

**MC/23/0535**

**Date Received:** 3 March 2023  
**Location:** Land Adjacent To Balancing Pond St Andrews Park  
Halling Kent  
**Proposal:** Construction of care home facility consisting of 66no. bedrooms with en-suites and communal facilities, and the construction of a separate retail unit (Class E(a)) of 392m<sup>2</sup> with associated landscaping, access, parking and infrastructure.  
**Applicant Agent:** Aspire LPP  
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**Ward:** Cuxton, Halling and Riverside Ward  
**Case Officer:** Hannah Gunner  
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**Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 30th August 2023.**

**Recommendation - Approval with Conditions**

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

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

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

Drawing numbers;

ASP-CH-042-PL-002C - Proposed Site Plan  
ASP-CH-042-PL-009 - Supermarket Plans/Elevations  
ASP-CH-042-PL-010A - Block Plan  
ASP-CH-042-PH-001 Proposed Phasing Plan  
ME2 1FG-A.04 - Floor Plan  
ME2 1FG-A.05 - Proposed Elevations  
ME2 1FG-A.06 - Roof Plan  
ME2 1FG-A.09 - Overlay Plan  
2307-EXA-00-00-DR-L-00100 Rev P04 - Landscape General Arrangement Plan

Received 11 July 2023

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

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

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

- 4 No development above slab level within each phase shall take place until full details of all hard and soft landscaping, boundary treatment and any artefacts to be located within external areas of that phase have been submitted to and approved in writing by the Local Planning Authority.

Hard landscaping works shall include all decking, paving and external hard surfacing material. Minor artefacts and structures shall include seating, refuse receptacles, planters, tree grilles and any other decorative feature(s).

Soft landscape works shall include details of planting plans, written specifications (including cultivation and other operations associated with grass and plant establishment and aftercare, schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following first occupation of the buildings or completion of the development, whichever is the earlier. 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, unless the Authority gives written consent to any variation.

The boundary treatment details shall include a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are first occupied and shall thereafter be retained. The development shall be carried out in accordance with the approved details.

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 and afford residents good levels of amenity in accordance with policies BNE1, BNE2 and BNE6 of the Medway Local Plan 2003.

- 5 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the Local Planning

Authority prior to the first occupation of any part of the development. The landscape management plan shall be carried out as approved.

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 Prior to first occupation, a lighting design plan for biodiversity shall be submitted to, and approved in writing by, the Local Planning Authority. The plan will show the type and locations of external lighting, and expected light spill in lux levels, demonstrating that areas to be lit will not adversely impact biodiversity. All external lighting shall be installed in accordance with the specifications and locations set out in the plan and will be maintained thereafter.

Reason: To ensure a satisfactory external appearance and biodiversity sensitivity and to ensure the provision of lighting does not result in glare or light overspill to surrounding properties in accordance with policies BNE2 and BNE5 of the Medway Local Plan 2003.

- 7 Prior to first occupation of the development hereby approved, details of how the development will enhance biodiversity shall be submitted to, and approved in writing by, the Local Planning Authority. This will include the implementation of ecological enhancements set out in section 7 within the Preliminary Ecological Appraisal (Greenspace Ecological Solutions June 2023). The approved details shall be implemented prior to first occupation or in accordance with an implementation plan agreed as part of the submission pursuant to this condition and thereafter retained.

Reason: To ensure a satisfactory development that is in alignment with paragraph 179 of the National Planning Policy Framework 2019.

- 8 No development shall take place until a scheme showing details of the disposal of surface water, based on sustainable drainage principles, including details of the design, implementation, maintenance and management of the surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

Those details shall include:

a timetable for its implementation, and  
a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

No surface water drainage infiltration into the ground is permitted.

Reason: To manage the risks of flooding pre and post construction and for the lifetime of the development and to ensure that the development does not

contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the National Planning Policy Framework.

- 9 Prior to any part of the permitted development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.

- 10 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 174 of the National Planning Policy Framework.

- 11 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 174 of the National Planning Policy Framework.

- 12 No drainage systems infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water

pollution caused by mobilised contaminants in line with paragraph 174 of the National Planning Policy Framework.

