

MC/21/0355

Date Received: 9 February 2021

Location: Garages At Berkeley Mount Old Road
Chatham Medway

Proposal: Outline application with all matters reserved for the demolition of garages to facilitate the construction of a block of flats consisting of 4 one-bedroom flats with associated parking

Applicant Thomas Draper

Ward: Chatham Central Ward

Case Officer: Tom Stubbs

Contact Number: 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 4th May 2022.

Recommendation - Approval subject to:

A. Section 106 agreement to secure the following:

- i. £1,015.32 towards strategic measures in respect of the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites.
- ii. £8,000 towards highways improvements being a barrier between the development and The Mount.

B. And the following conditions:

- 1 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.

- 2 Plans and particulars of the reserved matters referred to in Condition 1 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.

- 3 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.

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

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TQRQM20337142901464 Location Plan

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

- 5 The details submitted in pursuance of condition 1 shall be accompanied by a scheme of landscaping (hard and soft) and a timetable for implementation. The development shall be implemented in accordance with the approved details and any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: Pursuant to condition 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Policies BNE1 and BNE6 of the Medway Local Plan 2003.

- 6 The details submitted in pursuance of Condition 1 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.

- 7 No development shall take place, including demolition of existing garages, until a Construction Environmental Management Plan (CEMP) that describes measures to control, amongst other matters, hours of working, noise, dust and lighting arising from the construction phase of the development 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, the

countryside, wildlife and habitat and with regard to Policy BNE2 of the Medway Local Plan 2003.

- 8 No development shall take place above ground floor slab level until details of the provision of 1 electric vehicle charging point per space 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 112(e) of the National Planning Policy Framework 2021.

- 9 No development shall take place above slab level until an air quality mitigation scheme has been submitted to and approved in writing by the Local Planning Authority. The mitigation scheme shall be prepared in accordance with the Medway Air Quality Planning Guidance, and shall include full details of the installation of low NO_x gas fired boilers. The development shall be implemented, and thereafter maintained, entirely in accordance with the details set out in the approved mitigation scheme.

Reason: Required prior to commencement of development to ensure no long term detrimental harm to conditions of amenity in accordance with Policy BNE24 of the Medway Local Plan 2003.

- 10 No development shall take place above slab level until an acoustic assessment has been undertaken to determine the impact of noise from transport related noise sources and shall be made in accordance with BS8233 2014: Guidance on Sound Insulation and Noise Reduction for Buildings. The results of the assessment and details of a scheme of acoustic protection shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include details of acoustic protection sufficient to ensure internal noise levels (LA_{eq,T}) no greater than 30dB in bedrooms and 35dB in living rooms with windows closed and a maximum noise level (LA_{max}) of no more than 45dB(A) with windows closed. Where the internal noise levels will be exceeded with windows open, the scheme shall incorporate appropriate acoustically screened mechanical ventilation. The scheme shall include details of acoustic protection sufficient to ensure amenity/garden noise levels of not more than 55dB (LA_{eq,T}). All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: Required prior to commencement of development to ensure no long term detrimental harm to conditions of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 11 No part of the development shall be occupied until details of secure private cycle parking in the form of individual lockers has been submitted to and approved in writing by the Local Planning Authority. The cycle storage facilities

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

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

- 12 The application for reserved matters shall be supported by a Climate Change and Energy Efficiency Statement that incorporate measures to address energy efficiency and climate change for consideration. The development 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.

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

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

- 14 If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until a method statement has been submitted to and approved in writing by the Local Planning Authority. The Method Statement must detail how this unsuspected contamination shall be dealt with. The development shall thereafter be implemented in accordance with the approved Method Statement.

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.

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

Proposal

This application seeks outline planning permission with all matters reserved for the demolition of garages (six) to facilitate the construction of a block of flats consisting of 4 one-bedroom flats with associated parking.

Although the application is outline with all matters reserved the applicant has provided a set of indicative plans to demonstrate a potential building which could be developed on site.

The indicative building is brick built, three storey flat roof block of flats with undercroft parking for the three vehicles. It is set back from Old Road by approx. 3.3m and would measure approx. 8.6m in maximum depth, approx. 18.3m in width and approx. 8.8m in height.

