

MC/23/1834

Date Received: 14 August 2023

Location: Former Police Section House, East Road, Historic Dockyard Chatham

Proposal: Part demolition and conversion of the former police section house for exhibition space, cafe, meeting space, post-production studios, office and co-working space (mixed-use). The development of a digital production studio (Sui Generis) and the installation of rooftop PV panels. A single storey link extension, construction of vehicular access, substation, hard and soft landscaping and associated works.

Applicant Agent University Of Kent
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Ward: Chatham Central & Brompton

Case Officer: Nick Roberts

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 20th December 2023.

Recommendation: Approval subject to:

- A) Delegated authority being given to the Head of Planning to secure further details of the financial contribution that will be sought to mitigate against the loss of Biodiversity.
- B) The submission of a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 to secure:

A contribution of to mitigate against the loss 0.58 units of other woodland; broadleaved.

C) The imposition of the following conditions:

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

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

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

Received 16 August 2023

CD-FCB-ZZ-XX-D-A-1006 Rev P1 - Proposed Site Location Plan
CD-FCB-ZZ-XX-D-A-1011 Rev P1 - Proposed Bock Plan
CD-GRA-XX-00-D-L-1000 Rev 2 - General Arrangement Plan
CD-GRA-XX-00-D-L-1002 Rev 2 - Illustrative Masterplan Roof Level
CD-GRA-XX-00-D-L-1010 Rev 2 - Tree Retention and Removal Plan
CD-GRA-XX-00-D-L-1010 Rev 1 - General Arrangement Plan Ground Level
CD-GRA-XX-XX-D-L- 1110 Rev 2 - General Arrangement Plan Roof Level
CD-GRA-XX-00-D-L-1302 Rev 2 - Section D-D
CD-GRA-XX-00-D-L-1303 Rev 2 - Section E-E
CD-GRA-XX-XX-D-L- 2110 Rev 2 - Drainage Level Plan Roof Level
CD-GRA-XX-XX-D-L- 3110 Rev 2 - Hardworks Plan Roof Level
CD-GRA-XX-00-D-L-4110 Rev 2 - Topsoiling and Groundworks Plan Roof Level
CD-GRA-XX-XX-D-L-5100 Rev 2 - Softworks Plan Roof Level
CD-FCB-ZZ-XX-D-A-0750 Rev P1 - Proposed Sections A & B
CD-FCB-ZZ-XX-D-A-0751 Rev P1 - Proposed Sections J & K
CD-FCB-DS-XX-D-A-0752 Rev P1 - Proposed Sections C & D
CD-FCB-DS-XX-D-A-0755 Rev P1 - Proposed Sections G & H
CD-FCB-ZZ-XX-D-A-0850 Rev P1 - Proposed Elevations North & South
CD-FCB-SH-XX-D-A-0851 Rev P1 - Proposed Elevations East & West
CD-FCB-DS-XX-D-A-0852 Rev P1 - Proposed Elevations East & West
CD-FCB-ZZ-XX-D-A-0860 Rev P1 - Proposed Elevations North & South
CD-FCB-ZZ-XX-D-A-0861 Rev P1 - Proposed Elevations East & West
CD-FCB-ZZ-00-D-A-0250 Rev P1 - Proposed Level 00 Plan
CD-FCB-ZZ-01-D-A-0251 Rev P1 - Proposed Level 01 Plan
CD-FCB-ZZ-02-D-A-0252 Rev P1 - Proposed Level 02 Plan
CD-FCB-ZZ-03-D-A-0253 Rev P1 - Proposed Level 03 Plan
1337-INT-XX-XX-DR-D-0020 Rev S1-P01 - Proposed Civils Details
1337-INT-XX-ZZ-DR-D-0031 Rev S1-P01 - Proposes Impermeable Area Plan

Received 25 August 2023

CD-FCB-ZZ-XX-D-A-0254 Rev P2 - Proposed Roof Plan

Received 8 November 2023

1337-INT-XX-ZZ-DR-D-0012 Rev S1-P03 - Proposed Drainage Plan
1337-INT-XX-ZZ-DR-D-0006 Rev S1-P03 - Proposed Impermeable Areas Plan
CD-GRA-XX-00-D-L-2100 Rev 3 - Drainage and Level Plan Ground Level
CD-GRA-XX-00-D-L-3100 Rev 3 - Hardworks Plan Ground Level
CD-GRA-XX-00-D-L-5100 Rev 3 - Softworks Plan Ground Level
CD-GRA-XX-00-D-L-1001 Rev 3 - Illustrative Masterplan Ground Level
CD-GRA-XX-00-D-L-1300 Rev 3 - Section A-A & B-B
CD-GRA-XX-00-D-L-1301 Rev 3 - Section C-C

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

- 3 No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of: hours of construction working; measures to control noise affecting nearby residents; wheel cleaning/chassis cleaning facilities; dust control measures; pollution incident control and site contact details in case of complaints. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

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

- 4 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

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

- 5 No development shall take place until details of foundations 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 carried out in accordance with the approved details.

