in the Updated Project Design.

Reason: To ensure the result of the archaeological investigations are made publicly accessible in accordance with paragraph 205 of the National Planning Policy Framework 2021.

100. Removal of C3 to C4 PD Rights

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

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

101. Climate Change Statement

Applications for the approval of reserved matters in relation a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, shall be accompanied by Climate Change and Energy Efficiency Statement.

Reason: In the interests of sustainability and to positively address concerns regarding climate change in accordance with paragraph 154 the National Planning Policy Framework 2021.

102. Biodiversity Net Gain

Applications for the approval of reserved matters in relation a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, a statement shall be submitted demonstrating how the proposal will maximise biodiversity net gain on site and seek to achieve 10% biodiversity net gain where possible. The development shall be implemented in accordance with the approved details.

Reason: In the interests of enhancing biodiversity and to positively address concerns regarding climate change in accordance with paragraphs 154 and 179 the National Planning Policy Framework 2021.

Proposal

The application site comprises approximately 17 hectares (42 acres) of land bound by Upnor Road, Parsonage Lane, the A228 Frindsbury Hill and the A289 Berwick Way in the Frindsbury suburb immediately north of the Medway City Estate. This application is in three parts. Full planning permission is sought for the conversion, extension and change of use of the Grade I Listed barn and the construction of a secondary school; and outline planning permission is sought for up to 181 residential properties.

The Barn

This part of the application is in detail and is for the extension and alterations to the existing renovated barn, along with the change of use to a wedding venue and conference facility. This includes an element of overnight accommodation.

Access to this facility is from Berwick Way and utilises the road currently being used as access for the quarry infill. Until the infill is complete however access via this road is not viable, so a temporary access is proposed from Parsonage Lane.

The Barn itself is to be converted so that the main structure can be used as a wedding venue (sit down wedding breakfast area along with less formal area for drinks reception) which can accommodate up to 164 guests. These areas will be separated with a vast glazed screen with doors in them, that will sit within bay 5 of the building (counting back from the northern elevation). The existing main Barn entrance located in the south elevation is to be infilled with a new stone and flint dwarf wall, which is to match the existing walls whilst the existing central doors in the west elevation will be removed, and in the eastern elevation the opening enlarged to be the full width of the bay in which it sits (bay 7). New openings will be formed in the east elevation of bay 1 and the west elevation of bay 4 to allow for easy flow of people between the Barn space and the newly proposed bar/kitchen area (link extension) and the dance hall extension. Alterations are proposed to the floor levels within the existing Barn; however areas of the historic cobbled floor (bays 6 and 7) and the historic timber floor (bay 11) are to be retained.

The new dance hall extension is to be accessed on the west side of the main Barn. The structure is to be flat roofed and contemporary with there being a secondary access/fire escape in the south elevation and a service point and pedestrian access in the north elevation of this new build aspect. The space should accommodate up to 200 guests.

The proposed new bar/kitchen area will be accessed at the northern end of the Barn (to the east side) and will link the Barn with the cow shed building. This will result in the Barn being directly linked to the guest accommodation block which runs parallel to the Barn. This new build link extension is designed to be sympathetic to the main Barn and is proposed to be constructed in similar external building materials. Internally it will accommodate the bar, a kitchen area to be used for preparation and the toilet facilities for public use. The roof of this element would be double pitched so that there is a hidden valley aspect to the roof. This is where the extract plant equipment is proposed.

The overnight guest accommodation block is shown to be within the area of the existing dilapidated cow sheds. In total there are to be 5 en-suite rooms within this part of the building. The building is to be pitched roof with barn style doors and modest windows. A significant amount of repair is required but the proposal involves refurbishment and repair rather than demolition. The roof structure is to be completely replaced but it is a low pitch and is considered modest in size. Its style will emulate that of the main Barn.

In addition to the alterations and extensions to the existing structures there are two new stand-alone structures proposed as part of the Barn proposals. The management suite and the detached accommodation block. The management suite will sit adjacent

to the cow shed and will be the check in area for the accommodation as well as the main office for the wedding/conference bookings. The detached accommodation block provides a further 7 overnight guest accommodation rooms, which includes a bridal suite. 3 of the rooms are slightly larger which would be wheelchair compliant. This block, as with the management suite will be designed to reflect the architecture of the Barn.

A courtyard area is proposed centrally between the Barn, bar and guest accommodation. This will be available for use as an outdoor ceremony as well as for guests to congregate for drinks/canapes following a church/indoor ceremony.

The Secondary School

This part of the application is for a three-storey school block with an additional two storey sports/leisure block. Additional to these buildings are sports pitches, Multi Use Games Areas (MUGAs) and car parking.

The main school building proposed is to be a flat roofed, rectangular building predominantly to be built in brick. The building is to have a parapet feature around the top, which is to screen the vent stacks, PV panels and rooflights. The parapet is to be a minimum of approx. 950mm in height.

The school is proposed to be a 6-form entry school. The maximum number of pupil roll will be 1,150, with 900 students aged 11-16 and a further 250 students within the sixth form.

The sports/leisure block is a two-storey block located in the southwest of the school site. The block is proposed to be built to the same style and in the same palette as the main school block.

Access to the school building and the sports block will be from Frindsbury Hill and will take the form of a signalised junction, which will be provided with a central island to restrict vehicles turning right into the site. Right turners will turn back on themselves at the Sans Pareil roundabout to gain access.

A car park will be provided to the north of the main school building, providing 105 car parking spaces including five disabled spaces. There will also be provision for 10 electric vehicle charging bays, located around the perimeter of the car park. The scheme includes the provision of a drop-off area located near to the main school entrance which can accommodate at least four vehicles at any one time. This will also be used as a service pull-in for kitchen deliveries and refuse collection.

Residential Development

The outline aspect of this hybrid application relates to the proposal for up to 181 residential units, partly within the quarry infill area of the site, partly within the areas to the north of the quarry, behind the properties located on Frindsbury Hill. There is one element of this proposal that is set out in detail as a reserved matter and that relates to the access off Frindsbury Hill. This access will serve some of the proposed housing but also will be the main access to the school.

The residential aspect of this proposal is shown to be accessed off Parsonage Lane also, however this second access is not detailed within this outline application and will be part of a reserved matters application at a later date.

The **indicative** schedule of housing below that has been submitted as part of this application demonstrates the breakdown/variety of accommodation that could be accommodated on the site.

Maisonettes	20	(8 x 1 bed and 12 x 2 bed)
Flats	30	(18 x 1 bed and 12 x 2 bed)
Houses	131	(25 x 2 bed, 79 x 3 bed and 27 x 4 bed)

Parameter plans set out that the housing is to be 2-3 storeys in height with the apartment blocks to be either 3- or 4-storey. These are to be located closer to the school.

This aspect of the scheme will also have character areas, which is to consist of a variety of areas which will respond to their surroundings. The aim, through the parameter plans, is to achieve local distinctiveness through the use of materials, street design, scale and form and landscaping.

The residential area will feature a landscaped tiered bank, which is to preserve long range views of the Listed Barn as well as incorporating a SuDS feature and open space for the residents. In total there are to be 6 areas of open space (set out on the landscape parameter plans), the largest of which will reflect the characteristics of the quarry.

Site Area/Density

Whole Site

Site Area: 17 hectares (42 acres)

Site Density: 10.65 dph (5.6 dpa)

Outline Residential Site ONLY

Site Area: 6.61 hectares (16.33 acres)

Site Density: 27.4 dph (11.1 dpa)

Relevant Planning History

MC/21/0303

Listed building consent for the part conversion and extension of Manor Farm Barn to a wedding venue and conference facility including conversion and extension of former cattle byres to provide overnight accommodation; detached building for management facilities and the construction of a new building to provide additional tourist accommodation with vehicular and pedestrian access from Berwick Way, car parking, landscaping and other associated works.

Decision: On this agenda

- MC/20/2806 Variation of condition 1 (Time 6 years) on MC/20/0482 – To amend the requirement for the discontinuation of the infilling operation does not fall until 31st December 2024.
Decision: Approval with conditions
Date: 7 April 2021
- MC/20/0482 Variation of conditions 19 (hours infilling) and 20 (loading/handling etc) of planning permission MC/10/2068 – condition 19 to amend the infill activity hours and shall only operate between the hours of 08:00 to 17:30 Monday to Friday inclusive, 08:30 to 13:00 hours on Saturday and no works on Sunday or Bank/Public holidays and condition 20 no goods will be loaded/unloaded stored or otherwise handled and no goods vehicles shall arrive or depart, within the application site outside the hours of 08:00 to 17:30 hours Monday to Friday, 08:30 to 13:00 hours on Saturdays or at any time on Sundays or Public/Bank holidays.
Decision: Approval with conditions
Date: 17 July 2020
- MC/19/2979 Town and Country Planning Act (Environmental Impact Assessment) Regulations 2017 - request for a scoping opinion for the proposed development of a secondary school, up to 200 dwellings and restoration of a Grade I listed building to form a wedding and conference facility.
Decision: EIA Required
Date: 17 December 2019
- MC/18/3446 Variation of conditions 19 and 20 of planning permission MC/10/2068.
Decision: Approval with conditions
Date: 26 March 2019
- MC/18/3570 Details pursuant to condition 6 on planning permission MC/18/1235 - Listed building application for the reconstruction and restoration of fire damaged Grade I Listed Manor Farm Barn and an ancillary building (Cowshed).
Decision: Discharged
Date: 11 February 2019
- MC/18/1235 Listed building application for the reconstruction and restoration of fire damaged Grade I Listed Manor Farm Barn and an ancillary building (Cowshed)
Decision: Approved with conditions
Date: 29 June 2018
- MC/18/1234 Reconstruction and restoration of fire damaged Grade 1 Listed Manor Farm Barn and an ancillary building (cowshed) temporary containers for site storage, office and welfare facilities , 2.5m high palisade fencing and car parking area

Decision: Approval with conditions
Date: 29 June 2018

- MC/14/0606 Reconstruction and restoration of fire damaged Grade I Listed Manor Farm Barn and ancillary building (Cowshed), temporary containers for site storage, office and welfare facilities, 2.5m high palisade fencing and car parking areas.
Decision: Approved with conditions
Date: 16 May 2014
- MC/10/2068 Application to infill the existing disused chalk pit and construct a temporary access road.
Decision: Approved with conditions
Date: 18 February 2015
- MC/10/3905 Listed Building application for the reconstruction and restoration of fire damaged Grade I Listed Manor Farm Barn and an ancillary building (cowshed) (Resubmission of MC/10/2065).
Decision: Approved with conditions
Date: 28 January 2011
- MC/10/2070 Reconstruction and restoration of fire damaged Grade I Listed Manor Farm Barn and ancillary building (cowshed), temporary containers for site storage, office and welfare facilities, 2.5m high palisade fencing and car parking areas.
Decision: Approved with conditions
Date: 26 January 2011
- MC/07/2207 Town & Country Planning (EIA) Regulations 1999 for a scoping opinion for the repair of Manor Barn and associated buildings for use as an educational centre; the creation of an ecological reserve in the former chalk quarry; enhanced community facilities and residential development.
Decision: Scoping Opinion Required
Date: 4 January 2008

Representations

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

Sport England, The Environment Agency, Historic England, Natural England, KCC Archaeology, KCC Biodiversity, Southern Gas Networks, Southern Water, Highways England and Kent Police have also been consulted.

63 letters have been received by neighbouring residents. Of these, **49** are objecting to the application. There are **14** letters of support that have been received.

Those objecting to the application have raised the following objections:

- General infrastructure will not cope with this proposal (water/power/medical services)
- Proposals will destroy areas of nature
- Proposals being built on Conservation Area
- Volume of traffic on Frindsbury Hill will increase
- Parking pressures will increase
- New junctions and access will cause problems relating to the Wainscott estate area
- Is school location suitable close to dual carriageway and industrial estate?
- Traffic on Parsonage Lane unacceptably damaged/worsened
- Frindsbury Hill and Parsonage Lane will become a 'rat run'
- School will be in an area of high traffic and air pollution
- Will not be safe for children to play outside
- School height is too much
- School drop off and parking area is insufficient
- Why is school promoting opening date of 2022 already?
- Why is school located at top of site – should be at bottom end away from houses
- School is in wrong area
- Loss of open space
- Diversion of footpaths results in them being downgraded and less enjoyable
- Barn conversion/use will damage the quiet residential neighbourhood
- Barn conversion doesn't respect history/historic importance
- Wedding venue will result in noise from discos/live bands
- Wedding venue not practical in summer due to noise from school and smell from treatment works
- Kitchen in Barn will impact on neighbours (odour)
- Lack of pavements on Parsonage Lane will make it dangerous for dog walkers and general pedestrian use
- Density of housing is excessive
- More housing is not needed in Medway
- Flatted blocks will overlook existing residents of Frindsbury Hill
- Using Parsonage Lane as a temporary access to the barn is not part of the application and is not acceptable.
- Considering the infill is still ongoing this temporary access seems open ended.
- The planning committee must insist that the barn cannot be opened for commercial use until the plans (if approved) have been completed in their entirety - no road, no wedding venue!
- The hours of operation for the barn until 00:00 7 days a week is not acceptable
- Starting at 7am for deliveries too allows the barn to function for too long
- Guests congregating in courtyard is another noise addition not taken into proper consideration
- Quality of peace and sleep will be impacted for residents of Manor House and Manor Farm Cottages – anti social behaviour will be similar to those at Cooling Castle Barn
- The use of the enabling development appears to ensure the Council extract maximum return in terms of school and housing provision.