- 13 No development shall commence until a foul drainage strategy, detailing how the developer intends to ensure that appropriate foul drainage is implemented (with a connection to foul sewer), has been submitted to and approved in writing by, the Local Planning Authority. The development shall be constructed in accordance with the agreed detailed design and recommendations of the strategy. No occupation of any premises can take place until the installed scheme is confirmed as meeting the agreed specifications (and connections are made to the public sewer network).

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework.

- 14 No development shall take place within any phase until a Construction Environmental Management Plan (CEMP) that describes measures to control, amongst other matters, hours of working, parking of operatives vehicles, deliveries to the site, noise, dust and lighting and the effect on wildlife and habitats 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 BNE1 and BNE2 of the Medway Local Plan 2003.

- 15 No part of the development within any phase shall be first occupied until details of secure private cycle parking provision in the form of individual lockers have been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be implemented in accordance with the approved details before any part of the development is occupied within that phase 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.

- 16 No development shall take place above ground floor slab level until details of the provision of all electric vehicle charging points 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 prior to first occupation of the development or in accordance with a timetable agreed in writing with the Local Planning Authority and shall thereafter be maintained.

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

- 17 No development of the Care Home shall take place until the details of the design for the refuse storage, meter room and PV Battery buildings associated with the Care Home have been submitted to and approved in writing by the Local Planning Authority. No occupation of the care home shall take place until these structures are implemented in accordance with the plans as approved.

Reason: To ensure satisfactory refuse storage and other facilities are provided in accordance with Policy BNE1 of the Medway Local Plan 2003.

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

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

- 19 The use of the retail unit hereby permitted shall only operate between the hours of 06:00 to 22:00 Mondays to Sundays inclusive of 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.

- 20 No servicing or deliveries to the retail unit shall take place on the premises between the hours 18:00 to 6:00 Mondays to Saturdays inclusive and shall not take place 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.

- 21 The development herein approved shall incorporate the measures to address energy efficiency and climate change as set out within The DHA Climate Change Statement (dated February 2023, Amended June 2023). The development shall not be occupied within a phase 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 within the phase to which it relates.

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.

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

## **Proposal**

This is a detailed application for the construction of a care home facility consisting of 66 no. bedrooms with ensembles and communal facilities, and the construction of a separate retail unit (Class E(a)) of 392m<sup>2</sup> with associated landscaping, access, parking and infrastructure.

The application site is located to the west of the A228 Formby Road, between the settlements of Halling and North Halling. The A228 Formby is a major route connecting the area with Rochester and Royal Tunbridge Wells and links the M20 at junction 4 with the M2 at junction 2.

The site is located within 650m of Halling Railway Station, which provides regular services into Tonbridge, Strood and Paddock Wood. A main bus route is located less than 100m from the site. A range of bus services run from this stop providing services between Chatham, Strood, St Andrews Park, West Malling, Kings Hill and settlements further afield.

The Care Home is proposed to be a 3 storey building which is slightly curved in shape, making it an almost 'boomerang' shaped building. The height of the building varies from 11.8m to 12.8m. The design incorporates terraces which are to be balustraded, fronting both the front and the rear, accessed from communal areas.

The Care Home will provide C2 residential care, 1 bed accommodation, all with ensembles, over three storeys. The following facilities will also be provided within the building:

- Reception
- Kitchen
- Coffee Shop
- Cinema
- Cocktail Lounge
- Dining Rooms
- Lounges
- Laundry
- Staff facilities
- Hair and nail salon
- Offices
- Storage and plant rooms
- Secure drugs and sluice rooms

The retail unit will be a single storey building covering a total floorspace of 392 sqm. It is anticipated that the unit will be occupied by a Co-op convenience store.

The retail unit is proposed opposite the Care Home in the north-eastern corner of the site.

Parking provision for the co-op has been placed adjacent to the store, within the northern part of the site and provides 20 car parking spaces (3 of which are to be disabled spaces).

Parking for the care home is to the south of the entrance road and site, in front of the building and is a total of 29 spaces (including 3 disabled spaces).

It is proposed that landscaped areas will be provided within the site at the northern point, along the eastern boundary with the balancing pond and to the south of the site. A communal area is also provided for residents of the Care Home facility, which will consist of gardens and a hard landscaped patio area.