Reason : To ensure that due regard is had to the preservation in situ of important archaeological remains in accordance with Policy BNE21 of the Medway Local Plan 2003.

- 6 No development shall take place until the precautionary measures for Section 41 Priority species as set out in paragraphs 10.25-26 of the Ecological Impact Assessment (ECIA) (ref; 1136_R04_REV A, dated 11 July 2023) have been implemented.

Reason: Required to avoid any irreversible detrimental impact on protected/priority species in line with Policy BNE37 and BNE39 of the Medway Local Plan 2003.

- 7 No development shall take place until an updated arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority. The matters to be included within the arboricultural method statement shall include the following:

- I. A specification for the pruning of, or tree surgery to, trees to be retained in order to prevent accidental damage by construction activities;
- II. The specification of the location, materials and means of construction of temporary protective fencing and/or ground protection in the vicinity of trees to be retained, in accordance with the recommendations of BS 5837 'Trees in relation to design, demolition and construction' and details of the timing and duration of its erection;
- III. A plan showing areas for the storage or stockpiling of materials, temporary on-site parking, site offices and huts, mixing of cement or concrete, and fuel storage;
- IV. The specification of the routing and means of installation of drainage or any underground services in the vicinity of retained trees;
- V. The details and method of construction of any other structures such as boundary walls in the vicinity of retained trees and how these relate to existing ground levels;
- VI. The details of the materials and method of construction of any roadway, parking, pathway or other surfacing within the RPA, which is to be of a 'no dig' construction method in accordance with the principles of Arboricultural Practice Note 12 "Through the Trees to Development", and in accordance with current industry best practice; and as appropriate for the type of roadway required in relation to its usage.
- VII. Provision for the supervision of ANY works within the root protection areas of trees to be retained, and for the monitoring of continuing compliance with the protective measures specified, by an appropriately qualified arboricultural consultant, to be appointed at the developer's expense and notified to the Local Planning Authority, prior to the commencement of development; and provision for the regular reporting of continued compliance or any departure there from to the Local Planning Authority.

Thereafter the development shall be carried out in accordance with the approved details with the approved measures being kept in place during the entire course of development.

Reason: To ensure that reasonable measures are being taken to protect retained trees during construction in line with Policy BNE43 of the Medway Local Plan 2003.

- 8 No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority in consultation with the LLFA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

The approved 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 waters and watercourses.
- iii. Measures for managing any on or offsite flood risk

The development shall be undertaken in accordance with the agreed details.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 167 of NPPF.

- 9 No development shall take place until a scheme based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.

The scheme shall include (where applicable):

- i. Details of the design of the scheme (in conjunction with the landscaping plan where applicable).
- ii. A timetable for its implementation (including phased implementation if applicable).
- 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 undertaken in accordance with the agreed scheme.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 167 of NPPF.

- 10 No development above slab level shall take place until further details of the construction of the digital production studio have been submitted to and approved

in writing by the Local Planning Authority. This should include details of elevational treatments and the proposed detailing to the external facades. The development shall be implemented in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, and respects the setting of the heritage assets in accordance with Policy BNE1, BNE12, BNE18 and BNE20 of the Medway Local Plan 2003.

- 11 No development above slab level shall take place until full details and samples of all materials to be used externally on the proposed new extension have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, and respects the setting of the heritage assets in accordance with Policy BNE1, BNE12, BNE18 and BNE20 of the Medway Local Plan 2003.

- 12 No development above ground floor slab level shall take place until details of the proposed sub station to the rear of the site have been submitted to and approved in writing by the Local Planning Authority. These details should include proposed dimensions, external appearance and any proposed alterations to the Dockyard wall and railings to provide access. 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 accordance with Policy BNE1 of the Medway Local Plan 2003.

- 13 Within three months of commencement, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will incorporate the measures detailed within the Biodiversity Gain Plan (Native Ecology, November 2023), Ecological Impact Assessment, (Native Ecology, July, 2023) and the Design and Access Statement (Grant Associates, November 2023) and shall include:

- Names of species, proposed location and number of specimens to be planted within the site to show that the landscaping scheme will comprise of predominantly native species, including green roof areas;
- Details of enhancement features to be provided for biodiversity, including those detailed within the EclA report, Native Ecology, July 2023;
- Description and evaluation of areas to be managed;
- Constraints on site that might influence management;
- Aims and objectives of management;

- Appropriate management prescriptions for achieving aims and objectives in alignment with BNG targets;
- Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- Details of the body or organisation responsible for implementation of the plan, and;
- Further evidence of off-site woodland provision to achieve Biodiversity Net Gain;

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

Reason: In accordance with the objectives of Policies BNE37 and BNE39 of the Medway Local Plan 2003 and paragraph 174 of the NPPF.