- How can the proposals be acceptable when the report states that the barn is 'of outstanding significance as one of the most important barns in England, and that it fully merits its Grade 1 listing
- The school, barn redevelopment and housing proposals destroy the conservation area by their very scale, on what is such a significant piece of our local and national heritage
- None of the planning documents gives indication of any attempt to provide an alternative viable future for the barn

The supporting letters state:

- There is a need for a new secondary school in the area
- The Trust of the School proposed are amazing and will be asset to area
- Proposal is a good balance between providing a school and housing and restoring the barn and utilising the space well
- School here will be better – sustainable as children will not have to travel as far
- Great to see how much thought has gone into reducing carbon footprint
- Looks like a fantastic project
- Brings more investment to area, more jobs, more community!

Frindsbury Extra Parish Council have written to make the following comments:

- No objection to the plans for the barn
- No objection in principle for the school but concerns relating to traffic generation and movements at peak times.
- Object to the 181 dwellings as too dense and overdevelopment
- Do not believe that these dwellings are needed to fund barn

The Frindsbury and Wainscott Community Association have commented that:

- Historically this area has always been used as leisure/open space – since 1865 when part of Glebe land was given to cricket club (relocated in 1963)
- Believe the 1992 Medway Towns Local Plan findings are as pertinent now as they were then – where inspector stated area “has a rural charm and if any development were to take place on this land, then it should be for housing relating to the needs of Frindsbury and Wainscott, giving access to the open countryside and making provision for remedying the open space deficiencies of the area”
- As direct result of 1992 Inspector comments ALLI was formed (Hogmarsh Valley).
- Quarry infill was originally not supported due to impact on ALLI and Conservation Area – this is far more of an impact and does not support Council’s Landscape Character Assessment (2011) of the area.
- Any proposals here should ‘protect and enhance distinctive landscaped setting from the Frindsbury Barn and surroundings as viewed from the A289 and wider countryside and seek to unlock the value from Frindsbury pit as a natural feature in the landscape’.
- What constitutes ‘enabling’ development?
- Area allowed to become heavily overgrown and deteriorate in value - refused Village Green status due to misinformation and permissive notices by Church Commissioners.

- Paragraph 194 of the NPPF 2021 states that Local Planning Authorities should assess significance of asset affected by development and employ necessary expertise on the matter. No such exercise has taken place in relation to the impact of the proposals on the conservation area, only the setting of the barn has been considered and the local planning authority has not required the applicant to conduct such an exercise.
- Where is 1996 Designation Report? Council appear to have lost it. Without this initial review of the Conservation Area how can Council assess degree of harm?
- The wholesale development of the open character of this part of the Conservation Area will lead to substantial harm to the heritage asset.
- No weighing up exercise has been done - grounds for legal challenge on this front.
- The local planning authority are stating that the only way of repairing a relatively small proportion of the barn is to undertake enabling works. This despite the barn already being the subject of extensive repair, and its proposed use as a wedding venue and conference facility with the outbuildings being converted to guest bedrooms, a new dance extension for up to 200 guests and an overnight guest accommodation block.
- Allowing enabling development of this scale which will cause substantial harm to the character and appearance of the wider conservation area and an Area of Local Landscape Importance is out of all proportion with what is necessary.
- BNE34 - the local planning authority need to demonstrate that the provision of a new school on this site and the windfall application for residential development are of such importance that they outweigh the policy to preserve the open character of the land.
- Housing land as 'windfall' has not been tested through the Local Plan examination process.
- It is clear that other sites could be available for the school but this one has been selected for convenience despite the fact that the location is not only contrary to all the 'in principle' policies in the Local Plan, but there are outstanding and significant concerns relating to highway safety.
- No details of mitigation in relation to Highway Safety concerns are given.
- There are very serious highway concerns to note - it is agreed that the full impact of development will only be felt when the school is fully occupied. Clearly there are sound and very clear grounds to refuse the applications on highways grounds, a school and housing is not appropriate for the site, but acquisition has gone through to buy the land for a school in any case. This makes a mockery of the whole planning process and the Government's intention for a plan led system.
- The financial contribution towards healthcare is insignificant and does not equate to the service provision required by this development. The modest sum assigned towards health will do nothing to assist – there are no plans for the expansion of the existing surgery and there is no scope for expansion on the site in any case.
- The Association acknowledges that a viable long-term use needs to be found for the barn and given the support of Historic England to its conversion the use as a wedding venue and conference centre has some merit, albeit harm will be caused to this Grade 1 listed structure.

The City of Rochester Society have stated they are concerned about the impact the development will have on the general area of Frindsbury and Strood in relation to the following issues:

- The two main roads (Frindsbury Hill and Berwick Way) are busy roads and already congested. This proposal has implications on air quality and movement of emergency vehicles in the area. Traffic issues here will be exacerbated by proposals.
- The proposal will stretch local services and health facilities even more so than they already are.
- This will result in loss of valuable open space. Currently, a 'wild' peaceful area to walk around.
- The impact on the Conservation Area due to the changes in the setting of the barn and the rural character needs to be fully assessed.
- CGIs are misleading showing houses almost disappearing into the woodland.
- Understand the public benefit but wonder how this outweighs the harm
- Application should exclude the houses.
- Barn should be a standalone application
- There is no public financial information in relation to this proposal and how it all works
- Greater weight must be attached to Heritage
- Access road to barn is an intrusion of a lovely green open space.

A letter has also been received from **Kelly Tolhurst MP** with the following points:

- School is being put in most congested part of constituency
- Serious lack of infrastructure
- Concern over the use of a Hybrid application – is this appropriate?
- Intrusion on the countryside

Sport England have stated that Football Foundation has commented on behalf of the FA so that they are fit for purpose, the pitches should meet the following criteria:

- **Design** - Natural Turf Pitches should be designed by a registered agronomist.
- **Construction** – The construction of Natural Turf Pitches should be project managed or signed off by the same registered agronomist that produced the design.
- **Quality** – Pitches should pass a PQS test to a 'good' standard before they are used. The testing should be arranged via the FA Pitch Improvement Programme.
- **Maintenance** - In order to keep the quality of the pitches, an appropriate maintenance programme is agreed in-line with the design agronomist recommendations

This application appears to be sufficient subject to conditions relating to the above being included on any permission.

The **Environment Agency** have written regarding the three aspects.

In relation to the school, they have stated that there does not appear to be any elevated concentrations of ground contaminants that would impact controlled waters. In

general, there are no objections to this aspect of the application. As a result, conditions are recommended.

In relation to the residential, the desk study (wider site) has indicated the potential for ground contamination to be present and has recommended an intrusive investigation to assess this. The site is above secondary and principal aquifers and within groundwater source protection zone SPZ3 so there may be historic contamination. Given the above, conditions are recommended in relation to these matters.

It has also been stated that there are potential risks associated with piling where contamination is an issue. Conditions relating to piling restrictions are therefore also incorporated.

No comment or conditions are included relating to the barn proposals.

Historic England have stated that both the Barn and Conservation Area are considered to be impacted as the application causes a moderate level of harm. However, against the public benefit (Paragraph 202 of the NPPF) there are several heritage benefits which apply to the weighing exercise:

- Securing the optimum viable use and thus the long-term sustainable future of the barn as a wedding venue which provides for its ongoing management and maintenance
- Providing an enhanced level of public access and opportunities to enjoy and appreciate more of Medway's exceptional heritage through a new use for Manor Farm Barn
- Securing an enhanced understanding of the Manor Farm Barn through a programme of building recording

The proposed conversion of the barn to a wedding venue will contribute to creating a thriving place which celebrates Medway's heritage and its importance as a place in medieval England.

Highways England have stated that they have been involved in exchanges with the applicant's highways advisors in order to obtain the information that they required. Using a new way of working Highways England have assessed the information submitted and have made recommendations in relation to conditions that should be included.

KCC Archaeology recognise the significant below ground archaeological remains as well as the fact this site is within the Frindsbury and Manor Farm Conservation Area and also relates to the Grade I Listed barn. They also have considered the application in three parts.

School – A Written Scheme of Investigation (WSI) has already been prepared by the applicant and agreed with KCC Archaeology. This needs to be formally submitted and agreed with the LPA and shall be conditioned so that it is agreed and carried out in accordance.

Residential – The area of the housing site outside of the quarry infill has retained archaeological potential. Any required archaeological works can be covered by appropriate conditions.

Barn – The understanding of the below ground archaeology suggests that the proposed works will not result in substantial harm to buried archaeology. The new build aspects of the proposal could impact archaeological remains, so conditions are to be put in place to cover this potential.

An overarching condition relating to post excavation works is also considered suitable.

Kent Police welcome discussions with the applicant/agent about site specific designing out crime and have identified some points that need to be looked at within each aspect of the proposal.

Natural England has no objection subject to the appropriate contribution for mitigation measures being secured. These measures include (i) a financial contribution to the SAMMs scheme, (ii) an appropriate assessment being made in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended).

KCC Ecology has reviewed the ecological information and have advised that sufficient ecological information has been provided and has recommended conditions to be placed on any permissions going forward.

Southern Gas Network have advised that if the maps show that the development is within low/medium/intermediate pressure gas mains, there should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above, or within 3.0m of an intermediate pressure system.

Southern Water Services have stated that the proposal is within 500m of a Wastewater Treatment Works (WWTW). As such it should be ensured that no sensitive development is located within the 1.5 OdU contour of the WWTW. It is noted that after the applicants have carried out an Odour Assessment Southern Water have objected, however close study of the assessment shows that the development components will be outside of the 98th percentile values.

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 2021 (the NPPF) and are generally considered to conform. Where non-conformity exists, this will be highlighted and addressed in the appraisal section below.

The Medway Landscape Character Assessment, 2011 (the MLCA) is also applicable.

Planning Appraisal

Screening for Environmental Impact Assessment (EIA)

The EIA Regulations set out which types of development may require an Environmental Impact Assessment ("EIA"). Whilst development types listed in Schedule 1 of the Regulations always require EIA, types listed in Schedule 2 could potentially require EIA where the site is in a "sensitive area" or exceeds one of the relevant criteria or thresholds set out in Schedule 2 and has the potential to result in likely significant environmental effects.

In this case, it is considered that the location, scale and nature of the proposed development, notwithstanding the selection criteria in Schedule 3 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, may have the potential to give rise to significant effects on the environment. The proposed development falls within Schedule 2, part 10(b) of the EIA Regulations and is considered to be an Environmental Impact Assessment (EIA) development, as defined by the EIA Regulations. The planning application is therefore accompanied by an Environmental Statement (ES), prepared in accordance with the EIA Regulations.

The accompanying ES has been produced in accordance with the EIA Regulations and best practice guidance produced by the Government and other organisations including the Institute of Environmental Management and Assessment (IEMA). It has been prepared by the agents for this application along with their Consultant Team using information gathered during a formal EIA of the Proposed Development in December 2019 (Reference MC/19/2979).

Background

Manor Farm Barn is a Grade I Listed Building and the entire application site is located within the Frindsbury and Manor Farm Conservation Area. Manor Farm Barn is one of the longest and best-preserved medieval barns in England, measuring approx. 64 metres in length. It dates from around the 14th or 15th Century and was primarily used for storage of crops, probably mostly corn, given its location, but such buildings were frequently used for threshing and maybe other farm work and also for housing animals.

Until recently, the Barn was in a state of disrepair having suffered substantial damage by a fire in 2003 due to antisocial behaviour. The northern end of the Barn that was damaged by the fire was recently restored following the granting of planning permission (ref. MC/18/1234) and Listed Building consent (ref. MC/18/1235) for the reconstruction and restoration of the fire-damaged building, back to its pre-fire condition in 2018. The works involved the use of traditional craftsmanship to ensure the restoration was authentic to its pre-2003 condition to help reveal its significance.

The currently proposed development would only undertake minor restorative and remedial works to the existing, original section of Manor Farm Barn which would ensure its long-term conservation.

The proposed development seeks to bring the Grade I Listed building back into use to secure its long-term future. The restoration and maintenance of a Grade I Listed

building such as Manor Farm Barn has a significant cost and therefore it is essential that a viable, ongoing use for the building and site is delivered to ensure the building can be maintained for future generations. Without this investment the heritage asset could potentially deteriorate further before being lost altogether.

The proposed school and residential development provide this much needed investment in the short term which would allow the applicant to maintain and restore the listed building as well as enabling the additional works to the Barn to convert it to a wedding/conference venue. In turn, the use of the Barn as a venue secures its long-term investment and future which would allow the Barn to become self-sufficient. This is evidenced by the submitted business plan for the Barn.

Also, in undertaking the works to the listed building and enabling future access by the public, the proposal will help to reveal its significance and history and this is a matter of some weight in the balancing process. This would enable future generations to be able to appreciate the Barn and gain an understanding of local, regional and national history that might otherwise be lost or unavailable.

Enabling Development

Enabling development is development that would not be in compliance with local and/or national planning policies, and not normally given planning permission, except for the fact that it would secure the future conservation of a heritage asset. Whilst only applicable in certain circumstances, enabling development can be a useful tool.

Heritage assets are an irreplaceable resource, to be conserved in a manner appropriate to their significance. When considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. With regard to the significance and setting of the heritage assets affected by the proposal, the Council primarily relies upon the expert advice from Historic England, its own Senior Conservation Officer and KCC archaeology. In assessing this application, the Council also takes account of the information about the significance and setting of the heritage assets submitted by the applicant and the responses received from local groups.

Paragraph 208 of the NPPF provides guidance stating that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies, but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

The defining characteristic of enabling development is that it would secure the future conservation of a heritage asset if other reasonable efforts have failed, and the balance articulated in NPPF paragraph 208 is met.