The application has been amended during the life of the application. It was originally proposed for 3 one-bedroom flats and 3 two-bedroom flats, and the original indicative plans showed a block of flats at four storeys tall. It was further reduced to 1 two-bedroom flat and 3 one-bedroom flat with an indicative building at three storeys before reaching the current proposed level of provision.

Site Area/Density

Site Area: 0.03 hectares (0.07 acres)

Site Density: 133.33 dph (57.14 dpa)

Representations

The application has been advertised on site and by individual neighbour notification to the owners and occupiers of neighbouring properties. Rochester Airport, KCC Archaeology and Southern Water were also consulted.

28 letters of objection have been received from 14 addresses raising the following concerns, it is noted that some comments are made directly to the indicative plans but are still considered relevant:

- Overdevelopment of the site.
- Any building due to proximity to conservation area and listed buildings would be detrimental while the indicative designs is poor and not in keeping. This would also have an impact on neighbouring proposal MC/21/0564 due to their close proximity.
- Impacts on neighbours (including proposed development MC/21/0564) regarding loss of privacy, sunlight, daylight, noise and disruption during construction.
- Concerns of parking onto busy road and lack of visibility. Further concern that the garages have historically been driven into.
- Loss of visibility for vehicles entering Old Road from The Mount.
- Poor future occupier amenity with flats being too small and window designs to reduce privacy resulting in no outlook.
- Loss of parking for NHS Halfway Surgery.
- Better used as a green space.
- Proximity to a sewer.

KCC Archaeology have written to confirm no archaeology measures/conditions would be required for the application.

Southern Water have provided a plan of the sewer records. There is drainage apparatus within the site (trunk sewer) and the development should be sited in accordance to stand off distances (within 4m of sewer) and provides guidance on what is permitted for the developers within the proximity to a sewer. Southern water believes this is unacceptable. The letter also indicates that a sewer now deemed public could be crossing the site and investigations regarding this should also be undertaken and provides further advice on the need to apply to Southern Water for the connection to a public foul sewer and the need for SUDs. An informative regarding the response will be added to this decision.

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 considered to conform.

Planning Appraisal

Background

During the life of this planning application a separate outline planning application, MC/21/0564, has been submitted for a separate site to the rear of this application site. The impact of these two separate applications is a material consideration in each application. The MC/21/0564 outline application with reserved matters of appearance and landscape seeks planning permission for construction of a 3-storey block and a part 3 storey/part 2 storey block comprising of 19 apartments (ten 1-bedroom and nine 2-bedroom) with associated parking (13 spaces - including one accessible parking space), communal garden and infrastructure together with the provision of 25 public parking spaces. This application is currently still under determination with the applicant reviewing their submitted plans.

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.

The application site lies within an urban, mixed but predominantly residential area adjacent to the New Road Chatham conservation area and is currently used as six garages. Policy H4 of the Local Plan states that residential development in the form of infilling in such areas is acceptable providing that a clear improvement in the local environment will result. Paragraphs 11, 60, 69, 119 and 120 of the NPPF also encourage effective use of land, windfall sites, and the presumption in favour of sustainable development when a five-year land supply cannot be demonstrated.

If not met, then a consideration regarding the presumption in favour of sustainable development is required due to the Council not currently having a five-year land supply. As of the 2020-21 Housing Delivery Test, the Council has only delivered 55%

of its target number of dwellings in the preceding 3 years.

The principle of residential development in a predominantly residential area is considered acceptable, subject to the compliance with the detailed matters of the above policies including impact on the Conservation Area which are set out in the assessment below.

Design

Paragraphs 126 and 130 of the NPPF emphasises the importance of good design and Policy BNE1 of the Local Plan states that development should be satisfactory in terms of scale and mass and should respect the visual amenity of the surrounding area. Policy BNE14 of the Local Plan seeks to ensure development is not detrimental to the setting of Conservation Areas. Paragraphs 195, 197 and 202 of the NPPF set out the criteria for assessing planning applications with potential harm to heritage assets.

Concerns have been raised through the consultation responses regarding the site being too small for development and the indicative designs being detrimental to the conservation area. Other concerns have also been raised that the site would have an impact on neighbouring proposed development due to their close proximity.