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

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.

- 15 The bat mitigation measures shall be carried out in accordance with the details contained in paragraphs 10.3 - 10.22 of the Ecological Impact Assessment (ECIA) (ref; 1136_R04_REV A, dated 11 July 2023), unless additional measures are required by Natural England. Should Natural England require less mitigation than that detailed within the report, then all remaining measures shall be included as enhancements. The bat mitigation, and any enhancements, shall be implemented in accordance with these details and retained thereafter.

Reason: Required to avoid any irreversible detrimental impact on protected species in line with Policy BNE37 and BNE39 of the Medway Local Plan 2003.

- 16 No part of the development shall be occupied until details of an on-site historical interpretation strategy, including the brick pier associated to the Brunel sawmill and the Police Section House have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include location, design, dimensions and materials of the proposed on-site interpretation works. The approved details shall be implemented in full prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: To ensure that due regard is given to the history of the site in accordance with paragraph 198 of the NPPF.

17 Prior to the first occupation of the development herein approved, full details of a hard and soft landscape scheme shall be submitted to and approved in writing by the Local Planning Authority, containing the following:

- i. Plans and information providing details of 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, lighting, and services (including drainage), tree grilles, minor artefacts, and structures (seating, refuse receptacles and raised planters). Soft landscape works, including details of planting plans, tree positions, planting build ups, written specifications (including cultivation and other operations associated with grass, tree and planting establishment, aftercare, and maintenance); schedules of plants, noting species, plant sizes, root treatments and proposed numbers/densities where appropriate.
- ii. Details for the design and specification of tree planting to enable healthy establishment at maturity. Information should provide details for the planting environment (including within hard landscape, and raised planters), calculated soil volume, tree support and tie specification, guards and grilles, aeration and irrigation systems, soil build-up information (avoiding the use of tree sand), tree cell systems (to street tree planting environments).
- iii. Detailed information should be provided for the design and specification of green roofs. Including drainage and soil build up, planting plans & plant schedules, all paving and hard surfacing, minor artefacts, and structures.
- iv. Detailed information for the design and specification of green wall and climbing systems, including planting selection, specification, and details of irrigation systems.
- v. A timetable for implementation.

The development shall be implemented in accordance with the approved details and timetable and any trees or plants which within 5 years of planting are removed 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.

- 18 No part of the development shall be occupied until a Landscape Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include long-term design objectives, management responsibilities and maintenance schedules for all hard and soft landscape areas for a minimum period of five years, with arrangements for implementation and future review. The document shall also include an appendix incorporating product specification sheets for all street furniture, covering installation and maintenance requirements. The development shall thereafter be managed in accordance with the approved details.

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

- 19 No part of the development shall be occupied until an external lighting design plan has been submitted to and approved in writing by the Local Planning Authority. Details shall include type, height, position, external appearance, any shielding, light intensity, colour, spillage (as well as the expected horizontal and vertical light spill in lux levels) and hours of use, to demonstrate that areas to be lit will not adversely impact biodiversity or amenity. All external lighting will be installed in accordance with the specifications and locations set out in the approved plan and will be maintained thereafter.

Reason: In order to limit the impact of the lighting on the landscaping of the site, the surrounding landscape and heritage features, nearby residents, and wildlife and with regard to Policies BNE1, BNE2, BNE5, BNE37 and BNE39 of the Medway Local Plan 2003.

- 20 No part of the development shall be occupied 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. This should also include details for the construction of the proposed retaining wall to the southern boundary. The boundary treatment shall be implemented in accordance with the approved details before any building is occupied and shall thereafter be retained.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1, BNE13 and BNE18 of the Medway Local Plan 2003.

- 21 Prior to first occupation (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 by the Local Planning Authority to confirm that the agreed surface water system has been constructed as per the agreed scheme and plans. The report shall include details and locations of critical drainage infrastructure (such as inlets, outlets and control structures) including as built

drawings, and an operation and maintenance manual for the unadopted parts of the scheme as constructed.

Reason: This condition is sought in accordance with paragraph 168 of the NPPF to ensure that suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk onsite or elsewhere.

- 22 No part of the development shall be occupied until details of cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities shall be implemented in accordance with the approved details prior to the herein approved development being occupied and thereafter no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking and re-enacting that Order) shall be carried out on the land so shown for cycle and refuse storage facilities.