To avoid enabling development being carried out without the heritage benefits (including long-term maintenance arrangements) being achieved, the Council will put in place a legally enforceable mechanism (S106 agreement) under which the relevant funding and works will be carried out.

It is important to remember that the purpose of enabling development is not just to repair the heritage asset, but also to secure its future, as far as reasonably possible. Once repaired, proper and regular maintenance should ensure no further enabling development will be required.

Principle

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.

Whilst the site adjoins the rear boundaries to the residential properties on Frindsbury Hill and Parsonage Lane, the site itself is outside of the Strood urban settlement area. This application site sits within the Manor Farm Barn and Frindsbury Conservation Area, the Hogmarsh Valley Area of Local Landscape Importance (ALLI) and is also classified as Grade 2 and 3a agricultural land.

As a site located within the countryside, the principle of the proposed development would fall outside of the development strategy as set out in the Local Plan, which directs development to brownfield sites. Policies S1 and S2 of the Local Plan seek to prioritise development within the existing urban fabric and then strategically sustainable development using a sequential approach to location. Policy BNE25 of the Local Plan directs that development in the countryside will only be permitted on a site allocated for that use; development essentially demanding a rural location, or the re-use or adaption of an existing built-up area.

The site is not allocated for housing or any redevelopment within the Local Plan. The proposal includes development of an agricultural field. 'Agricultural land' is excluded from the definition of 'previously developed land' in Annex 2 of the NPPF and as such the site is a greenfield site. A key element of national housing policy within the NPPF is to minimise the loss of greenfield sites for residential use by making the best use of development opportunities within existing urban areas.

It is in considering these Local Plan policies that the proposal, as development for a new school and residential dwellinghouses on an unallocated greenfield site is in principle unacceptable. It would be deemed contrary to the strategic direction of the Local Plan highlighted in Policy S1 and S2 which direct development to brownfield sites, then sustainable sites, and are supported by Policy BNE25 of the Local Plan that restricts development in the countryside.

However, it is acknowledged that the Local Plan is of some age, being adopted in 2003; the Council does not currently have a five-year land supply; and as of the 2020-21 Housing Delivery Test, the Council had only delivered 55% of its target number of dwellings in the preceding 3 years.

The NPPF seeks to pursue sustainable development, (including countryside sites where appropriate), in a positive way through a presumption in favour of sustainable development, unless the policies within the NPPF provide clear reasons for refusing

development, or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits (paragraph 11).

The NPPF also provides a narrative in terms of housing proposals for the rural area at Paragraph 79, which states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

Paragraph 95 of the NPPF states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. Sub-section (a) of paragraph 95 of the NPPF states planning decisions should give great weight to the needs to create, expand or alter schools.

In determining whether the principle of this proposal is acceptable, it will be important to assess the matter of sustainability within the planning balance giving significant weight to the benefits the proposal brings to the delivery of much needed housing to contribute towards the five-year land supply, the delivery of a new educational facility and securing the long-term future of a Grade I Listed heritage asset.

It should also be noted that as part of the new Local Plan process, this site has been deemed suitable and available for a mixed-use development of housing and education through Medway Council's Strategic Land Availability Assessment (SLAA).

Agricultural Land

Defra's MAGIC Agricultural Land Classification map shows the site to be classified as Grade 2 (very good quality) and 3a (good quality) categories.

Paragraph 174(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...*'

Footnote 58 of the NPPF states that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.

Natural England states that 'High quality agricultural land is valued because of its important contribution to food production, and it also offers much greater potential than poorer land for growing alternative fuel/energy crops'. Natural England observes that land protection policy 'is relevant to all planning applications, including those on smaller areas but it is for the planning authority to decide how significant are agricultural land issues ...'

Whilst at Grade 2 and 3a the land is defined as the 'Best and Most Versatile agricultural land' in accordance with Annex 2 of the NPPF, none of the land within the application site is currently in agricultural use. This does not however, detract from the agricultural

value of the land and it is acknowledged that the proposals for the site in terms of the school and the residential development will result in the loss of this agricultural land.

Considering whether the loss of best and most versatile agricultural land is necessary, it is noted above that Medway's housing land supply requirements are considerable and will certainly require the loss of agricultural land. There is also insufficient brownfield land within Medway to accommodate all, or even the majority of the Council's housing requirement over the coming years.

In considering whether there is alternative lower grade land available, it is noted that the Defra's MAGIC Agricultural Land Classification map indicates that large parts of the land adjoining the Medway urban area are likely to be best and most versatile agricultural land. It is therefore considered unlikely that meeting Medway's housing land supply requirements can be accommodated on agricultural land of Grade 3a or lower.

In summary, given the scale of Medway's housing requirement and taking account of the result of the SLAA process which has deemed the application suitable and available for a mixed-use development of housing and education it is considered that the loss of agricultural land is necessary and that the loss of agricultural land in this instance would not conflict with the objectives of the NPPF as a whole.

Conservation Area and Listed Building Status

The site is within the Frindsbury & Manor Farm Conservation Area. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard be paid to the desirability of preserving, among other things, the setting of listed buildings. Whilst no statutory protection is afforded to the setting of Conservation Areas, paragraphs 194 and 195 of the NPPF require an assessment of the particular significance of any heritage asset that may be affected by a proposal, including by development affecting its setting.

Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Significance can be harmed or lost through the alteration or destruction of a heritage asset, or by development within its setting. Annex 2 of the NPPF defines setting of a heritage asset as, 'The surroundings in which the asset is experienced, recognising that elements of setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance, or may be neutral.'

The proposals to the Barn itself make good use of materials, and historically and archaeologically informed architectural consideration, made in consultation with Historic England and the Council's Senior Conservation Officer, means it will have as little impact as possible, presenting no harm to original fabric. Changes to the setting of the historic Barn have been minimised by siting the residential development and the school to the west of the Barn and the buildings and extensions associated with the Barn make every effort to reflect the history of the place. Any impact on the setting is considered to be outweighed by bringing the building back into use and securing its

future. The proposal is considered to be in accordance with Policies BNE14, BNE17 and BNE18 of the Local Plan and paragraphs 194, 195 and 199 of the NPPF.

Impact on Valued Landscape

Policy BNE25 of the Local Plan states that development in the countryside will only be permitted if it is in accordance with one of seven criteria. This Local Plan policy reflects paragraph 174 of the NPPF. Policy BNE34 of the Local Plan relates to ALLIs and says 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 entire application site is outside the urban boundary and therefore lies within open countryside and in an area designated as an ALLI. The ALLI designation is at the lower end of the landscape designation hierarchy. However, in the preamble to Policy BNE34 of the Local Plan, it states and refers to how there are several areas of landscape (ALLIs) that enhance the local amenity and environmental quality, providing an attractive setting to the urban area and surrounding villages. The ALLIs recognised are described as being significant for, not only their landscape importance but also for other important functions:

- i) As green lungs and buffers, helping to maintain the individual identity of urban neighbourhoods and rural communities;
- ii) As green corridors (or links) for the community to reach the wider countryside;
- iii) As edge or 'fringe' land, needing protection from the pressures of urban sprawl; and
- iv) As habitats for wildlife and corridors, along which wildlife from the wider countryside can reach the urban environment.

Each ALLI within the Local Plan is described providing justification for its designation.

(i) Hogmarsh Valley Location and Character

Undulating, open farm land and distinctive wooded hilltops extending north from Frindsbury and Medway City Estate to Chattenden.

Function

- Forms a green buffer separating and providing an attractive green backdrop for the built-up areas of Medway City Estate, Frindsbury, Wainscott, Lower and Upper Upnor and Chattenden.
- Provide an attractive setting for a major gateway within the borough – the Medway Towns Northern Relief Road, contributing towards a positive image of Medway.
- Connect all ALLIs at Chattenden Ridge, Deangate Ridge and Cockham Farm Ridge.
- Provides an attractive setting for Manor Farm and Upnor Conservation areas.

There has not been a significant material change to the landscape character of the area since the Hogmarsh Valley was identified as an ALLI in the Local Plan in 2003 and subsequently the MLCA in 2011.

The Hogmarsh Valley is also identified as a character area within the MLCA. The MLCA describes the characteristics of the area as a broad valley with open, gently rolling arable farmland and distinctive elevated woodland backdrops (at Tower Hill, Beacon Hill and Chattenden Ridge). The landscape is an established green buffer, which is a distinctive gateway and green backdrop to Medway Towns. The Hogmarsh stream runs along the valley floor and includes small pockets of marshland. There are also detracting features within this area such as the A289 transport corridor and the sewerage works (to the south of the site) which are particularly close to the application site.

The MLCA states that the area retains its rural character, but coherence and overall integrity is disrupted by urban fringe (Wainscott) and military infrastructure (RSME sites at Wainscott and Tower Hill).

The application site is at the edge of the urban settlement of Frindsbury and therefore could be considered as urban-rural landscape. Where development is proposed for urban-rural sites it is important to identify the characteristics of the landscape that assist the process of accommodating change (if possible), whilst maintaining the links with the past and the natural environment. These transitional urban-rural landscapes are the focus of the MLCA.

Despite the presence of some structures that weaken the landscape (RSME buildings and the sewerage treatment works), the MLCA identifies the Hogmarsh Valley as green backdrop providing an attractive setting for urban edges and surrounding settlements and that it has a role as a green buffer separating urban and village settlements at Medway City Estate, Frindsbury, Wainscott, the Upnors and Chattenden.

In summary, the guidelines in the MLCA relating to this development seek to:

- Strengthen the landscape structure by appropriate tree and hedgerow planting;
- Retain views of the wider landscape;
- Realise a green infrastructure vision of multi-functional landscape providing accessibility of urban population into the countryside;
- Improve links between settlements, recreational value and health benefits;
- Flood alleviation and storage in the lower valley;
- Enhance the role of Hogmarsh Stream as a distinctive feature and potential off road route from town into the countryside;
- Explore access, biodiversity, landscape enhancement in the lower valley;
- Protect and repair fragmented landscape, strengthen field pattern network, hedgerows and hedgerow trees, wider field margins, plant woodland, copse and shaws;
- Ensure future development plans for this area respect landscape context by protecting open and retain views of prominent green woodland backdrop;

- Protect woodlands surround, separation and natural rural setting of the Upnors; and
- Protect and enhance distinctive landscape setting for Frindsbury Barn (Grade I Listed) and surroundings as viewed from A289 and wider countryside.

Impact on the Wider Landscape Context

Development proposals to be located within an ALLI should be sited, designed, and landscaped to minimise harm to the areas landscape character and function.

The application site is located in the southwestern corner of the ALLI and comprises approx. 2% of it. The application site is also located to the southwest of the A289 which is a main route through the borough and is a detracting feature of the ALLI. The A289 severs the application site from the majority of the ALLI area to the northeast, east and southeast. The area of the application site within the context of the wider ALLI is quite small. Taking this into account and that the development proposals which involve the construction of the new school and residential development being concentrated to the western area of the application site immediately adjacent to existing built form, and that a substantial area within the east of the application site will be retained as open space, it is considered that the proposal would not substantially encroach into the ALLI in a manner that cannot be mitigated through architectural and landscape design. The siting and design of the proposals have been carefully considered to ensure the development does not materially harm the character and functioning of the ALLI and can meet the guidelines set out in the MLCA whilst also acknowledging the substantial benefits the proposal brings in terms of the contribution to the five-year housing land supply, a new educational facility and securing the long-term future of a Grade I Listed heritage asset.

Change of Use of the Barn

The Grade I Listed Barn has incurred a number of issues over the years, most significant of which was the fire in 2003 as described in the background above.

It has always been the long-term aim of the developers/applicants to bring the Barn back into some form of use, to ensure that the future of the building is secured going forward and to enable the public to benefit from the building as a public space. This aim is something that is fully supported by the Council and Historic England as the importance of this building as a nationally significant building is firmly recognised.

Paragraph 120(d) promotes the use of under-utilised buildings and Policy BNE27 of the Local Plan relates the re-use or adaptation of an existing building in the countryside and states that:

Development involving the re-use or adaptation of an existing building in the countryside will be permitted provided that:

- (i) the building is of a permanent, substantial construction and will not need major or complete reconstruction; and

- (ii) the form, bulk and design of the building will be in keeping with its rural surroundings; and
- (iii) the building's character, any special features of architectural and historic value or its setting are not damaged; and
- (iv) the nature, scale and intensity of the proposed use is not detrimental to residential and/or rural amenity, or the character of the area; and
- (v) the development does not lead to a dispersal of activity on a scale likely to prejudice town or village vitality; and
- (vi) when the re-use is to be residential, then either:
 - (a) it is demonstrated that every reasonable attempt has been made, without success, to secure a suitable business re-use for that property; or
 - (b) the residential element is a subordinate part of the scheme for business re-use.

It is considered that the proposal for the use of the Barn as a wedding venue and conference facility, will meet the relevant criteria set out above. The building is permanent and whilst requires some reconstruction it is not considered to be major reconstruction work. The proposals, for the new build elements and the works to the Barn itself, whilst cause some harm to the special historic value (as assessed below), has been designed to be minimal and to respect the historic character as much as possible. It is considered that the scale and intensity of the use would not have a harmful impact on neighbouring residential amenity (as assessed below) and that the use is appropriate in terms of being viable to secure the long- term future of the Barn. The proposal will enable the building to retain as much of the character and historic significance as possible whilst providing a use that will be able to ensure its future maintenance.

No objection is raised to the proposed use.