Given that this application is in outline with all reserved matters including appearance, layout, scale and landscaping, the design of the scheme cannot be fully assessed at this stage. This will be done as part of any reserved matters submissions in the future should outline planning permission be granted. However, the applicant has provided a set of indicative plans to demonstrate a building which could be built onsite to provide the proposed 4 one-bedroom flats.

The site is currently used as (six) lock up garages with associated parking and detracts from the setting of the Conservation Area. A suitable, sensitively designed development would have the potential to enhance the appearance of the Conservation Area. The application has been amended during the course of the application in response to concerns that the originally indicative four-storey block of flats would be detrimental to the setting of the Conservation Area. Although it would be of a similar height to neighbouring Hazel View development, the site is located closer to nearby listed and non-listed buildings and a scheme of that height would be considered detrimental to the area if it came forward as part of a reserved matters application. It was also considered that a four-storey building would have potential harmful impact on the proposed development behind which is submitted under MC/21/0564.

As a result, the applicant has reduced the number of flats from 6 flats (3 two-bedroom, 3 one-bedroom) to 4 one-bedroom and have submitted new indicative drawings to demonstrate the proposal could be provided over three storeys in order to mitigate harm to the appearance and character of the Conservation Area, in addition to mitigating harm to the proposed development on the site behind (MC/21/0564). It is considered that a sensitively designed building of this height, size, scale and similar layout could be proposed at reserved matters stage without being harmful to any amended scheme submitted for the site behind and the Conservation Area.

The character of the Conservation Area is of a Georgian residential suburb, while the

indicative building is of mixed modern and Victorian appearance and struggles to express itself as a result, especially with the designed in privacy measures proposed within the Old Road fenestration. If this indicative scheme were submitted at reserved matters stage, the applicants would be made aware that this scheme could not be supported, as it would not be considered to preserve or enhance the appearance of the Conservation Area. Any scheme submitted at reserved matters stage would need to be significantly improved in terms of the quality of the design, with more creativity regarding the privacy reduction measures which would be able to enhance the appearance of this section of the Conservation Area.

However, as this application is outline with all matters reserved, the application cannot be refused based on the indicative scheme and in principle it is considered that a sensitively designed block of 4 one-bedroom flats could be built that would enhance the appearance of the site within the area from its current built form and therefore would meet the objectives of Policies BNE1 and BNE14 of the Local Plan and paragraphs 126, 130, 195, 197 and 202 of the NPPF.

Amenity

There are two main amenity considerations, firstly the impact of the proposed dwellings on neighbours and secondly the living conditions which would be created for future occupants of the development itself. Policy BNE2 of the Local Plan and paragraph 130(f) of the NPPF relates to the protection of these amenities.

Given that this application is in outline form with all matters reserved the application requires full assessment of the impact on neighbouring amenity to be considered within any reserved matters application in the future, however the indicative plans have been assessed to ascertain if a development of this height and scale could be provided on the site without detriment to amenity.

Neighbouring Residential Amenity

Concerns have been raised about the impact on amenity with regards to privacy, daylight, sunlight and, noise and disturbance during construction.

With regards to privacy, the indicative layout plan shows that by setting the line of the building back into the site it is possible to get window to window distances of approx. 14-15m when measured to the closest windows on properties at 62 and 64 New Road and, approx. 7-8m to the rear boundary of these properties. The distances increase further with regard to other properties on New Road. This relationship would be considered acceptable for back-to-back properties with 7m rear gardens where constraints exist. Therefore, it is not necessarily considered that privacy measures would be required if these distances can be provided/maintained within a scheme at reserved matters stage. However, measures are demonstrated within the indicative plan and if any were to be brought forward to aid the reduction in overlooking and privacy then these should not be to the detriment of the appearance of the building within the Conservation Area or detrimental to future occupiers.

With regards to outlook and daylight by virtue of the distance and relationship to neighbouring habitable room windows (noted on site visit that 64b ground floor is a

non-habitable bathroom and Millers Mansion ground floor room is already severely obstructed by their access stairs) there would be no detrimental impact when considered against the BRE guidance.