Reason: To ensure sufficient cycle parking is provided and to accord with Policies BNE1 and T4 of the Medway Local Plan

- 23 The development shall be implemented in accordance with the measures to address energy efficiency and climate change as outlined within the Sustainability Statement received on 12 October 2023. Prior to the first occupation of the development a verification report prepared by a suitably qualified professional shall be submitted to and approved in writing by the Local Planning Authority confirming that the approved measures have been undertaken and will thereafter be maintained.

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 application seeks planning permission for the part demolition and conversion of the former Police Section House (Section House) for exhibition space, cafe, meeting space, post-production studios, office and co-working space. The proposals also include the construction of a digital production studio to the rear with rooftop PV panels, a single storey plinth extension with first floor link to the Section House, substation, hard and soft landscaping, vehicular access and associated works.

The proposals are for approx. 817 sqm (GIA) of refurbished space in the former Section House; comprised of exhibition space, cafe, entrance, hireable meeting space and associated ancillary spaces on the ground floor; with post-production studios, office, co-

working and communal space on the upper floors. The proposed digital production studio building to the rear of the Section House would include approx. 735 sqm (GIA) of floor space. This would comprise three studios, green rooms/dressing rooms, production offices and technical space, plus associated facilities within a single-storey plinth that would be linked to the Section House via a first floor walkway. The alterations and fabric removal to the Section House will be detailed and described as part of a separate Scheduled Monument Application which will be submitted to Historic England. Therefore, the Section House layouts and treatments as shown on the drawings are indicative only and are to assist in understanding the wider scheme proposals.

The footprint of the proposed extension to the rear would measure approx. 25m (width) x 30m (length) at ground floor level where it would accommodate the ancillary studio space, plant room, store and control room. The main production studio would measure approx. 19.5m (width) x 16.7m (length) and would extend above the single storey ground floor plinth to a height of approx. 13.7m. The height of the production studio has been manipulated to align with the parapet level of the Section House.

The proposed use of the Section House, and the siting of the new digital production studios, would also require the creation of a new access route to enable the construction and ongoing servicing of the new building. Therefore, the application also proposes to remove the non-original northern wing extension to the Section House to facilitate these access requirements in a safer and more discrete location, with fewer implications for the pier and retaining wall associated with the (Grade I Listed) Brunel sawmills.

The proposals also include new hard and soft landscaping proposals, including landscaping improvements to the front of the Section House, a central courtyard garden between the Section House and new extension as well as further landscaping around the site boundaries.

In parallel to this planning submission a separate application for Listed Building Consent has been submitted detailing the proposed retention and alteration to the railway brick pier associated with the adjacent Brunel Sawmill. These works are necessary to facilitate the proposals and associated landscape works.

Relevant Planning History

MC/23/1833

Listed building consent application for the retention and alteration to brick pier and associated works.
Decision: Pending application

Representations

The application has been advertised on site, in the press and by individual neighbour notification to the owners and occupiers of neighbouring properties. The Environment Agency, Chatham Maritime Trust, KCC Archaeology, KCC Biodiversity, Chatham Historic Dockyard Trust, Historic England, Natural England, Kent Wildlife Trust, Kent Police, Royal

Society for the Protection of Birds, The Georgian Group, The Society for Protection of Ancient Buildings, The Twentieth Century Society, The Victorian Society, Ancient Monuments Society Council for British Archaeology and the Council for British Archaeology were also consulted.

No letters of neighbour representation have been received.

The **Environment Agency (EA)** have provided standing advice on when Local Planning Authorities should consult the EA. They have made no comments in respect to the application proposals.

Natural England have advised that based on the plans submitted, they consider that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. Therefore, they have raised no objection.

KCC Archaeology have advised that sufficient information has been submitted alongside the application in respect to the archaeological implications of the scheme. Therefore, the details are sufficient to meet the requirements of paragraph 194 of the NPPF. The proposed development has the potential to impact a range of archaeological remains, these include buried remains associated with and pre-dating the historic dockyard as well as the archaeological interest represented within the fabric of the former Police Section House and other upstanding dockyard remains. Therefore, it would be necessary to include relevant conditions to secure the appropriate safeguarding and/or investigation and recording of archaeological information. Subject to these conditions no objection is raised.

KCC Biodiversity have reviewed the ecological information submitted by the applicant and advise that sufficient ecological information has been provided. This is based on the submission of an Ecological Impact Assessment (EclA) which provides mitigation recommendations for the protected/priority species likely to be impacted by the proposals. Therefore, and subject to appropriate conditions they raise no objection. They are also satisfied that the proposed bat mitigation is appropriate, and that the favourable conservation status of the bat population can be maintained. No works can be carried out until a European Protected Species licence for bats has been issued by Natural England and attention is drawn to the need for Medway Council to consider whether it is likely that a licence from Natural England will be granted. This is addressed within the Ecology section of this report.