Construction of a School

Paragraph 95 of the NPPF states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. Sub-section (a) of paragraph 95 of the NPPF states planning decisions should give great weight to the needs to create, expand or alter schools.

The proposed school is to meet current needs within the borough rather than to serve the growth proposed by the new Local Plan process. The school needs to be located as close as possible to its catchment area for sustainability reasons and its catchment is Strood, Frindsbury and Wainscott.

Demand for year 7 non-selective places has been rising steeply from 2016 and is forecast to continue until at least 2023. Sufficient capacity in year 7 was available in 2019 due to spare capacity in older year groups. Rolls were lower in the past, and so current older year groups are smaller. However, this still left a shortfall in the future.

All other potential sites within that catchment area were considered and dismissed either by the DfE or by the Council. The process that has led to this site being chosen

over others within this locality has ensured that this is the most appropriate site. Other potential land that has been considered are:

Hogmarsh Valley – this site was deemed unsuitable due to the fact that it would have a significantly larger impact on the landscaping of Hogmarsh Valley, it would also set a precedent for development of the Hogmarsh Valley which results in urban coalescence and would also be unsafe as children would have to cross the by-pass

Gravesend Road – this site was deemed unsuitable as it is located within the Green Belt. It is also the furthest geographically from the main catchment area and would therefore be a less sustainable location.

It is accepted that the location of the school in this proposal offers the greatest possibility for sustainable travel for pupils through walking, cycling and by bus.

Given the above, the identified shortfall is planned to be met through the provision of the two new Free Schools; Leigh Academy Rainham, which opened in September 2021 and The Maritime Academy in Strood (subject of this application), due to open in 2022. These will be delivered and funded through the Government's Free School programme. Free schools are new academies, rather than academies which have converted from an existing school.

However, the number of pupils is forecast to exceed current capacity before the free schools open. As an intermediate solution, in 2020 ten existing secondary schools agreed to take bulge classes. In 2021 four schools are admitting another bulge class to meet demand due to the delayed free schools. Without the extra capacity from these bulge classes, and the free schools, there will be a significant shortfall in available places for secondary pupils.

The capacity provided by the new free schools is forecast to be just sufficient for the total non-selective rolls. These figures are based upon the current primary school rolls and approved housing. As further housing developments are approved, there is likely to be an increase in secondary pupil numbers and over time the need for further secondary provision to be created.

Residential Development

The Council cannot demonstrate a five-year supply of housing land sought by paragraph 74 of the NPPF. There is therefore a significant need for new housing in the Medway Area, including affordable housing and as the development proposed would create new housing, the presumption in favour of sustainable development as set out in paragraph 11(d) of the Framework is engaged. Paragraph 11(d)(ii) applies, which states that:

- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:

ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Footnote 8 of the NPPF states that 11(d) also includes for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); of where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 72% of) the housing requirement over the previous three years. As of the 2020-21 Housing Delivery Test, the Council only delivered 55% of its target number of dwellings in the preceding 3 years.

Affordable and Housing Mix

Supported by paragraphs 62 and 63 of the NPPF, Policy H10 of the Local Plan supports a range and mix of house types and sizes where the site is over 0.5ha or 1ha (depending on if rural or urban setting) and the principle of development is acceptable. Policy H3 of the Local Plan also requires a proportion (minimum 25%) of residential developments to be affordable housing where there is an identified need and where the development is of sustainable scale.

In terms of rural sites, substantial scale is defined as:

- (i) in settlements in rural areas with a population of 3,000 or fewer, developments which include 15 or more dwellings or where the site area is 0.5 hectare or more.

As the residential part of this application is submitted in outline form, the mix has not been finalised. However, the submitted Planning Statement gives an indicative mix which includes unit types comprising maisonettes, flats and dwellinghouses, ranging between 1b2p to 4b7p in size. The Planning Statement also confirms 25% of the residential dwellings will be affordable.

This shows a good mix of units can be provided in terms of tenure, type and size and therefore the proposal is considered acceptable and in accordance with Policies H3 and H10 of the Local Plan and paragraphs 62 and 63 of the NPPF.

Heritage Considerations

The application has significant heritage considerations. Part of the proposal relates directly to alterations and the change of use to the Grade I Listed Barn itself, whilst other proposals affect the setting of the Barn. The application site also sits completely within the Manor Farm and Frindsbury Conservation Area.

Paragraph 195 of the NPPF states:

195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the

impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

As a statutory consultee, Historic England have great knowledge and influence when it comes to assessing the overall impact that this proposal will have on the Listed Barn. Historic England have stated that securing the long-term sustainable future of the Barn can only realistically be achieved by providing the Barn with a new use that reduces the risk of anti-social behaviour and allows for increased public access and enjoyment of this important listed building.

Alongside the Council and the applicants, Historic England have been engaged in detailed pre-application discussions around the future use of the barn and the detailed design of the proposals for several years. During these pre-application discussions it has become apparent and accepted, that harm to the significance of the Barn cannot be entirely avoided altogether. A 'no change' option would not generate any heritage benefits for the Barn and thus it would remain at risk, vulnerable to anti-social behaviour and with no realistic solution to safeguard its future.

The Impact of the Proposals to the Barn

Policies BNE14 and BNE17 of the Local Plan relate to development in conservation areas and alterations to listed buildings respectively. Paragraphs 194, 195, 197, 199, 200 and 201 of the NPPF are also relevant. Collectively, these policies seek to ensure the value and significance of the affected heritage assets is understood and taken into consideration when determining applications for planning permission which may result in an impact. The relevant policies seek to minimise harm where possible but recognise that some harm might result in which case it is for the Council to assess and balance the harm against the benefits a proposal may bring.

Policy BNE14 (Development in Conservation Areas) of the Local Plan states: Development within Conservation Areas, or affecting their setting, should achieve a high quality of design which will preserve or enhance the area's historic or architectural character or appearance. The following criteria will be applied:

- (i) materials, features and details of buildings or structures which contribute to the character or appearance of the area should be retained or reinstated; and
- (ii) traditional street patterns, building lines, open spaces and urban spaces, paving and roadway materials, boundary treatments and street furniture should be retained or reinstated; and
- (iii) the scale, height, mass, roofscape, materials, detailing, fenestration, plot width and depth, and visual appearance of new development should be sympathetic with existing buildings and their settings; and
- (iv) trees, hedgerows and open spaces should be retained and protected; and
- (v) hard and soft landscape elements and traditional materials which enhance the area should be utilised.

Proposals should be submitted as full applications when they are within, or would affect, a Conservation Area.

Policy BNE17 (Alterations to Listed Buildings) of the Local Plan states:

Alterations, extensions, conversions or changes of use affecting a Listed Building will not be permitted if they are

- (i) detrimental to the architectural or historic character of the building; or
- (ii) unsympathetic in design, scale, appearance and use; or
- (iii) do not retain original features and materials.

Paragraphs 201 and 202 of the NPPF state:

201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- (a) the nature of the heritage asset prevents all reasonable uses of the site; and
- (b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- (c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- (d) the harm or loss is outweighed by the benefit of bringing the site back into use.

202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

It is proposed to convert the northern 4 and a half bays of the Barn to a wedding venue and to divide these bays from the southern end of the Barn with a glazed screen. An extension against the north-west elevation, to house a function room, and against its northeast elevation, to provide a bar and kitchen area is also proposed.

Also proposed are a new floor down the centre of the unconverted southern bays, and the construction of a new midstray in bay 8. The curtilage listed Cattle Shed would be converted to ancillary accommodation.

The partial conversion of the Barn to a heated and insulated wedding venue would cause some harm to its significance. The reconstructed northern bays replicate the medieval framing and thus the Barn retains a strong agricultural character.

Although altering the character of the Barn from agricultural to partially domestic and so introducing some harm to the significance and understanding of the Barn's historic

functional use, focussing the new uses in the Barn's northern bays, which were rebuilt in 2019, reduces any impact to the Barn's medieval frame.

Partial conversion is achieved by the installation of a glazed screen. This is to provide separation but in a manner that still allows visitors to the Barn an appreciation of the Barn's length. However, just the act of creating a division is considered to be a major intervention and whilst being glazed is still likely to harm the appreciation of the Barn's great length, a key aspect of significance and the architectural value associated with its Cathedral-like qualities. Reflections from the glazing would compound this effect.

The extensions to the western and eastern bays are also likely to add to the overall level harm to heritage significance. However, the extensions have been sensitively designed to minimise harm to heritage significance.

The conversion of the cattle shed to a residential use and the removal of key features in order to achieve this use, would also cause a low level of harm because this would give the formally agricultural building a more domestic character.

The Impact of the Proposals to the Setting of the Barn

Policy BNE18 (Setting of Listed Buildings) of the Local Plan states:
Development which would adversely affect the setting of a listed building will not be permitted.

The design of the proposed farmyard buildings draws on agricultural precedents and would be on the site of now lost farmyard buildings. However, their domestic use and associated landscaping and a car park would cause a low level of harm to the setting of the Barn by contributing to the domestication of its setting.

The proposed residential development and school would urbanise and erode the Barn's rural setting to a degree by bringing the built line of development closer causing harm to its significance.

To minimise the impact of the development proposals on the rural setting of the Barn, the pre-application negotiations focussed on a landscape-led design approach. This coupled with a sensitive approach to the design of new farmyard buildings and landscape proposals for the farmyard, have resulted in the harm to the setting of the Barn being minimised to an acceptable level.

The benefit of the proposed residential development is chiefly about securing a very significant capital sum to fund the conversion of the barn to its optimum viable use. Historic England and the Council are satisfied that the heritage benefit is capable of being secured via a S106 agreement and that some heritage benefit can be delivered early in the development of the wider site, thus reducing risk to the barn at an early stage.

It is also considered that the proposal secures the optimum viable use of the building and that this is applicable in the weighing exercise required by paragraph 208 of the NPPF. Whilst other uses have not been considered, the extensive experience of Historic England with historic buildings leads us to conclude that alternative uses

would be likely to involve a greater level of alteration of the Barn's interior, and thus would be more harmful to its outstanding significance, or would be unviable because they generate insufficient revenue to support the Barn's ongoing maintenance and capital works (e.g. low key storage options).

There are other heritage benefits to account for in the weighing exercise, one of which is providing an increased level of public access to the Barn by opening up an important listed building for the community to engage with and enjoy.

The conversion of the Barn could also make a major contribution to place making and thriving communities by celebrating the area's heritage as a focal point for the community. In this regard it is concluded that this development is capable of making a positive contribution to sustainable communities and their economic vitality (Paragraph 197 (b) of the NPPF).

The harm to heritage significance has been minimised and it is considered that the remaining harm is justified by the heritage benefits of providing a capital receipt from the residential development to secure the future of the Grade I listed Barn by converting it to a wedding venue. The proposal is considered to be in accordance with Policies BNE14 and BNE17 of the Local Plan and paragraphs 194, 195, 197, 199, 200, 201, 206 and 208 of the NPPF.

Archaeology

The proposed hybrid planning application will affect several heritage assets, only some of which are designated. These include significant below ground archaeological remains, the Frindsbury and Manor Farm Conservation Area, the Grade I listed Barn at Manor Farm (NHLE 1204320) and other nearby listed buildings.

The application is accompanied by an Environmental Statement (ES), the preparation of which was informed by a number of specialist studies, including a Heritage Statement, archaeological watching briefs, an archaeological desk-based assessment and an archaeological evaluation (all by the Canterbury Archaeological Trust and carried out in discussion with KCC Heritage Conservation). The ES concludes that the archaeological assets at the site are of high significance and that the site's Palaeolithic and geoarchaeological assets are of very high significance.

After the preparation of the ES further archaeological investigations have been carried out at the school site. The works (which are being undertaken in accordance with a Written Scheme of Investigation (WSI) agreed with KCC Heritage Conservation) involve a combination of further evaluation of the site's Palaeolithic interest and strip, map and sample excavations of an area of Romano-British archaeological activity.

School

A WSI for the archaeological evaluation of the school site and for subsequent archaeological mitigation works has been prepared by the applicant and agreed with KCC Archaeology, the Council's archaeology advisors. Given time constraints and the need to commence development quickly a condition is recommended requiring that works are undertaken in accordance with the submitted WSI.

Residential Development

Part of the proposed residential development site is located on the site of the former chalk quarry that is now being infilled. The excavation of this quarry would have removed any archaeological remains from within its footprint, although there remains some potential for deposits of Palaeolithic interest to survive on the upper quarry margins. The remainder of the residential development site, outside the former quarry retains archaeological potential, but has not to date seen the same level of pre-determination investigation as the school site.

It is recommended that appropriate evaluation and mitigation measures be secured by condition.

The Barn

The proposed development will involve works within the Barn and also in the vicinity of the Manor Farm Barn complex. Present understanding of the below ground archaeology associated with the Barn suggests that the proposed works will not result in substantial harm to buried archaeology.

As well as works to the Barn itself the proposed scheme includes the conversion and extension of the existing cow shed, including a new link building joining with the Barn; the erection of an extension on the west side of the Barn; and the construction of new detached buildings. It is possible that these works could impact archaeological remains and therefore conditions recommended for a programme of archaeological works and agreement of foundation designs. Additionally, a condition requiring historic building recording would be appropriate.

Conclusion to Archaeology

In addition to the suggested conditions, an additional condition is included to secure the proper dissemination of the results of works already completed across the site covering archaeological post-excavation works and publication.

It is considered the archaeological potential for the site has been sufficiently investigated and with the abovementioned conditions relating to all three aspects of the application, the proposal is in accordance with Policy BNE21 of the Local Plan and paragraphs 194, 199-206 of the NPPF.