### **Site Area/Density**

Site Area: 1 hectare (2.47 acres)

Site Density: 88 dph (35.63 dpa)

### **Relevant Planning History**

#### **MC/19/2814**

Change of use of site to mixed use wildlife reserve/watersports and outdoor activity centre together with the construction of 20 waterside holiday accommodation units, 12 on-the-lake holiday pods with two of these comprising a managers unit and office/security unit, a Water Sports Centre with associated 'hub' to provide for sailing, diving, fishing, rowing, paddle-boarding venue and incorporating a café and restaurant as well as multi-function space for use by members and visitors for training/education and related activities. In addition the provision of an outdoor activity centre, fishing lodge, two zip wires, an artificial wreck, floating pontoon and infrastructure, provision of a Forest School, placement of temporary facilities comprising of Temporary office/admin/sales facility; Temporary toilets; Temporary car parking and infrastructure with associated parking, access, engineering, landscaping, mooring infrastructure and ecological enhancement works throughout St. Andrews Lake.

**Decision** Approval with Conditions

**Decided** 4 July 2022

#### **MC/19/0994**

Construction of an extra care facility comprising of thirty six 1-bedroom and fifty two 2-bedroom apartments with communal facilities including restaurant, offices and a



separate retail unit (Class A1) with associated landscaping, access, parking and infrastructure.

**Decision** Approval with Conditions

**Decided** 12 May 2020

**MC/14/1486**

Variation of conditions 5, 39 and 40 of planning permission MC/12/1791 - condition 5 to enable changes to the approved residential layout and change 23 of the approved house types; and conditions 39 and 40 to include balancing ponds, foul pumps and revised Flood Risk Assessment as approved under MC/14/0121.

**Decision** Approval With Conditions

**Decided** 15 August 2014

**MC/14/0121**

Relocation and enlargement of the proposed balancing ponds approved under application MC/12/1791 and the installation of a foul water pumping station and associated earth works.

**Decision** Approval with Conditions

**Decided** 24 March, 2014

**MC/12/1791**

Hybrid application for outline details for demolition of existing buildings and provision of employment up to 3,000sqm floorspace (B1, B2, B8), doctors surgery up to 1,000sqm (D1) and/or a 40 unit extra care facility, pub/restaurant up to 850sqm (A3/A4), new pedestrian/cycleway bridge across A228; alterations to public highway; sports pitches and ancillary structures including means of access with all other matters reserved. Full details for 385 residential dwellings including demolition of existing structures, vehicular access and landscaping; open space; nature conservation facilities; ground modelling and earthworks and ancillary buildings.

**Decision** Approval with Conditions

**Decided** 29 August, 2013

## **Representations**

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

The Environment Agency, Natural England, KCC Biodiversity, Kent Police, Southern Water and Southern Gas have also been consulted.

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

*(Please note that some of these objections were received prior to the application being amended to 66 beds instead of 80)*

- This is 86 apartments including 2 bed apartments and is an overdevelopment of the site!

- This is larger than the original approved scheme.
- This will increase pressure on the existing doctor's surgery (Riverside Medical Practice).
- Unsuitable rural location.
- This is to be nearby to the lake and a busy road and will cause an intolerable disturbance.
- There is inadequate parking.
- 80 beds is too many.
- People will suffer exposure to high voltage lines.
- The vehicular entrance to the wider site is a winding and bendy road and is unsuitable for additional HGVs and will cause concern.
- Local roads will not cope with the additional traffic.
- Dementia sufferers require more care.

**1 letter** of support has been received stating the following:

- Will bring well needed accommodation and support for the elderly in the area.
- Better as a smaller building.
- Makes good use of the land.
- The retail unit is a welcome addition.
- Current site is a long running eyesore.

**Natural England** have stated that they consider the proposed development will not have significant adverse impacts on statutory protected nature conservation sites.

**Kent Police** have reviewed the application and request a condition to ensure that the site follows Secured By Design guidance to address designing out crime and to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet the Local Authority Statutory Duties under Section 17 of the Crime and Disorder Act 1998.

**KCC Ecology** have advised that a condition be placed on any permission to secure details of the planting plan to ensure that a sufficient amount of native species are incorporated into the development. There is also a request for a condition which will secure a sensitive lighting design.

**The Environment Agency** have stated that the previous use of the site presents a medium risk of residual contamination that could be mobilised during construction to pollute controlled waters, which are sensitive in this location due to the site being located upon a Principal aquifer and lies partially within a SPZ3. In light of this the EA have requested conditions relating to the submission of a verification report, foundation design, restriction of systems infiltration of surface water drainage into the ground and the submission of a foul drainage strategy.