With regards to sunlight, a sunlight test was undertaken following the BRE guidance at a height of approx. 8.8m as per the indicative plan. A building at this height by virtue of the orientation of the site and path of the sun; together with the distance and relationship to neighbouring residential properties and their gardens, would not have a significantly detrimental impact on the neighbours with regards to the BRE guidance that half the garden should receive two hours of sunlight on March 21. This is demonstrated that the building at the indicative height would not provide any overshadowing until between 10:00 and noon, when a small encroachment occurs. The main shadowing would be in the afternoon after 14:00. It is acknowledged that the worst affected would be 62 and 64 New Road, but these rear gardens are used for parking and would not warrant a refusal. Although 62 New Road has a first-floor terraced area it would not be impacted by a development at the indicative height until 16:00. However, as this is an outline application with all matters reserved this impact on neighbours will need to be reassessed at reserved matters when a finalised design is proposed.

With regards to noise, it is not considered the proposed four flats would result in noise and disturbance that would warrant refusal. However, when considering future uses of the proposal, if the flats were used in the future as C4 HMOs there would be potential impact on neighbours from disturbance and increased parking pressure in the area. There would also be a need to protect future occupier amenities if 6 people live within a flat not of a suitable for more than 1 or 2 people. Consequently, if considered for approval, it is recommended that permitted development rights should be removed for the conversion to small HMO to protect neighbouring amenities.

Due to the close proximity to a number of neighbouring properties there is potential for impact from noise and dust during construction, as raised as a concern in representations received, and a construction management condition is recommended to mitigate this impact.

Amenity of Future Occupiers

The proposed indicative dwelling layouts have been considered against the Technical Housing Standards - nationally described space standard dated March 2015 (the national standard).

The three studio flats would exceed the requirements of a one bedroom, one person flat with gross internal floor area (GIA) of 37m² at approx. 44m². The one bedroom, two person flat over two storeys would also exceed the national standard of 58m² at approx. 66m². It is noted that the indicative flats do not benefit from external balconies. As guidance, the Medway Housing Design Standards (MHDS) requires flats to have at least 5m² additional private outdoor amenity space, if this could not be provided this should be included on top of the required GIA. The indicative flats would provide this additional space. With regards to outlook, it is considered that all habitable rooms could be laid out so they would have sufficient outlook, even if restricted measures were needed to the front elevation.

Due to the location near the A2 there is the potential for future occupiers to be affected by noise from the road traffic, however as any building under reserved matters would be a new build it would be possible for acceptable noise levels to be achieved with use of glazing and other acoustic protection measures. A suitably worded condition for an acoustic assessment is recommended.

Potential impact on adjacent development proposed under MC/21/0564

With regards to the impact of the proposed development submitted under reference MC/21/0564, it is considered that a scheme at reserved matters could be proposed which would not have a detrimental with regards to overlooking and privacy, sunlight and daylight if both were to be approved and would be able to react to any amended plans of the MC/21/0564 if received after determining this planning application.

On balance, it is considered that a scheme for a block of 4 one-bedroom flats could be achieved on the land that would not have detrimental impacts in terms of the amenities of both the future occupiers and neighbour amenities and therefore would meet with the objectives of Policies BNE2 and H4 of the Local Plan and paragraphs 130f and 174 of the NPPF.

Highways

Concerns have been raised through consultation responses regarding the impact on parking in the area which is suggested to be in high demand and highways concerns regarding vehicles leaving the site and views blocked from vehicles exiting The Mount. A concern was raised through consultation response regarding the loss of parking for the NHS Halfway Surgery.

The application reserves the matter of access for consideration at a later date if outline planning permission is granted, but does propose parking within the description. It is considered that any proposed parking could utilise the existing dropped kerb as per the indicative plans without a concern to highway safety with respect to vehicles entering or exiting the site. However, a contribution of £8,000 has been requested to allow the provision of a barrier at The Mount to prevent vehicles crashing into either the building or possible amenity space proposed within any reserved matters application. The applicant has accepted this request and this would be secured under a s106 agreement as recommended.

The indicative plan shows the provision of three parking spaces. Due to the site being within a sustainable location in close proximity to Chatham train station, Chatham town centre and public transport services, no objection would be raised to under provision of parking as the standards do allow reductions in sustainable locations. Therefore, the provision of three spaces as shown on the indicative plans would be acceptable. No objection is raised to the loss of parking space to the NHS Halfway Surgery which has a dedicated space on the site, however the users of this facility could utilise the neighbouring pay and display car park adjacent the site on Old Road.