Design and Detailed Landscaping

Policy BNE1 of the Local Plan requires the design of development to be appropriate in relation to the character, appearance and functioning of the built and natural environment and states that development should be satisfactory in terms of scale and mass and should respect the visual amenity of the surrounding area. The Government attaches great importance to the design of the built environment. Paragraph 126 of the NPPF emphasises the importance of good design and paragraph 130 is key to achieving well designed places.

The Barn

It should be noted that the conversion and extension of the Barn and its proposed design is heavily influenced and led by heritage concerns. The design of the proposed extensions and alterations to the Barn are considered to be in harmony with the historical rural use of the area.

As set out in the Heritage section of this report above, the end user has been the influence of the design from the start of the process. This has determined how the building and the proposed ancillary buildings will look and function. The wedding venue and conferencing centre proposal is something that has also been identified with Historic England as a good and viable use for this building as it will allow for the original Barn to remain in a state that shows off its original features and allows for the internal spaces to be as open as possible.

The contrasting design of the expansion building, and its placement related to the topography, is clearly separate the expansion from the Barn even with their physical connection. Other interventions made to the barn also show a high quality of design that seeks a clear visual separation of the old and the new.

The design of the surrounding buildings is considered to be in accordance with rural characteristics and as proposed, should be carried out in a way that does not overpower the barn in any way. The existing repair works that have been done to the barn in relation to the rebuilding of the fire damaged bays and essential works to the roof is of an exceptional quality and as a result was declared winner in the category of Best Commercial and Leisure project at the Wood Awards 2020 (one of the UK's premier competition for excellence in architecture and product design in wood). Established in 1971, the Wood Awards recognises, encourages and promotes outstanding wood design, craftsmanship and installation. This gives great comfort in relation to the proposed works within this application and there is every confidence that the exceptional quality of the existing work will continue.

Part of the overall design of this aspect of the proposal, and the other aspects equally, is the detailed landscaping that is proposed as part of the scheme. The setting of the Barn is of great significance and bears weight in the overall acceptability of the proposals.

Landscaping for this aspect is detailed and can be considered in three parts; the drive/entrance, the car parking area and the internal landscaping within the courtyard.

The entrance to the site for vehicles will eventually utilise the existing temporary road that is being used for the quarry infill. The landscaping for this area has been designed so that the roadway will become and feel like a minor scale tree lined country lane. The trees proposed for this route are commonly known as 'Cyprus Oak' and are tall and narrow, with a passing resemblance to the Italian Cyprus. These trees are suitable for creating a tree lined country feel (on one side of the road only) without having excessive canopies that could potentially obscure views of the barn as they mature. Buffer planting will remain and be enhanced to the opposite side of the road.

The car park area will contain ornamental tree species as well as meadow mix grassland. This ensures that the hardstanding does not overwhelm the appearance of the area and the setting of the Barn is softened in this direction.

The area in the centre of the Barn and cow sheds will be mainly hardstanding to reflect the courtyard element of this area but will contain amenity planting (including Daisies, Globe Thistle, Goldsturm and English Lavender).

The landscape proposals associated with the Barn are considered to positively contribute to the final setting of the Barn and are acceptable. The final aspect of landscaping and setting to be considered is the area to the 'front' of the Barn – fronting Berwick Way, which is to remain as open/arable land. It is proposed that this area will not be farmed but will remain as important open space. The proposals show this area to be rich grass and wildflower seed mix. This will allow for the main views of the Barn to be viewed within the context of meadows, ensuring the concept of the rural medieval Barn is retained as best as possible.

Overall, it is considered that the landscaping for the Barn area has been designed to ensure that the views of the building are enhanced whilst also ensuring that the future use as a venue for the public is also enhanced and viable with planting that will appear aesthetically appealing to guests.

The School

The proposal for the secondary school holds a quality of design that is appropriate for this location. As a result of the local topography and placement related to proposed residential development and the Barn, the school is in a highly visible position. Extensive care has been taken throughout the pre-application process to ensure that the design coming forward sits appropriately against the boundaries without being too dominant a feature within the wider landscape.

The school site can be considered in two halves: the playing fields and open space to the north and east of the school site and the main school development and general built form to the south and west. Vehicular access to the development is to be from Frindsbury Hill opposite the Sans Pareil public house. Further detail in relation to the access is set out below within the Highways section of this report.

Main School and Built Form

The design concept of the school building comprises a superblock approach which is defined in the Department for Education feasibility "control option" to provide a compact, spatially efficient layout.

A key consideration of the architectural design has been to reduce the mass of the accommodation by separating the sports hall from the main teaching block. This also gave the project flexibility in orientating the block on site. Before settling on the north-south arrangement, different configurations of the sports hall and the main teaching block were explored. Having the two separate buildings gives more flexibility for operation of the community use areas. It also gives a more sympathetic massing to the overall site.

The proposed gross external floor area (GIFA) of the school building is follows:

Ground Floor (split floors): 4,390m²

First Floor: 2,510m²

Second Floor: 2,610m²

TOTAL GIFA: 9,510m²

The chosen approach of footprint, massing and orientation provides the following important advantages:

- The position of the building at the lower end of the site minimises its visual impact in a sensitive setting
- The arrangement and form of the building is sympathetic to allowing views across the site, to and from the Barn and wider conservation area
- A consistent sense of scale is provided by the three-storey teaching block and sports hall, suitable to the nature of the facility.
- The location of the sports hall establishes a form of screening to the main building when viewed from the proposed housing, ensuring a good transition between the scale of the housing and the three-storey school building.
- The proposed building will be set well back from the road, behind the existing and some of the proposed housing (phase 1) and existing and proposed trees will ensure having limited visual impact on the street scene.

The design of this block and sports hall aim to maximise the use of masonry as an appropriate expression of the bold rectilinear form of the main school building with reference to military and dockyard heritage. Keeping the colour of the brickwork tones lighter helps to offer a lighter and more welcoming feel.

The three-storey teaching block allows the three identical college clusters to stack vertically to the south, with the various practical teaching spaces arranged around the other sides of the block. The interior of the school building is designed to be functional, bright, robust and attractive and promote a sense of light, space, calm and order. Post 16 areas (sixth form) are integrated into the general accommodation.

A large and attractive central dining 'Heart Space' is incorporated to the north end of the teaching block, open to the surrounding circulation at all floor levels. The space is triple height with extensive roof-lights giving generous levels of daylight. Distributed staff offices and workrooms maximise passive supervision on the ground floor. There is an additional 'Heart Space' at the southern end of the teaching block which will operate as the main hall which will have retractable bleacher seating so that the space can be used to its full potential (subject to the required use).

The building would have large window areas with high head heights to optimise daylight to the rooms. The teaching spaces have been carefully considered and co-ordinated to optimise the learning environment and ensure balancing daylighting and glare control, thermal mass and passive cooling and natural ventilation with mechanical heat recovery.

One of the core principles of the NPPF is to secure a high-quality design. While the proposed building would have a relatively large form, the architectural detailing and material strategy are designed to break down the massing of the school building in this sensitive location. The high-quality palette of materials would give the building an elegant brickwork feature and dark stained timber elevations.

The proposal would facilitate the creation of attractive elevations to the individual elements of the buildings which would serve to reduce their bulk and utilitarian appearance. To ensure that the external materials are of high quality a condition is recommended which safeguards the use of agreed materials as submitted within a materials schedule (dated 24 June 2021).

Playing Fields and Open Space

The manipulation of ground levels and setting of the buildings floor level allows for the school's roofline to merge into the existing wider views of the site and the additional proposed tree planting (along with the retained tree cover) ensure that there will not be any long views of (what could be a very dominant) building. These same ground level manipulations allow for level playing fields to be provided.

The open/outdoor spaces support both formal and informal use across the curriculum areas. The playing field area has been located to the north and east of the site with minimal tree planting to allow for the space to remain as open as possible, blending with the adjacent meadow of the open space adjacent (within the Barn site).

Courtyards and informal hard spaces throughout the school site create usable outdoor spaces for students including a covered outdoor dining space.

The 3 court Multi-Use Games Area (MUGA) has been integrated entirely within the retained mature hedgerow. It is considered that this location ensures that no harmful visual impact on the Barn occurs.

The proposal is considered carefully and sensitively designed without harm to the setting of the Grade I Listed Barn or to the wider conservation area and ALLI. The proposal is considered to comply with Policies BNE1, BNE12 and BNE18 of the Local Plan and paragraphs 126, 130, 174, 189, 195, 199, 200 and 201 of the NPPF.

Residential Development

Given that this part of the application is outline and the design and appearance of the proposed residential units have not been submitted for consideration, the design of the scheme cannot be fully assessed at this stage. This will be considered as part of the reserved matters applications that will follow should planning permission be forthcoming. However, it is considered that the illustrative layout plans and landscaping plans submitted demonstrate that it is possible to achieve an acceptable layout and design for the number of units proposed.

Parameter plans have also been submitted as part of this proposal that set out:

- Ground levels and building height
- Access strategy

- Residential character zones
- Landscape masterplan

The heights of the outline scheme are set out within 17 zones (A-Q). Generally, these are all 2, 2.5 or 3 storey zones. Zone D is the exception which is shown to be a 4-storey zone. This is within Phase 1 (non-quarry) and will potentially be a flatted block. The location of this block here will potentially transition between the existing Frindsbury Hill buildings and the school, ensuring a residential buffer between the two of a scale that is acceptable, given the distancing. This height is also shown to then tier down toward the Frindsbury Hill access with zones C and B being 3- and 2-storey respectively.

The Residential Character Zones parameter plan shows 4 main character zones within the scheme along with 3 gateways in the site and 2 feature nodes. The character zones shown are home zone/mews; parkland frontage; school approach and existing character. Separating the site into these zones allows for variation within the development whilst maintaining similarities and fluidity. This allows for a visual flow through the site and helps to secure the Barn's setting.

The application indicates some open space throughout the residential development but being an outline application, does not provide details on the different typologies and areas such as whether they are amenity space, play space for example. A development of this size should provide a minimum of a Locally Equipped Area for Play (LEAP) within the site to standards based in Fields in Trust Guidance. A buffer zone of 10m minimum depth normally separates the activity zone and the boundary of the nearest dwelling and a minimum of 20m should normally be provided between the activity zone and the habitable room façade of the nearest dwelling. It is recommended that a condition be attached to ensure play space is designed in and submitted as part of reserved matters applications.

The Access Strategy plan shows the principal road and pedestrian routes through the site. Whilst the access on Frindsbury Hill is detailed (and within the school site) the other points of access are also demonstrated. The purpose of this parameter plan is to show the route of the principal roadway, which allows for key views of the Barn to remain from outside the site. The roadway from Parsonage Lane creates a direct view to the southern end of the Barn whilst the open space between the housing and the rest of the development allows for views from the public footpath.

It is considered that the proposal for up to 181 residential dwellings could adequately be accommodated on the site in a manner that is in accordance with Policy BNE1 of the Local Plan and paragraphs 126 and 130 of the NPPF.

Amenity

Policy BNE2 of the Local Plan 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 130 of the NPPF requires that development functions well over its lifetime and provides a high standard of amenity for neighbours.

There are two main amenity considerations, firstly the impact of the proposed development on existing neighbours and secondly the living conditions which would be created for potential occupants of the residential part of the development itself.

The Barn

The physical alterations, extensions and new build elements that are proposed for the Barn are sited so that there will not be a detrimental impact on existing neighbours in terms of loss of outlook, daylight, sunlight and privacy.

The use as a wedding venue/conference centre will result in the increase in noise levels due to the fact that with wedding receptions there is likely to be live music and/or DJs/Discos. There will also be the addition of noise generated from guests milling outside and comings and goings from the venue.

Whilst these are recognised potential problems, the change of use has been designed with these elements in mind. The findings of the acoustic assessment that has been submitted with the application takes account of the internal alterations which include changes to the roof build-ups within the rebuilt area and external walkway layouts. The main access route and exit for the dance hall is located within the northern façade, away from the residential areas.

The use of the Parsonage Lane entrance as a temporary measure whilst the quarry infill is ongoing is noted and increases vehicle numbers in the short term. However, it is not considered that this will cause detrimental harm to the enjoyment of the neighbouring properties, particularly given that it is a temporary arrangement. To ensure that movements are restricted in the long term and to ensure no detrimental impact from noise and disturbance from the visitors to the Barn, it is considered appropriate to incorporate conditions that will restrict hours of operation for the venue along with restrictions on deliveries and servicing vehicles.

Subject to the imposition of the suggested conditions it is considered that the Barn proposals would not result in an adverse impact to neighbouring residential amenity and is considered acceptable in this regard.

The Barn proposals will improve the setting of the neighbouring properties as they are currently adjacent to a derelict building with unkempt surrounding grounds. Bringing the Barn into use for public enjoyment results in an improvement to overall visual amenity of the area and will become an asset that local residents can be proud of.

The location of the visitor car park is such that it will be sufficiently distanced from the existing houses but also best positioned in relation to the new proposed dwellings. The car park is separated by the access road, open space and structural planting. All of which will help to physically distance the parking as well as acting as a buffer.

How the Barn and car park is to be lit up is also a consideration regarding the impact on amenity to neighbouring and future residents. The scheme will have soft external lighting to ensure the setting of the Barn and existing and proposed neighbours are not adversely impacted by it. A condition relating to the details of the lighting for the Barn is suggested to ensure that amenity is protected.

The proposals for the Barn are considered acceptable and in accordance with Policy BNE2 of the Local Plan and paragraphs 130 and 185 of the NPPF.