**Southern Water** have stated that they will require a formal application for a connection to the public sewer to be made by the applicant or developer. Informatives have been requested relating to foul sewerage and surface water disposal, compliance with The Design and Construction Guidance on public sewers.

## **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 (NPPF) and are generally considered to conform. Where non-conformity exists, this is addressed in the Planning Appraisal section below.

## **Planning Appraisal**

### *Background*

In 2013 a hybrid planning application was approved for a mixed development site comprising housing, care home, pub/restaurant, doctors and commercial uses (MC/12/1791). In 2014 an application was submitted for an alteration to the originally approved balancing pond. The original permission proposed a single balancing pond to the southern extent of the residential development. The previous drainage scheme proposed the disposal of water via an existing Southern Water outfall into the River Medway. This was altered so that the balancing pond was relocated to the position that it is now located.

It does not appear that the parameter plans of the original 2012 submission were ever revised as a result of the balancing pond relocation. It should be noted that the original approved parameter plans do not reflect the current position on site in relation to the balancing pond or the mixed use area.

In 2020 approval was granted for an extra care facility which would comprise a total of 88 one and two bedroom units, which was for people who are largely independent but require some support. Residents for this scheme must be aged over 55 and at least one of the occupants of each unit must have a minimum care and/or support need of 3.5 hours per week.

### *Principle*

The principle of this site being used for an extra care facility and a retail unit was approved within the 2019 application. The use therefore as a Care Home is considered to sit within the existing approval in principle.

Prior to that, some form of mixed use (doctors and/or care home, pub/restaurant etc) was set out and approved in the original 2012 application. Since this time the housing aspect of this development has been completed and the children's play area is in place.

Overall, it is considered that given the history of the site and the existing and approved development that has already occurred within the vicinity this proposal is compliant with Policies BNE1, BNE2, H8, CF4 and CF5 of the Medway Local Plan 2003 as well as Paragraphs 62, 92 and 93 of the NPPF 2021 and the uses proposed on this site are acceptable within the wider context of the St Andrews development.

## *Design*

This proposal is best considered in two parts. The first being the 3 storey care home, and the second being the single storey convenience store building on the opposite side of the application site.

Care Home – the design of the Care Home can be considered against the existing approval for the extra care scheme, which was previously 2 storeys higher than this proposal.

The original scheme was flat roofed with variations in the heights throughout to break up the massing of the building and emphasise certain aspects of the building. The proposal the subject of this application has staggered roof heights but has a tiled pitched roof. This proposal has terraces/balconies to the front and rear of the building, located at the central point of the building, serving the communal lounge/dining areas.

The terraces/balconies facing ‘outward’ will overlook St Andrews Lake, giving residents the opportunity to enjoy views of some of the activities that take place on the lake.

The design incorporates a varied palette of materials including an off white render and a brick (brown/yellow palette) along with detailed areas of cladding and brick lintel and cill details on all of the windows. Details, and where appropriate, samples of these will come forward as part of a submission pursuant to condition application.

Significant alterations have been made to the design and scale since originally submitted as it has altered from an 80 bed scheme to a 66 bed proposal. Overall, it is considered that the changes improve the scheme for the benefit of its wider surroundings as it now occupies a smaller footprint, allowing for increased landscaping and open spaces to be provided.

Given that this proposal is significantly reduced in scale and bulk from that previously approved it is considered that the impact of the building is satisfactory. In design terms it is considered that this scheme is quite simplistic and although different from the main residential development to the north, will complement the existing dwellings.

Single storey convenience store - The proposed single storey A1 retail unit is shown on the plans to be simple in its design. The building is a flat roofed structure that is predominantly a square structure with a protruding element on the south west corner. The main customer entrance is located on the south elevation, which faces into the site.

The customer aspect of the proposal is all within the main rectangular aspect of the building with the storage and staff areas being to the west of the building in the more irregular shaped aspect. The refuse storage area for the supermarket is shown to be located on the northern boundary of the site, on the west side of the building.

The building is to have a sedum/grass flat roof which will ensure that the impact of this building is minimised. The materials of the retail unit itself are not detailed, however it is specified that the building will be similar in appearance to other stand alone (co-op)

supermarkets found generally within the UK. An appropriate condition is recommended requiring details of materials. The principle of this design is considered to be acceptable.