Historic England have advised that they support the application on heritage grounds provided that appropriate conditions are put in place if the Council. This relates to further construction design details for the extension, material samples, including for hard landscaping and new build elements, and details of proposed landscaping. Subject to this they consider that the application meets the requirements of the NPPF, in particular paragraphs 195 and 197. However, in accordance with paragraph 202 of the NPPF, the Council will need to weigh any harm identified against the public benefits. Works to the

interior of the Police Section House will be subject to a Scheduled Monument Consent and are not therefore considered within Historic England's response.

The Chatham Historic Dockyard Trust have expressed in principle support for the proposal, particularly the part demolition and conversion of the Police Section House, recognising that the detailed approvals will be obtained as part of the application for Scheduled Monument Consent. However, given the size and prominence of the new digital production studio an objection has been raised in respect to its appearance. Whilst the Trust is broadly content with the use of Corten steel, they do have concerns regarding the detailing of it, and more specifically the cross lattice design which lacks vertical emphasis. They have therefore urged that this is further refined with specific reference to the Dockyard's broader architectural character.

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 2023 (the NPPF) and are generally considered to conform. The Chatham Interface Land Development Brief SPD (June 2018) is also applicable.

Planning Appraisal

Principle

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

The NPPF seeks to pursue sustainable development, 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). Paragraph 83 of the NPPF states planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.

The site is located within the urban area as defined on the proposal maps to the Local Plan and in close proximity to the Chatham Historic Dockyard. The Chatham Historic Dockyard Conservation boundary also cuts across the proposed development site, with the rear (east) portion of the site located outside, but within its setting. Policy BNE12 of the Local Plan is therefore applicable. This policy requires special attention to be paid to the preservation and enhancement of the character and appearance of conservation areas.

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 S9 also relates directly to the Chatham Historic Dockyard and states that development that respects the historic character of the site will be permitted, providing that the standard of urban design is of the highest order. In addition, Policy CF7 of the Local Plan also supports the expansion of existing campuses at Chatham Maritime and the Chatham Historic Dockyard.

The site also features within the Chatham Interface Land Development Brief SPD (June 2018), located within the 'Brunel site', the Development Brief is a supplementary planning document that provides further guidance in respect to wider regeneration opportunities within the Dockyard. The document describes the opportunities and challenges associated with the redevelopment of the Interface land. It also emphasises the importance of the highest quality design approaches that maximise the potential of the sites, enhance the heritage of the sites and their setting, and ensure the perpetuation of neighbouring uses.

Subject to a further assessment of design, amenity, contamination, highways, flood risk, heritage impacts, archaeology, ecology, tree and landscape considerations the principle of the proposal would be acceptable and in accordance with Policies S9, BNE12 and CF7 of the Local Plan and Paragraphs 11 and 83 of the NPPF.

Design

Policy BNE1 of the Local Plan states that the design of development should be appropriate in relation to the character, appearance and functioning of the built and natural environment by amongst other matters being satisfactory in terms of scale, mass, proportion, details, and materials. Paragraphs 126 and 130 of the NPPF also emphasises the importance of good design.

The design approach towards the Section House has been considered with close regard to its unique setting and the relationship of the site to the wider Historic Dockyard and has focused on the retention of as many original features as possible. The design team have sought to retain original walls and wall returns, while enhancing the legibility and accessibility of the building through the installation of a lift core and widening some doorways to ensure the building meets up to date building regulations. These elements of the proposal will be subject to further consideration as part of the Scheduled Ancient Monument consent.

In respect to the proposed extension, its scale is very much derived from its function and the need for it to contain the specialist equipment and facilities that form part of its proposed use as a digital production studio. However, its design and layout within the site has been carefully considered to minimise its impact. The proposed footprint has been positioned to be set back from the Section House, to retain space between the Section House and new building for new landscaping. The height of the extension has also been

manipulated to align with the parapet level of the Section House so not to detract from its intended prominence. In addition, it is positioned to the rear (east) of the Section House so to minimise conflict with the principal elevation which is clearly visible within the Conservation Area.

The choice of materials have also been carefully selected, following extensive pre-application engagement with the Council and Historic England. This comprises the use of high-quality brick at ground floor level and Corten steel shingle cladding on upper floor levels. The brick material also complements the colour and tones of the existing Section House and neighbouring brick pier. While bold, the material palette for the proposed extension is a solution inspired by the use of iron and other metals within the dockyard drawing on local character and distinctiveness. The design of the external envelope has also evolved into a subtle but sophisticated take on metal and timber structures, which could be an important addition to the modern architecture of the Dockyard. This includes vertical timber and steel tensions and bracings to create an industrial character.

In summary, the proposed design for the new extension, has been well considered and thought through and subject to detailing, which can be secured through condition, the scheme would represent a high-quality development. In addition, a condition will also be sought requiring further details of the proposed sub-station including its dimensions, its external appearance and any proposed alterations to the Dockyard wall and railings to provide access.