The School

The proposed school building would be sited well away from the nearby residential properties and as such, there would not be any detrimental impact in terms of loss of daylight, sunlight, outlook and privacy to the occupiers of these properties.

With regard to noise, the application has been supported by a noise assessment report. There is the potential for there to be an impact upon residential amenity from the use of the school's sports pitches. To minimise harm from noise through the use of the pitches to the occupiers of the existing and future properties, a condition is recommended restricting the hours of use of the pitches. Conditions are also recommended to ensure adequate noise mitigation measures are incorporated into the fabric of the building.

In relation to the sports provisions on site, the pitch areas and MUGAs are not located directly adjacent to the residential dwellings (existing and proposed) and will therefore not cause problems in relation to balls leaving the school site.

The sports pitches are also shown NOT to have flood lights. This is to ensure that the neighbouring residents are not impacted by unacceptable light levels. There are also implications relating to the impact of flood lights on the setting of the Barn and the appearance of the ALLI. A condition is recommended that restricts floodlighting at the school site.

It is considered that subject to the suggested conditions, the proposal would not result in a detrimental impact on the amenities of the nearby residents and the proposal would be in compliance with Policy BNE2 of the Local Plan and paragraphs 130 and 185 of the NPPF.

Residential Development

The closest residential properties to the proposed new housing all back onto the application site and are in Parsonage Lane and on Frindsbury Hill. As this application is in outline form it is not possible to give exact details of distancing of the back-to-back arrangement of the houses. However, it should be recognised at this stage that there is to be a landscape buffer around the perimeter of the application site, which will help mitigate against perceived loss of privacy from overlooking and general disturbance.

Given that the abutting residential properties are part of the existing urban fabric of the borough it is recognised that there is already an element of general noise disturbance relating to general activity and road noise found within urban settings. Whilst the proposals will increase levels of activity due to an influx of residents to the area, it is not considered that this would be significant and harmful in terms of any impact on existing residential amenity.

In terms of the amenity of future occupants it is expected that proposals submitted as part of reserved matters applications will show dwellings that meet the Nationally Described Space Standard for internal floorspace and the garden depths and/or additional internal space for flats to meet the Medway Housing Design Standards (MHDS) where applicable. The parameters for building heights are set out within this proposal and no objection is raised at this stage in this regard.

The proposal is considered acceptable with regard to the residential development element of the proposal both in considering the impact on existing and future occupiers. The proposal is in accordance with Policy BNE2 of the Local Plan and paragraph 130 of the NPPF.

Given that construction work in relation to aspects of this application can potentially harm residential amenity, it is recommended that conditions be attached to secure details of Construction Environmental Management Plans (CEMPs).

Odour

The application site is located to the east of Whitewall Creek wastewater treatment works (WwTW). An Odour Constraints Assessment has been submitted with the application. The potential odour impact has been quantified by dispersion modelling using a precautionary approach and model inputs applied as part of an assessment. Odour emission rates from assets at the Whitewall Creek WwTW were determined with reference to an odour monitoring survey conducted in 2019 as well as emission rate estimates published by UKWIR.

The odour modelling identified that the standard operation of the Whitewall Creek WwTW has been compared against the odour impact criterion ($3 \text{ OU}_e \text{ m}^{-3}$) for high sensitivity receptors (residential and the school) and $5 \text{ OU}_e \text{ m}^{-3}$ for medium sensitivity receptors (the events venue, public open space and sports pitches).

When considering the indicative site layout, the results of the dispersion modelling indicate high sensitivity receptors are to experience odours from the Whitewall Creek WwTW below $3 \text{ OU}_e \text{ m}^{-3}$ and the medium sensitivity receptors are predicted to experience odours at concentrations below $5 \text{ OU}_e \text{ m}^{-3}$.

In accordance with the IAQM guidance, the predicted effect of odours from the Whitewall Creek WwTW is considered 'not significant' at all sensitive receptors proposed and is therefore considered to comply with Policy BNE2(ii) of the Local Plan and paragraph 174(e) of the NPPF.

Flooding and Drainage

Flood Risk Assessments and Drainage Strategies (Ambiental Environmental Assessment) has been included within the Environmental Statement (DHA, January 2021) and has been assessed in the context of the initial and amended design submissions with regard to Policy CF13 of the Local Plan and paragraphs 166 and 168 of the NPPF.

The site is situated within Flood Zone 1, within close proximity to areas of higher flood risk, with a small area of low surface water flood risk and a small area of overland flow which will mainly affect the school site.

It is recognised that the associated Drainage and Flood information divides the site in to two areas, the school site and the wider development area. Therefore, to ensure that this has been fully assessed, the sites have been divided up for consideration.

The School

The drainage proposal for this site seeks the use of two attenuation basins which will drain to the soakaway. Although this will be refined at the detailed design stage it is understood that this is the most suitable option for the site.

Table 5 of the submitted document highlights that six methods of SuDs are proposed to be used for the site; this will need to be confirmed within the subsequent condition discharge details.

Infiltration testing carried out shows that rates 5.35×10^{-4} and 6.18×10^{-4} . This has been justified in the context of the depths of testing, however, further testing to BRE 365 will need to be undertaken at detailed design stage to confirm or deny the appropriateness of infiltration.

The principle of the proposal is acceptable, however at the detailed design stage this will need to be refined. It is recommended that conditions are included to ensure the detailed design is submitted for approval.

The Wider Area

It is recognised that this element forms the outline portion of the application. The submitted drainage strategy highlights that the primary proposal would be through soakaway and connection to the existing network as required. The alternative scheme highlights a new connection which would discharge directly into the White Wall Creek. At this stage early discussions have been held with Southern Water, but further discussions and detailed modelling are required for the reserved matters stage.

The principle of the proposal is acceptable however this will need to be refined within subsequent reserved matters applications and conditions are recommended to ensure detailed modelling and designs are submitted for approval.

Subject to the suggested conditions, the proposal is considered to be in accordance with Policy CF13 of the Local Plan and paragraphs 166 and 168 of the NPPF.

Ecology

Paragraph 174 of the NPPF advises decisions should contribute to and enhance the natural and local environment. Protecting and enhancing biodiversity and minimising impacts on and providing net gains for biodiversity is encouraged. Paragraph 180 of the NPPF sets out the principles to follow with regard to biodiversity advising if significant harm to biodiversity resulting from a development cannot be avoided

(through locating on an alternative site with less harmful impact), adequately mitigate, or, as a last resort, compensated for, then planning permission should be refused.

Protected Species

The ES contains a chapter related to ecology. Reptiles have been found on the site that are classed as protected species and it is proposed to translocate these to a receptor site. The habitat at the receptor site is considered acceptable.

Bats have also been found at the application site, at the Barn. As a protected species, mitigation measures as proposed in the submitted documents will need to be implemented to ensure no detrimental harm to bats. The mitigation measures include provision of replacement bat roost opportunities/access, provision of alternative roost space during construction works and appropriate lighting and retention of flight lines. A CEMP has also been submitted with regard to mitigating against the impact of construction on ecology. It is recommended that a condition be included to ensure the CEMP is implemented.

The applicant will require a licence from Natural England to carry out the proposed development and it is recommended that the need for this be included on the decision notice as an informative.

It is noted that there are habitats for breeding birds present on and around the site and that as a result, any works to vegetation and/or structures should be carried out outside of the bird breeding season. An informative is recommended to draw the applicant's attention to this.

Biodiversity

A detailed Landscape and Ecological Management Plan (LEMP) has been provided, which includes appropriate management of retained/created chalk grassland, native hedgerow/tree planting and a 10-year management plan.

However, the LEMP includes the use of herbicide. There is rarely a good reason to use glyphosate-based herbicide in a natural landscape and it has adverse effects on porous-skinned organisms (such as amphibians and insects), as well as adverse impacts on human health. Herbicide should be omitted from the plan (or at least replaced with a less-harmful, glyphosate alternative) and as such a condition is recommended for a revised LEMP.

As mentioned above, a CEMP has also been provided, which cites the provision of enhancements, such as 90 Swift boxes and bat boxes integrated into the new builds, hedgehog gaps in close board fencing and "Gabion baskets filled with chalk spoil or spoil mounds" (to benefit invertebrates). These measures are supported and are to be secured by condition.

The NPPF paragraph 174(d) states that planning decisions should minimise impacts on and provide net gains for biodiversity and paragraph 179(b) states that plans should secure measurable net gains for biodiversity. Further, the Government set out its commitment to achieve Biodiversity Net Gain within its 25 Year Environment Plan,

which will be mandated within the upcoming Environment Bill. The Environment Bill is likely to require all future schemes to deliver a mandatory 10% biodiversity net gain. It is recommended that a condition be included in relation to the school site and the residential development to seek to secure upto 10% biodiversity net gain across these areas of the application site.

With the use of the suggested conditions, the proposal is considered in accordance with Policies BNE38 and BNE39 of the Local Plan and paragraphs 174, 179 and 180 of the NPPF.

Medway Estuary and Marshes Special Protection Area (SPA) - Bird Mitigation

As the application site is within 6km of the North Kent Marshes SPA/Ramsar Sites, the proposed development is likely to have a significant effect, either alone or in combination, on the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites from recreational disturbance on the over-wintering bird interest. Natural England has advised that an appropriate tariff of £250.39 per dwelling (excluding legal and monitoring officer's costs, which separately total £550) should be collected to fund strategic measures across the Thames, Medway and Swale Estuaries. The strategic measures are in the process of being developed, but are likely to be in accordance with the Category A measures identified in the Thames, Medway & Swale Estuaries Strategic Access Management and Monitoring Strategy (SAMM) produced by Footprint Ecology in July 2014. The interim tariff stated above should be collected for new dwellings, either as new builds or conversions (which includes HMOs and student accommodation), in anticipation of:

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

The applicants have agreed to this tariff and it would be secured as part of a S106 (see below). The proposal is in accordance with Policies S6 and BNE35 of the Local Plan and paragraphs 180 and 181 of the NPPF.

A decision from the Court of Justice of the European Union detailed that mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a full 'appropriate assessment' is needed under the Habitats Directive. Given the need for the application to contribute to the North Kent SAMMS, there is a need for an appropriate assessment to be carried out as part of this application. This is included as a separate assessment form.

Highways

Existing Highway Situation

The site is located approximately 1.4km northeast of Strood town centre and currently comprises open agricultural land, a Grade 1 Listed Barn and a former quarry which is in the process of being filled. The site is bound to the north by the A228 Frindsbury Hill and residential development, to the east by the A289 Berwick Way and agricultural fields, to the west by residential development and Parsonage Lane and to the south by Manor Farm Cottage, Parsonage Lane and Medway City Estate.

The A228 Frindsbury Hill routes in a northeast / southwest alignment across the northern boundary of the application site. This road is predominantly formed of a single carriageway, measuring approximately 6.0m in width. Frindsbury Hill is subject to a 30mph speed limit and is provided with footways and street lighting on both sides of the carriageway. A speed camera is located approx. 300m west of the Sans Pareil roundabout.

A segregated footway / cycleway is provided along the southern side of Frindsbury Hill and on the western side of Berwick Way. This provision continues into the industrial estate to the south of the site and to a point approx. 150m west of the Sans Pareil roundabout.

West of the footway / cycleway on Frindsbury Hill footways are provided on both sides of the carriageway, providing continuous pedestrian access towards Strood. A toucan crossing is provided close to where the footway / cycleway facility ends. A zebra crossing is provided on Frindsbury Hill, approx. 365m to the southwest of the existing site access, and immediately adjacent to the junction with Parsonage Lane. Just north of the Anthony's Way roundabout a staggered toucan crossing is provided, connecting each side of National Cycle Route 1.

The closest bus stops to the site are currently located on the A228 Frindsbury Hill, approx. 90m west of the Sans Pareil roundabout. From these stops a number of services can be accessed to the wider Medway network.

Strood Railway Station is located approx. 1km to the southwest of the site as the crow flies. From the northern end of the site this equates to an approx. 17-minute walk or 4-minute cycle. Bus route 191 also provides access towards the station. Strood Railway Station operates both Southeastern and Thameslink services and also provides access to High Speed 1. Each hour 12 services depart the station to a range of destinations including London St Pancras, London Bridge, Ebbsfleet International, Gravesend, Faversham, Dover Priory, Ramsgate, Luton, Maidstone and Tonbridge.

Accident Data

The Transport Assessment has reviewed the accident data provided Medway Council in the local vicinity to identify any potential areas of concern. In total 39 incidents were recorded with a breakdown on the incidents then provided. Whilst concerns would be noted that the significant increase in traffic could lead to a detrimental impact on highway safety, it is noted that pedestrian crossing, which was the subject of three incidents, is to be improved as part of the mitigation for this development.

The Barn

For this aspect of the proposal, the vehicular access would be via Berwick Way, using the existing junction used to accommodate the lorries to infilling the quarry. Pedestrian and cycle links are provided to the south and east of the Barn site to facilitate access for those travelling by alternative means to the private vehicle.

In terms of the use as a wedding venue/conference centre, the applicants have indicated that a total of 75 parking spaces would be provided. It is considered that the parking provision is acceptable.