Overall, the design of the Care Home is considered to be well thought out and acceptable and the retail unit is small and appropriately designed. As a result the proposal complies with Policies BNE1 and BNE2 of the Medway Local Plan 2003 as well as Paragraphs 126 and 130 of the NPPF 2021.

### *Amenity*

It is important to consider the amenities of both the existing residents at St. Andrews Park and also the future occupants of the proposed care home scheme.

In relation to the St Andrews Park residents, this Care Home is located some 70m from the nearest residential property, whilst the single storey retail building will be some 25m away. The houses on Brooks Place are separated from the retail building by the road and parking spaces along with some existing planting that is in place within the parking area of Brooks Place. The proposed building will be visible from the front of these houses, however due to the fact that it is single storey and has a footpath round, it is not considered that this proposed building will detrimentally harm the amenities of people within these houses. Given the distancing of the Care Home block, it will be acceptable in terms of impact on amenity.

Whilst it can be appreciated that the existing views from houses here will alter, this is not a material planning consideration as there is no impact in terms of outlook while it is not considered that the location of the proposals will have a detrimental or harmful impact on daylight or amenity of the occupiers of these properties.

Due to its proximity to the care home and existing residents, the retail unit has the potential to impact on the amenities of the occupiers of nearby residences in terms of noise and disturbance, and accordingly conditions are recommended to control the hours of use and servicing of the retail unit.

In terms of the amenity of the occupants of the care home, it is considered that the units that are being proposed are all of a satisfactory size (all 1-bedroom units with en-suite measuring approximately 20m<sup>2</sup>). All new purpose-built care homes should include 'en-suite' facilities for residents. The minimum size requirements for a single room should be 12 m<sup>2</sup> (excluding en-suite facility). The layout should allow space for relatives to visit in the room and for a carer to access both sides of the bed. Excluding the en-suite, each room here is proposed to be approximately 15m<sup>2</sup>.

The ground floor units facing 'outward' all have same level access to the outside space with a door in each room that opens directly to the outside. Through the lounge, dining and garden room areas on the ground floor it will be possible to access the shared area for residents that incorporates garden areas, raised planters and outdoor seating.

The main shared spaces on the first and second floors all open out to terraced areas meant as communal spaces for residents. Some of these terraces are located on the southern elevation and not only do they benefit from a good amount of sunlight

throughout the day but they are also spaces where residents will be able to look out over the lake.

Overall, it is considered that the amenity of both existing residents of St Andrews Park and the future occupants of the proposed scheme will have satisfactory amenity provision and the scale and location of the building will have no impact on the daylight/sunlight received by existing homes.

The scheme is considered therefore to be compliant with Policy BNE2 of the Medway Local Plan 2003 and also Paragraph 130 of the NPPF 2019.

### *Landscaping*

Due to this scheme being downsized since the previous approval the space around the care home has increased. This has resulted in the building now being set further in from the main entrance road and has also increased peripheral planting and the relationship with the parking areas. As a care home, parking need is lessened as residents do not have vehicles. The increased setback goes some way to contribute toward reducing the dominance of the building as it meets the road. The setback provides sufficient space for a formal line of street trees to be planted and this additional feature is highly important. The trees soften the presence of the building from the footpath and road and when the Care Facility is approached from more distant site surroundings as well as adding to the outlook for residents.

Tree planting within the car park and on the northern corner of the site will assist in filtering views of the care home from the residential development.

The open spaces around the proposed care home also create better outside space for the residents with allocated garden areas and patios within a secure landscaped garden area.

Whilst these principles have been discussed and demonstrated within the plans, there is insufficient detailed information, by way of detailed Landscape Management Plan etc. regarding landscape so this aspect will require further development through the recommended conditions.

Overall it is considered that the landscaping with this application complies with Policy BNE6 of the Medway Local Plan 2003 as well as Paragraphs 98, 100 and 130 of the NPPF 2019.

### *Primary Care and Doctors provision*

One of the key concerns raised by residents that have objected to this application relates to pressure that this scheme will potentially have on the immediate Primary Care Network. It is suggested that this development will have the potential to increase demand on the local primary care providers making it more difficult for existing patients registered with the local practice to access primary care and get timely appointments with a GP.