It should be noted that the NPPF has put sustainable development as a central core and paragraph 112e of the NPPF outlines that development should provide electric

charging facilities, a condition is recommended to fulfil this objective. Other conditions such as the requirement to provide secure cycle storage is also recommended, with it being expected to be included via individual lockers to improve security.

Subject to the abovementioned conditions, the application is considered acceptable in respect of the transport and parking, in line with Policies T1, T2, T4 and T13 of the Local Plan and paragraphs 110, 111 and 112e of NPPF.

Contamination

Policy BNE23 of the Local Plan requires that land known to be or likely to be contaminated should be accompanied by detailed site examination and appropriate remedial measures to reduce or eliminate risk to human health and the wider environment be agreed.

Due to the existing garage use of the site and proposed sensitive residential end use of the scheme, a watching brief condition is recommended to ensure that any contamination experienced during construction can be suitably dealt with.

Subject to the recommended condition no objection is raised to the proposal under Policy BNE23 of the Local Plan and paragraph 183 of the NPPF.

Air Quality

Policy BNE24 of the Local Plan and paragraphs 174 and 186 of the NPPF requires new development to take account of the impact on air quality.

The application site is located close to the Central Medway Air Quality Management Area (AQMA). Although due to the distance this may not result in poor air quality concerns for the future occupiers, the development could add to the air quality issues within the AQMA. A condition is recommended for an air quality mitigation scheme.

Subject to the abovementioned condition no objection is raised to the proposal under Policies BNE2 and BNE24 of the Local Plan and paragraphs 174 and 186 of the NPPF.

Archaeology

Policy BNE21 of the Local Plan relates to archaeological sites and directs that development should not be permitted unless an archaeological field evaluation has been carried out by an approved archaeological body in advance of development.

The archaeological impact of the development has been considered and no additional works or investigation are required and therefore the application is in accordance with Policy BNE21 of the Local Plan and paragraph 194 of the NPPF.

Climate Change and Energy Efficiency

The applicant has not provided a climate change and energy efficiency report in support of this application (but it is noted that the indicative plans show solar panels in

the roof) which is required due to the climate emergency announced by the Council. However, as it is at an outline application these details could be considered more fully at reserved matters stage when energy efficiency measures and climate change mitigation have been designed into a finalised scheme. A condition is recommended for these details to be submitted at reserved matters stage.

It is noted that this site is in a sustainable location which could reduce the need for car ownership and condition is recommended for the provision of electric charging points for the car parking proposed. Subject to this condition the application would be considered in accordance with paragraphs 112e and 154 of the NPPF.

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 are necessary to make the development acceptable in planning terms, they are directly related to the development and are fair and reasonable in scale and kind. The following contributions are sought:

Highways Contribution

£8,000 for highways improvements including a barrier to protect development from users of Upper Mount.

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 £253.83 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 applicant has agreed to the contributions and have decided to submit a separate s106 agreement for each contribution (the highway's improvements and bird mitigation). Both are awaiting confirmation on their completion. However, subject this, no objection is therefore raised under Policies S6, T1 and BNE35 of the Local Plan and paragraphs 111, 180 and 181 of the NPPF.

Conclusions and Reasons for Approval

The proposal is considered acceptable in terms of land use principle. The indicative plan demonstrates that a development at three storeys high, at the mass and scale shown on the indicative plans could be achieved without detriment to the character or appearance of the street scene, or Conservation Area but subject to improvements to the architectural design that would form part of any future reserved matters application. Impacts on neighbour and future occupiers' amenity can be adequately mitigated. The parking provision and highway safety concerns can also be secured and mitigated by conditions.

Consequently, subject to the recommended conditions, the proposed outline application with all matters reserved is considered acceptable and the proposal accords with the provisions of Policies S6, H4, BNE1, BNE2, BNE14, BNE21, BNE23, BNE24 BNE35, T1, T2, T4 and T13 of the Medway Local Plan 2003 and paragraphs 11, 60, 69, 110, 111, 112e, 119, 120, 126, 130, 154, 174, 185, 186, 194, 195, 197 and 202 of the NPPF.

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

Background Papers

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

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