Within the TRICS system, wedding venues/conference centres have no database, the applicants have provided a first principles approach which is as follows:

- All of the Accommodation is full (15 rooms).
- There will be six office staff and half of which will drive.
- The venue will attract 150-day guests and 50-evening guests (200 total guests).
- Catering staff will number 6 cooks and 8 service staff, half of whom will drive to the site individually.
- Given the location of the site, it is noted that the majority will drive to the site or be dropped off by mini-bus, coach or taxis.
- Bridal Party will arrive between 0900 to 1100 and guests will arrive for the ceremony at 1230 and those arriving for the evening at approximately 1900; The venue will operate until approximately 0000 to 0100.
- Staff will arrive before the wedding party and will depart once the event is over, with a changeover of staff in the middle of the day.
- It is assumed robustly that for a wedding three guests will travel in each car. It is assumed that 25 percent of guests (50 people) travel by taxi, this generates a total of 17 taxis (50/3) and 50 cars (150/3). This equates to a total of 84 vehicle trips to the site (17+17+50) and 84 vehicle trips from the site each day.
- This figure assigns two trips for guests arriving at the site by taxi and two trips for those departing by taxi. This level of trips shows that a trip rate of approximately 0.84 per guest (168/200) is likely at the site during wedding events.

Reservations would be outlined with the methodology, for example only half the catering staff would drive individually and the assumption that three guests will travel in each car. However, given the peak hours of a wedding event are outside of the peak traffic hour, it is not considered that the above concerns would materially impact the highway network.

It is noted that given the applicants have also listed the site as a “conference centre” it would have been expected that an assessment be carried out for this land use too, given that this would likely impact highway function during its peak hours. However, the frequency of this use is somewhat unknown.

Given the nature of the proposed main use of the Barn as a wedding venue, it is considered that visitors will be less likely to be travelling from the local area and therefore these have been distributed to and from the strategic highway network. 50 percent of trips have been distributed towards junction 1 of the M2 via the A289 Wulfere Way and Hasted Way. The remaining 50 percent have been distributed towards the M20 via the A228.

The School

In relation to the school element of this proposal, for students, it is considered the existing pedestrian infrastructure is of a sufficient standard to aid movements to and from the school.

With regards to the new access on Frindsbury Hill, the applicants have outlined this would be done via a signalised junction, with a central island to restrict vehicles turning right into the site (with right turners travelling around Sans Pareil roundabout and then left into the site). It should be noted that as part of the Housing Infrastructure Fund (HIF) project, improvements have already been designed for the Sans Pareil junction and this development will build on those foundations to deliver a scheme that can accommodate the demand generated from the development.

The applicants have been closely working with the Council's Transport consultants in relation to the HIF project to prepare a design that can function with the HIF proposals (drawing number 21023/003 Rev F). However, they have also designed a scheme that if the HIF project was not implemented, a mitigation scheme could be delivered separately (drawing number 21023/005 Rev B).

The applicants have outlined that pedestrians would be encouraged to make use of a separate main gate which leads to either the sports centre, or the main building. In terms of the internal layout, the design attempts to avoid pedestrian and vehicle movement conflicts and only proposes 4 drop off bays (that also doubles up during the school day as delivery parking). In its current form this is considered inadequate, however amendments can be made via condition (School Travel Plan).

The school as detailed shows a layout that provides a provision of 109 spaces with 90 cycle spaces, whilst it is considered that this provision is slightly low, it is not considered to result in a detrimental impact on highway function or safety and therefore no objection would be raised.

The applicants have agreed to the inclusion and installation of electric vehicle charging points within the school. This is to be secured by condition.

In terms of assessing the future school traffic movements, consideration has been given to the Medway Sustainable School Travel Strategy 2018-2023. This document provides information on how pupils travel to school across Medway. The average mode shares for secondary school pupils recorded in 2017/2018 are summarised in the table below:

Table Title: Medway Secondary School Mode Share Data (2017-2018)

Mode	Percentage
Car (inc. vans and taxis)	23%
Car Share	3%
Public Transport	18%
Walking	54%
Cycling	2%
Other	0%

Whilst the applicants have provided a comparison to the recently approved Leigh Academy School in Rainham, caution should be noted, as that application provided significant funds to public transport provision, which for this application, the applicants have been unwilling to replicate.

It should be noted that with regard to the distribution of the school pupils, given the information provided by Medway Council Educational Department in relation to the anticipated catchment of future pupils, the following proportions have been applied:

Table Title: Anticipated Catchment and the Percentage of Future Pupils

Catchment Area	Percentage
To / from Strood	40%
To / from the western Hoo Peninsula	25%
To / from Gillingham	10%
To / from Chatham	10%
To / from Cuxton	7%
To / from Higham	5%
To / from Shorne	3%

The distribution of staff trips has been identified using data from the 2011 Census 'Location of usual residence and place of work by method of travel to work WUO3EW' Middle Super Output Area (MSOA) 'Medway 004', in which the site is located and Google's Real Time Journey Planner. This provides information on where people working in Middle Super Output Area (MSOA) 004 reside and should provide an indication of where staff will travel from.

Residential Development

In relation to the future residential occupants of the proposed housing aspect, the applicants have provided table 2.2 (of the submitted Transport Assessment) outlining the distance and walk time for key nearby facilities. It is considered that the facilities are of sufficient proximity to allow residents to use alternative means to the private motor vehicle.

In terms of the Parsonage Lane vehicular access, this has been designed as a simple priority junction and which measures 6.0m in width with junction radii of 10m with the visibility splays of 2.4 x 43m in both directions.

For non-motorised vehicle access, access to the site can be achieved from the new access points on Frindsbury Road and Parsonage Lane with footways linking into the existing provision.

The illustrative layout demonstrates a hierarchy of streets, locating the primary access road to the southwestern edge away from the most exposed areas of the site providing an effective spine road through the development in which the minor access roads are proposed to connect to. Whilst only in outline, the applicants have committed to traffic calming measures. It is considered that in principle the layout appears acceptable, however these matters will be considered in greater detail during the reserved matters phase.

The applicants have indicated that the parking would meet the Medway Interim Parking Standards. Again, there is agreement that electric vehicle charging points should be included within this element of the development. A condition is proposed to secure this.

Data from the 2011 Census 'Location of usual residence and place of work by method of travel to work WUO3EW' has been used to provide an understanding of the work locations of residents living in Middle Super Output Area (MSOA) 'Medway 004', in which the site is located. Google's real time journey planner has then been used to identify how residents would route to work during the peak hours.

The applicants have assumed that 50% of the residents would use either of the access points, concern has been raised by the Council regarding this distribution, however no rationale was provided to explain this assumption.

Overall / Combined Development Considerations

When taking into account all of the uses proposed, this provides a total development trip generation of:

Table Title: Total Development Vehicle Trip Generation

Time	Arrivals	Departures	Total
0800-0900	198	191	389
1500-1600	179	185	364
1700-1800	52	81	133

Junctions

Sans Pareil Roundabout / Site Access Junction

The junction shows increasing delay and que length particularly during the morning peak hour, however in both design options, the junction appears to function within theoretical capacity. Medway HIF Transport consultants have also reviewed this within the Strategic Transport Model and have outlined that mitigation is sufficient and would not result in a severe impact.

Four Elms Roundabout

The current AM Peak Four Elms Hill, the A289 and Hoo Road operate within capacity, however Halstead Road operates over capacity. In the future year of 2030, the A289 also operates over capacity without any development flows added.

During the current school peak the Four Elms Hill and Hoo Road arms of the roundabout operate within capacity. However, the A289 and Halsted Road arms of the junction operate over capacity. This continues to be the case in the future year of 2030. It is noted that the inclusion of the development trips results in an increase in Ration to Flow Capacity on both these arms.

In the current PM peak, the Four Elms Hill, Hasted Road and Hoo Road arms of the roundabout operate within capacity. The Halsted Road arm of the roundabout however operates over capacity in the future year of 2030. The inclusion of the development trips adds to delay and queuing length.

Frindsbury Road/Parsonage Lane Priority Junction

The junction operates within capacity in all future year scenarios. It is noted that the inclusion of the development trips would not have a significant impact on the capacity of the junction.

Frindsbury Road / Bill Street Road Priority Junction

The current AM peak all arms operate within capacity. During the future year of 2030 scenario the Bill Street Road arm operates over theoretical capacity and this gets significantly worse as the development flows are added with significant queues forming along Bill Street Road.

During the current school peak the junction operates within capacity and this continues to be the case in the future year of 2030. However, when the development flows are added in, the junction operates at capacity. In the PM peak the junction operates within capacity this continues to be the case in the future years.

It is noted that significant concerns were raised by the Council with regards to the AM peak and Intra Peak over the extended que lengths and delays which may result in vehicles rerouting to adjacent streets "rat running", which would have a detrimental impact on highway safety. The applicants have outlined a proposed future mitigation scheme which is discussed further in the report.

Frindsbury Road / Station Road Signal Junction

The junction operates over capacity in all scenarios during the AM peak. During the school and PM peak the junction operates within capacity during the 2020 base but over capacity during the future 2030 year. This is substantial impact that does have implications for other junctions in the vicinity.

Overall, the impact on the Highway Network with particular regards to Bill Street Road Junction and Station Road junction is likely to have met the threshold of severe as outlined in paragraph 111 of the NPPF.

Mitigation

The applicants have sought to address the concern regarding the impact on Bill Street Road/ Frindsbury Hill Junction. It is agreed that the full impact of the development is likely to only be felt once the school is fully occupied, notwithstanding the serious concerns that the Council has regarding impact on highway safety and function, a potential mitigation has been suggested and could be in the form of a study to be commissioned when the school is at full capacity to ascertain if any potential mitigation works need to be carried out. This could be in the form of creating one-way systems as outlined on drawing number 13901-H-03, however the final study will confirm the scheme required.

It is noted that the applicants have sought to address concerns regarding footpath RR9 which connects to Commissioners Road and the town centre and a contribution is proposed and secured in this regard. The applicants have also provided a crossing point across Parsonage Lane to help facilitate these movements.

Travel Plan

A school travel plan has been produced for the school that sets out a range of measures to help minimise the demand for car travel and promote safe travel behaviours. It is noted that within the Transport Assessment, the target to reduce car use amongst students is incorrect, however, the travel plan uses the correct figures.

There are a number of soft and hard measures to increase the use of public transport, these measures are considered consistent to help achieve a reduction in vehicle trips. However, given that the location is in a particularly congested part of Medway and because behaviour change takes time, the applicant would need to give an undertaking to monitor the effectiveness of the travel plan and introduce counter measures to enhance the support for use of non-car based means of travel to and from school by parents, staff and pupils.

Also, a condition is recommended to require the submission of the final version of the travel plan before occupation of the school. A travel plan for both the residential aspect and venue have been conditioned.

Conclusion

It can be seen from the above that the Council has significant concerns with regard to the application and its likely impact to the highway safety and function. The level of impact it sets with regard to Medway's wider highways situation also needs further assessment due to the potential severe impact at the Bill Street Road/ Frindsbury Hill Junction and the Frindsbury Road/ Station Road Signal Junction and with regard to paragraph 111 of the NPPF.

Potential mitigation is proposed by the applicants such the creation of one-way systems, however, this cannot be fully considered as and confirmed as the best mitigation solution until the school is at full capacity. It is therefore recommended that a condition is included to ensure a study is commissioned when the school is at full capacity to assess the impact and propose mitigation measures that may be required.

Air Quality

The main Air Quality Assessment scenario in the submitted ES is based upon current vehicle emission factors (EFT10). This indicates that the development is unlikely to have a significant impact on local air quality at existing and proposed sensitive receptors.

An alternative assessment scenario, or sensitivity analysis, has been undertaken. This assumes that vehicle emissions do not improve as predicted from the baseline year of 2019. This absolute worst-case scenario provides an indication of air quality concentrations that could be expected should the improvements and changes to the vehicle fleet and background concentrations not materialise in future years. In reality, concentrations are expected to lie somewhere between the two extremes. In the worst-case sensitivity analysis scenario, the development is still predicted to result in a negligible impact upon local air quality at existing and proposed sensitive receptors. The majority of receptors are predicted to experience concentrations below the relevant air quality objectives. Where exceedances are predicted, these receptors lie within a current air quality management area. These exceedances are likely to be present irrespective of the proposed development, which itself will not contribute to a significant deterioration in local air quality.

Local monitoring data in some locations does indicate that air quality has been improving in line with predictions, but this is by no means universal and should be considered on a site-by-site basis.

The Appendices give further details in relation to the methodology used in the air quality assessment, including a good level of detail on model verification. As suggested in correspondence with the air quality consultant, a zonal approach has been used for verification and adjustment, resulting in much greater agreement between monitored and modelled concentrations, which adds to the confidence that can be attributed to the assessment predictions.

A suitable damage costs assessment has been carried out, and this should form the basis of developing an air quality mitigation strategy for the development in accordance with the requirements of the air quality planning guidance, including the implementation of standard mitigation measures (low NO_x gas fired boilers and electric vehicle charging points) and any other measures that are proposed.

A condition is recommended to secure further details in relation to an air quality mitigation scheme should permission be given.

With the abovementioned condition imposed it is considered that the development would comply with Policy BNE24 of the Local Plan and paragraphs 174(e) and 186 of the NPPF.

Climate Change and Energy Efficiency

A “climate change emergency” has been declared in Medway and for the UK. National planning policy recognises the need for new developments to support “radical

reductions in greenhouse gas emissions” and to adapt to the changes in climate that are expected to happen. A target for the UK to be net zero carbon by 2050 has been set. However, important gaps in existing policy to achieve this for the housing sector are noted by the government’s technical advisors, who suggest higher standards of sustainable design for new housing developments.

In local planning policy, major new developments are required to reduce greenhouse gas emissions (including providing renewable energy generation and district heating, if feasible), to provide electric vehicle charging, and to use best available opportunities for adapting to climate change.