In view of the above the design and layout of the development is considered acceptable with regard to Policies BNE1 and S9 of the Local Plan and paragraphs 126 and 130 of the NPPF.

Amenity

Policy BNE2 of the Local Plan states that all development should secure the amenities of its future occupants and protect those amenities enjoyed by nearby and adjacent properties, and paragraph 130 of the NPPF states that decisions should create places that have a high standard of amenity for existing and future users.

The Section House is located within an isolated location within the northern section of the Dockyard and a considerable distance from the nearest residential properties to the south (Marc Brunel Way). As such there will be no detrimental impact on the nearest residential properties in terms of loss of outlook, privacy, sunlight or daylight.

However, there is a children's nursery (Busy Bees) located directly to the north of the application site. The proposed extension will have a clear visual presence when seen from the adjacent site, this is inevitable given the scale and mass of the main production studio. Furthermore, and by virtue of its height it will also cast a shadow over their adjoining outside play space, particularly into the latter morning and afternoon. That said, there are existing trees within the application site which already shade the nursery, albeit this would only be during certain times of the year when these trees are in leaf. Although

the ground floor plinth of the proposed extension to the rear would be near the boundary, the larger bulk of the main production studio which would extend above the ground floor ancillary studio space would be set approx. 4.5-5m from the site boundary which would help to reduce its prominence to a degree. Furthermore, and as this building would be in commercial use this would be less sensitive in comparison to if this building was in residential occupation. Moreover, the only windows would be inserted at ground floor level facing the Section House and as such this would not present any concerns in respect to overlooking. In addition, it is not considered that the noise and activity that would be generated in connection with the use would be unacceptable.

While there will undoubtedly be an impact on the occupiers of the adjacent building in respect to overshadowing and visual prominence, the harm caused would not be at a level that would warrant refusal of the application. Particularly when having due regard to the matters considered above, and when also taking into account the significant benefits of bringing a long term vacant important historic building back into use as an exciting creative cultural hub which will provide a new platform with an emphasis on state of the art interactive technology.

Due to the proximity of neighbouring properties and the potential for nuisances to be caused during the construction phase a Construction Environment Management Plan will be required as a condition of this approval.

Subsequently and subject to the suggested condition being imposed, no objections are raised in terms of neighbouring amenity. The proposal is considered to comply with Policy BNE2 of the Local Plan and paragraph 130 of the NPPF in this regard.

Contamination

The application has been submitted with a Site Investigation Report (ref; 107864/JRCB, dated 19 May 2023). The report includes a summary of the findings and conclusions of the desk top study and preliminary risk assessment. It then describes the intrusive investigation undertaken and gives a summary of the ground conditions encountered. The report is in line with current guidance, and it is accepted that no significant contamination was found following intrusive investigations. However, due to the historical use of the dockyard it is recommended that a watching brief condition be attached to the permission.

Subject to this condition no objection is raised regarding Policy BNE23 of the Local Plan and paragraphs 183 and 184 of the NPPF.

Highways

Policy T1 of the Local Plan states that when assessing the highways impact of development, proposals need to ensure that the highway network has existing capacity to cater for the increase in traffic generation and that the development will not significantly add to the risk of road traffic accidents. Policy T2 of the Local Plan states that where proposals involve the intensification of an existing access, they must not be detrimental to the safety of vehicle occupants, cyclists and pedestrians. Policy T3 of the Local Plan

also requires development proposals to provide a safe and accessible pedestrian environment and Policies T4 and T13 of the Local Plan states the cycle and vehicle parking should be provided in accordance with the adopted standard. In addition, paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The application is accompanied by a Transport Statement (dated July 2023), which encompasses the Parking Privacy Policy document, Regulation for the Management of traffic and Travel, and a Transport Service Level Agreement. The site is within an accessible location having regard to the nearby retail and commercial uses to the north and bus stops on Dock Road, providing access to Chatham Station. Parking on the local highway network is restricted and managed by the Council's Highway Authority. Similarly, parking within the estate is either prohibited and enforced by double yellow lines or privately managed. For this reason, and with the exception of one disabled car parking space that will be provided to the front of the site a car-free development proposal raises no parking concerns.

A new vehicle site access is proposed along the northern edge of the site following demolition of the non-original northern extension with direct access from Pembroke Rise. The access will be used for delivery and servicing vehicles for the building. The proposed new access arrangements for servicing vehicles from Brunel Way would be acceptable and would raise no highway safety concerns.

Pedestrians and cyclists will be able to access the site from Brunel Way or Pembroke Rise with a main entrance from the front façade of the Section House. Although there is an expected increase of movement to this area of the Dockyard resulting from the proposed development, the movement will mainly utilise existing and proposed routes as part of the wider Interface land development proposals.