There are a number of factors that have to be taken into consideration when looking at these concerns:

- There is an existing permission in place for an 88-unit independent living accommodation. This is for 1 and 2 bed apartments and allows for people over 55 with marginal daily care needs to be accommodated in more manageable homes. Given that some apartments would facilitate couples it is envisaged that there would be more than 88 residents here. There would be minimal care available on site, given the nature of this accommodation. It is likely that these occupants would need access to normal primary Care and other NHS and social care services to meet their individual needs.
- The proposed 66 bed care home has around the clock nursing care, although it will be registered as a care home as opposed to a nursing home. This does however mean the home should have the capacity to meet the general daily basic health support needs of occupants through on-site staffing provision. Consequently, whilst the development may indeed need to cater for people who may require additional clinical support, it is likely the majority of these residents will already be registered with and receiving care and support from an existing primary care provider. Many may already be resident in the locality and may simply be relocating to these premises.
- If they are currently living in their own properties in the community, moving to this centralised location may help to reduce the demand on primary care services given they will be accessing in house nursing care. This model also helps to alleviate the need for social care support to be provided in the community, reducing the demands on social care as well as health care.
- It is important to note the distinction between a registered residential care home and nursing home. Whilst residential and nursing homes are in some ways similar, they do provide some different services, specifically in terms of the level of healthcare their staff can administer. Whilst this type of facility can cover some level of dementia care, it should be noted that this is not a dementia care home.
- There will be residents in the area that need to move into this facility and wish to remain in this area. It will also help to free up much needed family homes.

The doctor from the local surgery (Dr Malladi) has expressed concern about potential pressures on the surgery arising from this development. Of particular concern is the additional administrative support that may be needed to support a new care home in such close proximity to the practice. Given the mitigating factors set out above it is accepted there may be a small number of additional patients who may need to register with the practice. There is however scope to mitigate against the impact of these patients on the work of the practice, through appropriate engagement with NHS Kent and Medway Integrated Care Board (ICB) who are responsible for commissioning primary care services.

Overall, whilst the concerns that have been raised are understood and noted, it is concluded that taking into account the existing consent on site and also taking into

account the factors already set out within this section, the application for the 66 bed care home in this location is not thought likely to have a significant adverse impact on the nearby medical practices. NHS Kent and Medway ICB (Integrated Care Board) are responsible for ensuring all patients within Kent and Medway access appropriate clinical care, including being able to register with a GP. The ICB should be able to work with the local GPs to mitigate against any potential additional requirements to support people resident in this facility.

### *Highways*

The proposed development site is located adjacent to the newly constructed St Andrews Park residential development. The land has been used as a construction compound for this development. The site access from the A228 Rochester Road / Kent Road roundabout junction was constructed as part of the St Andrews Park development and is subject to a 30mph speed restriction. Within the vicinity of the site, the A228 takes a general north-south alignment and is a single carriageway road with one lane in each direction separated by central hatching. It is subject to a 40mph speed restriction.

With regard to accessibility, pedestrian infrastructure is to a good standard within the local vicinity of the site. In terms of public transport, the development is approx. 400 metres of the bus stops located along the A228. It is noted that a recently installed pedestrian crossing provides a safe route across the A228 for those travelling via bus. In relation to travelling by train, Halling station is located within a reasonable walk distance of the site and can be accessed via the new bridge across the A228.

In terms of access, it would be in the form of a simple bell mouth construction with the required visibility splays. It is noted that the site can also be accessed via Germander Avenue and Limeburners Drive, although primary access will be from the south. No objection is raised in this regard, subject to the applicant entering into a S278 agreement.

The access arrangement and internal layout are both sufficient to meet the needs of the vehicles requiring access to the site and remain as previously approved.

The previous version of this scheme proposed an 80-bedroom care unit supported by 50 full-time equivalent staff, but with 18 staff on-site during the busiest periods. Initially, 28 car parking spaces were proposed, including 4 accessible spaces, against the Council's current standard which attracts a demand for 31 spaces.

This revised submission proposes 25 car parking spaces, including 4 accessible spaces for the 66-bed care facility. Pursuant to the Council's parking standard, and presuming no change in the proposed staffing levels, the facility is required to provide a maximum of 29 spaces. However, given the site's accessibility to public transport services, the Council are satisfied with the level of parking proposed. It is also noted that the scheme proposes the provision of an ambulance pick-up/drop-off area and a delivery and servicing area.

Of the 25 spaces proposed, 6 will have access to an electric vehicle charging facility, in accordance with Part S of the Building Regulations.