The Barn

The conversion of Manor Farm barn - including the extensions has been assessed in terms of its annual energy consumption. CIBSE Guide F – Energy Efficiency in New Buildings (CIBSE, 2012) has been used to determine annual electricity and gas use in the Barn. Specifically, the benchmark energy consumption values for ‘social clubs’ have been used. Given the high levels of insulation detailed in the architectural drawings for this element of the Proposed Development, the ‘good practice’ benchmark values have been assumed.

The GHG emissions (greenhouse gas emissions) for the extended Barn represents a 79 tCO₂e/annum increase when compared with the unused existing structure.

The School

An Energy Statement has been prepared for the School Site and has been used to inform the assessment of GHGs arising from the energy use from this element of the Proposed Development. It details the School Site’s expected energy use and corresponding operational GHG emissions, including energy savings arising from the appropriate passive and mechanical energy efficiency measures and installation of low and zero carbon (LZC) technologies (including 800m² of roof-mounted photovoltaic panels).

The Energy Statement that was prepared for the school includes the BRUKL Output Document, which states a building emission rate (BER) of 0.8 kgCO₂e/m². This equates to an annual emissions rate for the entire building of 7.6 tonnes CO₂e/annum, which is 126 tonnes CO₂e/annum below the business as-usual benchmark figure. It is recognised that the BER stated in the BRUKL does not include unregulated energy use (although this is expected to be minor compared with regulated energy use).

The Energy Statement prepared for Maritime Academy has shown consideration to suitable passive/mechanical energy efficiency measures, as well as the incorporation of renewable energy technologies. As such this element of the Proposed Development has displayed how it will incorporate mitigation measures that go well beyond a do nothing, business-as-usual approach. The mitigation measures proposed for the school would result in a carbon saving of 95 tCO₂e/annum when compared to the target emissions rate (TER) stipulated by the energy efficiency standards set out in Part L of the UK Building Regulations. As such, no further mitigation measures have

been suggested, provided the energy efficiency and carbon reduction measures set out in the Energy Statement are carried out.

Residential Development

The expected level of gas and electricity consumption from the residential element of the Proposed Development, based on monitored data from comparable building types, has been estimated using the domestic new build energy intensity values in 'Energy Consumption in New Domestic Buildings 2015 – 2017 (England and Wales)' (BEIS, 2019a). The publication document gives an overview of energy consumption per square metre for new build dwellings in England and Wales.

New builds are identified by BEIS by selecting all EPC records which are lodged as a 'new build', for which the inspection date is after 31st December 2013. It has been assumed that all dwellings within the residential element of the Proposed Development consume both electricity and gas.

The energy consumption data from the report was broken down by fuel use (i.e. electricity or gas) and by dwelling type (i.e. house, flat or bungalow) and – as EPC reports provide floor area for the assessed dwelling, annual energy use could be expressed in terms of floor area. As such, an estimated annual GHG emission rate of 431 tCO₂e for the residential element of the Proposed Development could be stated. Given the BEIS Energy Consumption in New Domestic Buildings figure represents an average across all new residential developments between 2015-17 there will be some developments which have some embedded mitigation included within the design, so this may not be the most conservative (worst-case) estimate.

Summary

The Proposed Development will cause greenhouse gas emissions in two main ways: from manufacturing the materials used in construction and from residents'/building occupants' energy consumption and travel when the development is completed.

With specific design, building materials and material quantum not yet known in detail, the assessment in Chapter 6 of the submitted ES has used benchmark values for construction materials and energy consumption in typical, business-as-usual buildings of the type proposed to estimate the total greenhouse gas emission impacts. This has incorporated information from the Maritime Academy Energy Statement that has also been submitted with the planning application.

The assessment indicates that emissions of approx. 15,036 to 18,201 tonnes of carbon dioxide equivalent (tCO₂e) would be caused in total by construction and approx. 2,696- 3,251 tCO₂e would be caused per year in operation, using present-day values for the carbon intensity of energy supplies and transport. This would be a significant adverse effect.

Mitigation measures have therefore been recommended for the school and to explore and secure carbon reduction measures for the Barn and at the detailed design stage for the residential element of the proposal. With implementation of such measures the development can identify and would have the opportunity to make GHG emission reductions in detailed design, in line with local policy goals, that could avoid a significant adverse effect. A condition is recommended to ensure that these mitigation measures are submitted and approved prior to the commencement of the residential and barn developments on site.

S106 Matters

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

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

The obligations proposed comply with these tests because they have been calculated based on the quantum and location of the proposal and are directly related to the development.

The following contributions are sought in accordance with Medway Council's Developer Contributions Guide 2021:

A. Section 106 agreement to secure the following:

i) NON-FINANCIAL

- Min 25 % affordable homes
 - 60% affordable rent
 - 40% shared ownership
- No more than 60 units occupied until the first phase of the barn conversion and extension works are complete
- No more than 130 units occupied until the final phase of the barn conversion and extension works are complete

ii) A financial contribution of £369,133.47 in total to be provisionally split in the following ways:

SCHOOL

- Works to relocate/reroute the RS326 or the sum of £2500 toward the diversion costs

- Works to relocate/reroute the RS328 of the sum of £2500 toward the diversion costs
- £15,870 toward improvements to signage and furniture for the RR9.

HOUSING

- £40,000 toward resurfacing works of the RR9, to help support sustainability and encourage walking to the station and Town Centre.
- £166,706.99 toward support the creation of additional capacity in primary care premises required (£644.79 per unit x 181 units)
- £30,480.40 toward improving facilities and equipment at Strood library local libraries (£168.40 per unit x 181 units)
- £33,818.04 toward improvements within Strood Town Centre (£186.84 per unit x 181 units)
- £31,937.45 toward waste and recycling (£176.45 per unit x 181 units)
- £45,320.59 toward Habitats Regulations (mitigation for Wintering Birds - £250.39 per unit x 181 units)

Presumption in Favour of Sustainable development and the Overall Planning Balance (Having Regard to the Council's 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 74 of the NPPF. There is therefore a significant need for new housing in the Medway area, including affordable housing and as the development proposed would create new housing, the presumption in favour of sustainable development as set out in Paragraph 11(d) of the Framework is engaged. Paragraph 11(d)(ii) applies which states that:

- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:

- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Footnote 8 of the NPPF states that 11(d) also includes for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. As of the 2020-21 Housing Delivery Test, the Council had only delivered 55% of its target number of dwellings in the preceding 3 years.

In assessing the proposed development against the policies in the NPPF as a whole, as well as relevant Local Plan policies, the NPPF indicates that there are three dimensions to sustainable development: economic, social and environmental. It is, therefore, appropriate to balance the assessment of the development as set out above, against the Local Plan policies and policies in the NPPF in these terms and unless there are any adverse impacts that would significantly and demonstrably outweigh the benefits, of doing so, planning permission should be granted.

Economic

New residents within this area will generate more demand for local services and facilities and this would contribute to boosting the local economy contributing to the vitality of the community and the local economy, particularly in the nearby Strood, Wainscott, Frindsbury and Upnors. Given the size of the development in terms of the residential element and with Strood being the closest town centre, it is likely that this proposal will provide additional spend in the locality.

The development would also boost the local economy by providing jobs within the school as well as within the hospitality trade (for the uses proposed within the Barn). These would be full and part time positions for permanent employment opportunities. Construction jobs and supporting local building trades, are also recognised throughout all three elements of this proposal, albeit that this would be for a temporary period. These benefits are considered to hold significant weight in favour of the proposal

Future occupants of the development would also likely support businesses and facilities within the local area, given the proximity to the Medway City Estate and the nearby shopping facilities. These benefits weigh in favour of the proposal.

Whilst the development would provide additional council tax income this would be used to mitigate for and deliver necessary services and infrastructure for the residents and would, therefore, be a neutral effect.

The planning obligations set out in the S106 include a range of financial contributions to make the proposal acceptable. These financial contributions are intended to mitigate the effects of the development and render it acceptable in planning terms. They, therefore, do not constitute economic benefits.

Social

The NPPF confirms that social objective is: “to support, strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future need and support communities, health, social and cultural wellbeing”.

The development would deliver up to 181 dwellings towards housing land supply, of which 25% (45) would be affordable dwellings contributing to the identified need in the Medway area. It is considered that significant weight can be attached to social benefits of the provision of 181 dwellings including 25% affordable housing to meet the lack of housing supply in accordance with the guidance in the NPPF.

The provision of a new secondary school and leisure block (with public access out of hours) will improve facilities in the area and create a much-needed additional education facility within the borough.

The proposed upgrade of existing and new pedestrian connections allows accessibility to the surrounding local facilities and amenities such as shops, schools, pubs, food outlets and employment.

Environmental

The proposed new school is to be a sustainability pilot project for the Government’s future aspirations for school design, predominantly reducing whole-life carbon emissions and ensuring a robust design within a warming climate. It is proposed that fossil fuel utility supplies will not be included. The design incorporates a number of passive design features as well as energy consumption systems that minimise consumption.

In terms of the residential development, this application is at the outline stage and carbon reductions/efficiencies through construction cannot therefore yet be specified. It is noted however that these details will have to come forward at Reserved Matters stage and carbon footprint reduction should be demonstrated within that application. Conditions are in place to ensure that electric vehicle charging points are incorporated within not just the residential aspect of the proposal, but the school and commercial use too.

The Carbon reduction measures are considered to carry moderate weight given that some proposals are to meet the requirements of the NPPF but recognising that some go beyond the minimum for the newly proposed Part L of Building Regulations.

The proposal will be conditioned to seek to achieve a minimum of 10% biodiversity net gain in terms of habitat units and hedgerows where possible. This is considered to carry moderate weight given that in terms of the habitats units meeting 10% gain would be in line with the forthcoming policy/legislation. Given that a large proportion of the residential site is currently a quarry infill and that there is substantial planting included within not just the residential aspect but also the school, it is considered that the minimum 10% gain will be possible.

It is considered, no harm would arise in relation to ecology, archaeology, flood risk, drainage or highway safety subject to appropriate conditions. However, these are not public benefits and are considered neutral in the overall planning balance.

The proposed open space and landscaping provided as part of the scheme would mainly benefit future occupiers however it is noted that the open spaces within the residential will be available for public use and that public rights of way will remain linked across the site for easy pedestrian movements through. The landscaping proposed and the open space to be retained to the 'front' of the barn is considered overall to mitigate the incursion of the development into the rural landscape of the ALLI and the setting of the listed Barn and conservation area, therefore having a neutral impact when viewed from outside of the application site.

There would be some adverse impact in terms of the loss of Grade 2 and 3a agricultural land, the loss of part of the ALLI and the presence of the school and residential development in proximity affecting the setting of the Grade I listed Barn. The proposals would establish development and reinforce the presence of built form within this detached section of the Hogmarsh Valley ALLI. The proposals are considered to work with the setting of the Barn to its best efforts and takes account of the importance of landscape and the role it plays to the heritage listing. Given the fact that this part of the Hogmarsh Valley is severed from the larger part of the ALLI by the dual carriageway it is considered that the green buffer separating Frindsbury, Wainscott and the Uponor's will remain intact and will not contributing to the threat of coalescence between Uponor and the urban areas.

In addition, the proposals to the fabric of the Barn and new extensions and buildings within its immediate surroundings to facilitate the proposed use also result in some harm to its historic significance. However, securing the future of this Grade I listed Barn with a viable use and the delivery of a new educational facility in the form of the school provides substantial benefits to the wider community and is given significant weight in the planning balance in favour of the development proposals.

On balance it is considered that the benefits of this application in relation to securing the future use of the barn, provision of up to 181 new dwellings towards the Councils five-year housing land supply and the provision of a much needed secondary school results in a proposal considered to be sustainable having regard to the social, economic and environmental impacts and NPPF as a whole. The benefit of the proposed development is considered to demonstrably outweigh the harm in terms of the loss of agricultural land, a small portion of the ALLI, the setting and fabric of the Grade I listed Barn and in terms of the impact of the traffic generation.

For the reasons that have been demonstrated above, the proposal is recommended for approval.

Conclusions and Reasons for Approval

Overall, it is considered that all three aspects of this proposal are acceptable and will result in benefits to the wider community as well as contribute toward the housing supply within Medway. The advantages and significance of the proposed works to the

Barn will secure the long-term conservation of this nationally important structure and will ensure the building is available to wider community and future generations who will be able to engage with the building and enjoy its rich history. The school is considered to provide an immediate need to the residents within the western end of the borough and is done so in a manner that is well designed and functional as well as providing a community use in terms of the sports facilities for the wider residents (not just students). The proposed housing will provide a good mix of units in terms of type and size and will include affordable homes contributing significantly to the Council's five-year housing land supply issues currently within Medway. The benefits of this application result in a sustainable development and is considered to have a positive impact on the area. These benefits have been considered in the planning balance against the negative impacts of the proposal and it is concluded that the proposals are acceptable.

The proposals are considered to comply with Policies S1, S2, S6, BNE1, BNE2, BNE14, BNE17, BNE18, BNE21, BNE23, BNE24, BNE25, BNE27, BNE34, BNE35, BNE38, BNE29, H3, H10, CF13, T1, T2, T3, T4, T13 and T14 and paragraphs 11, 62, 63, 74, 79, 95, 104, 110, 112, 113, 120, 126, 130, 154, 166, 168, 174, 180, 181, 185, 186, 189, 194, 195, 197, 199, 200, 201, 202, 203, 204, 205, 206 and 208 of the NPPF 2021.

The application would normally be determined under delegated powers but is being referred for Committee determination due to the number of representations received expressing a view contrary to officer's recommendation and also due to the size, scale and complexity of the overall components.

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/>