In terms of traffic generation, this will be managed as part of the University's traffic regulation policy (Regulation for the management of traffic and Travel), and the Transport Statement asserts that the traffic regulation will be updated to mitigate any impact associated with the development. Furthermore, the application proposes 10 cycle parking spaces, located at the front of the Section House, to encourage more sustainable modes of travel, further details of which can be secured by condition.

For the reasons outlined above the development would not have an appreciable impact on road safety and the free movement of traffic in this vicinity. In view of this, and with a condition requiring further details of the proposed cycle parking, no objection is raised under Policies T1, T2, T3, T4 and T13 of the Local Plan and paragraphs 111 and 112 and 130 of the NPPF.

Flood Risk and Drainage

The application has been submitted with a Drainage Statement (ref; 1337-INT-DS-XX-RP-D-0001, dated August 2023). According to the Environment Agency Flood Map for Planning, the site is located entirely in Flood Zone 1, which has less than 1:1,000 annual probability of flooding. As the site area is also less than 1 hectare and the site is in Flood Zone 1, a Flood Risk Assessment is not required.

New foul drainage is proposed for the Section House which will run along the east elevation similar to the existing drainage while avoiding the existing strip footings. The Docking Station foul drainage will run along the building's west elevation. The foul drainage will then exit the building to Pembroke Rise which will then drain to the north and connect to the Southern Water drain in Brunel Way. The alignment of this drainage run will be agreed with the landowner.

For the new building and new hard landscaped areas, Sustainable Drainage Systems (SuDS) will be designed to manage the surface water run-off from the proposed development at source. Soakage testing carried out in front of the existing Section House during the site Investigation indicated that surface water infiltration is not feasible due to a low infiltration rate. The underlying chalk formation is anticipated to have a higher soakage rate, but this would require chambers to be at minimum 5m depth. Also, due to the groundwater levels, there is unlikely to be a suitable depth of unsaturated chalk beneath the base of the chamber. While at the rear of the site the chalk formation is closer to ground level, the chalk has been assessed as being low density and following the guidance contained within CIRIA C574, soakaways must be placed a minimum distance of 10m from any structure. Therefore, due to the constrained dimensions of the site, disposal of surface run-off using conventional soakaways is not possible. There is no surface water body connected to the site and the nearest surface water sewer along Dock Road would require pumping due to site sloping. Hence, all surface water is to discharge into the existing outfall to the north of the site.

To restrict the surface water flows, a Hydro-Break control is proposed to attenuate the flows and store water within two underground cellular storage units. One unit is proposed in front of the Section House, which drains the front half of the existing building. The second unit would be between the two buildings and drain the rear half of the Section House and the new extension. The attenuated flows are connected to the existing sewer. Moreover, the proposed development includes a partial green roof and a bioretention feature between the buildings, above the attenuation tank. This will result in slower inflow to the attenuation tank and improved water quality. MicroDrainage has also been used to simulate the proposed geo-cellular storage for the 1, 30, 100 and the 1 in 100 year + 40% climate change events.

The proposed foul and surface water drainage arrangements are acceptable, and subject to conditions requiring further information with respect to sustainable drainage principles, a construction surface water management plan and a drainage verification report no

objection is raised in regard to Policy CF13 of the Local Plan and paragraph 167 of the NPPF.

Heritage

Policy BNE14 of the Local Plan requires that development within conservation areas, or affecting their setting, should achieve a high quality design which will preserve or enhance the areas historic or architectural character. Policy BNE17 and BNE18 of the Local Plan states that development, alterations, extensions, conversions or changes of use affecting a Listed Building, or its setting will not be permitted if they are detrimental to the architectural or historic character of the building; or unsympathetic in design, scale, appearance and use; or do not retain original features and materials. Policy BNE20 of the Local Plan also affirms that development which would damage or destroy a scheduled ancient monument or be detrimental to its setting will not be permitted.

Paragraphs 195, 199 - 206 of the NPPF sets out the importance of identifying and assessing the particular significance of any heritage asset that may be affected by a proposal, and where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, weighing up this harm against the public benefits. Paragraph 197 of the NPPF is also relevant, and states that Local Authorities should take account of the positive contribution that the conservation of heritage assets can make to sustainable communities, including their economic vitality.

A Heritage Statement (ref; 2062 Rev P02, dated 9 August 2023) and separate Heritage Statement relating to the listed brick pier belonging to the former overhead travelling crane (ref; 2062 Rev P01, dated 4 August 2023) have been submitted with the application.