The development also proposes 4 Sheffield-type stands for the care unit, equating to 8 cycle parking spaces. It is recommended that the cycles are accommodated in a secure and enclosed facility. An appropriate condition is recommended.

A total of 20 parking spaces is proposed for the convenience store, of which three will be designated disabled bays.

The car park has been designed to segregate the care home facility and convenience store parking with landscaping. Signage will be installed to clarify which parking spaces are allocated for the different land uses.

There is a good standard of sustainable transport infrastructure in the site vicinity. Footways are provided on the access road and throughout the residential development to the north. Additionally, a toucan crossing is provided on the A228 a short distance to the north of the site. Alongside this, a pedestrian / cycle bridge provides a safe crossing of the A228 to and from Halling village and railway station.

The proposed development is not considered to have any adverse transport impacts and therefore there are no sound transport based objections to the proposals.

In relation to Cycle parking for the store, it is considered that level of provision is acceptable (one Sheffield Stand) and an appropriate condition is recommended.

In terms of the internal layout, vehicle tracking diagrams (swept path analysis) demonstrate that the internal layout will satisfactorily accommodate the large vehicles expected to access and circulate within the site, including delivery vehicles, refuse collection vehicles and emergency vehicles.

It is considered that the proposal is acceptable against T1, T2, T3, T4 and T13 of Medway Local Plan. In line with paragraph 111 of the NPPF there would not be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would not be severe.

### *Refuse collection*

A bin store is shown for the Care Home, located at the northern end of the building, close to the entrance road for the site. In terms of accessibility for collection and overall size, this area is considered to be suitable. A condition relating to the appearance of the bin store, along with the adjacent Meter House and PV Battery store is recommended so that they can be assessed in terms of impact and design prior to construction.

The waste storage/collection area for the convenience shop is located on the northern boundary of the site, on the west side of the building. This is considered to be an acceptable location.

## *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.

In order to achieve an energy efficient building the following measures are envisaged.

- All lighting (internally and externally) will be of a low voltage design and water use in the building will comply with the stringent requirements of the applicable Building Regulations. Energy consumption will be reduced through energy saving devices, and taps, fittings and WCs will be low water consuming. This will futureproof the scheme and respond to the aspirations of Medway’s Zero Carbon ambition.
- Energy efficiency measures to improve the building fabric and services are to be incorporated into the design as set out in the Energy Statement.
- The proposed development will be designed to a high standard with good air tightness, reducing energy losses and the demand for additional cooling/heating.
- All lighting will ensure an average level of efficiency of 75 lamp lumens per circuit-Watt is achieved.
- Corridors and communal areas will have PIRs or daylight sensor controls.

A Climate Change Statement has been prepared and submitted with this application which includes details on:

- Energy and carbon reduction methods
- Biodiversity Net Gain
- Water efficiency and recycling
- Waste reduction
- Sustainable transport methods
- Air quality improvement methods ad
- Education

Conditions are recommended to secure the measures to address climate change and energy efficiency set out. Subject to this, the proposal complies with the objectives of the Council’s climate change action plan and section 14 of the NPPF.

### *Bird Mitigation*

As the application site is outside of the 6km buffer zone of the North Kent Marshes SPA/Ramsar Sites, the proposed development is considered unlikely 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.

As a result, it is not necessary to require the tariff set out by Natural England to fund strategic measures across the Thames, Medway and Swale Estuaries.

No objection is therefore raised under Paragraphs 180 and 181 of the NPPF and Policies S6 and BNE35 of the Local Plan.

### *Local Finance Considerations*

None relevant.

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

Overall, it is considered that this application for the Care Home and convenience store will be an acceptable development in this location.

The design, bulk and scale of this 3 storey Care Home have been considered and will provide a modern and aesthetically pleasing building suitable in this location. The single storey retail building is considered to be modest and will not impact the immediate neighbours.

The amenity of future and neighbouring occupants is considered to be acceptable and the provision of the shop will benefit the whole of the St Andrews development as well as the wider community.

The application is considered to comply with Policies BNE1, BNE2, BNE6, BNE35, H8, CF4, CF5, T1, T2, T3, T4 and T13 and also Paragraphs 62, 92, 93, 98, 100, 111, 126, 130, 180 and 181 of the NPPF 2019.

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.

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### **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/f>