The Section House is a Grade II listed, scheduled monument. Built in the 1860's it is principally significant as a rare example of dockyard police accommodation. It is a substantial three storey building, which was intended to be a highly visible reminder of the police presence on site. It is a robust building without significant architectural embellishment, though built to a good quality. Its plan form flows from its functional use, with ancillary spaces on the ground floor and dormitories and private accommodation for a Superintendent on the first floor. This contributes to significance as it helps explain its historic function, as does the cupola on the roof, which allowed surveillance of the site (including for fire watching purposes). Later changes, to the building, including the addition of flanking extensions, contribute to our understanding of how the building was adapted to meet the changing needs of the Police Force. Overall, the Section House is therefore of high significance.

Works to the interior of the Section House will be subject to a Scheduled Monument Consent which will need to be submitted to Historic England. Therefore, this element of the proposal has not been considered.

The proposed extension to the Section House would cause harm to its significance. This is principally because the scale and massing of the proposed extension, is likely to compromise an understanding of the building's intended prominence as a visible reminder

of its role in policing the dockyard. However, it is recognised the scale is derived from its function and the need for it to contain the specialist equipment and facilities that form part of its proposed use as a digital production studio. Furthermore, the impact of the extension is mitigated to a degree by the design and positioning of the proposed extension by ensuring it remains slightly smaller than the Section House so not to detract from its intended prominence. In addition, it is positioned to the rear (east) of the Section House so to minimise conflict with the principal elevation which is clearly visible within the Conservation Area.

In acknowledging that the proposal would cause harm to the significance of the Section House, Historic England have advised that they think the harm from this would be at the lower end. This is because this impact would be greatest in views from Dock Road, i.e. outside the dockyard rather than from within the dockyard where dockyard authorities most wanted workers to feel the presence. There would also be some impact on an appreciation of the prominence of the Section House from within the dockyard but these effects would not be appreciated in views of the building's principal elevation.

In views from the south towards the side elevation of the Section House the proposed extension would also be visible, compromising to a small degree, a sense of the building's intended prominence in the dockyard. This may also be the case in oblique views from the west of the Section House, where there may be glimpsed views of the extension, the scale of which could compromise an appreciation of the prominence of the Section House. However, this would be also to a small degree.

The removal of modern traditionally designed sashes would not cause any harm but their replacement with doors in a modern design would cause a very low level of harm to the building's architectural value because the architectural coherence of the traditional doors and windows would be slightly compromised. Similarly, the demolition of a later single storey wing would compromise an understanding of later changes, causing harm to significance. The proposals also have the potential to cause a low degree of harm to the significance of the conservation area because of the loss of formally open land used for stacking timber at the rear of the Section House. This would make it more difficult to understand that the stacking yard was left free of development, except for the overhead railway, to stack timber.

Paragraph 195 of the NPPF notes that "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". This should be taken 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.

Paragraph 197 of the NPPF is also relevant. This states that “in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.”

The NPPF also highlights the importance of giving great weight to the conservation of designated heritage (noting the more important the asset, the greater the weight), irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (Paragraph 199).

Paragraph 202 of the NPPF also identifies the need to weigh any harm to the significance of designated heritage against the public benefit of the proposal, including securing the optimum viable use of an asset. Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets (footnote 68).

In addition, paragraph 206 of the NPPF states that “local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”

Although the proposed development would not result in the loss of a heritage asset, it would cause harm to the significance of the Section House and conservation area for the reasons as detailed above. However, it is considered that the scale and mass of the proposed extension represents the least harmful way to deliver the digital production studio, which is a fundamental component of the proposed creative use in the Section House. The demolition of the single storey extension to create adequate servicing for the proposed use is also unavoidable and that where replacement doorways are proposed, they are required to make the building function in its new use.

The proposed development would also bring a long term vacant important historic building back into use that would deliver works which conserve the Section House and that could contribute towards sustainable communities and economic vibrancy. In addition, the design of the external envelope to the proposed extension has also evolved into a subtle but sophisticated modern take on metal and timber structures found within the dockyard which draws on local character and distinctiveness providing a modern take on architecture. This is also reflected in the way in which the language of the extension has been incorporated onto the Section House, such as the asymmetrical awning on its principal elevation. To ensure that the quality of the proposals transfers through to its

build, a condition would be imposed requiring detailed designs for the construction of the extension, as well as samples/details of any materials to be used externally.

The proposal would result in harm to the significance to the Section House, conservation area and to a much lesser extent the Brunel Sawmill, but this harm would be less than substantial. In that range it would be low to moderate, but when having due regard to the significant heritage benefit of securing the long-term beneficial use of the Section House, an important and long vacant historic building, it is considered, that this level of harm is acceptable. Accordingly, and subject to conditions to secure further details in respect to design, materials and landscaping proposals no objection is raised under Policies BNE14, BNE17, BNE18 and BNE20 of the Local Plan and Paragraphs 195, 199 - 206 of the NPPF.

Archaeology

Policy BNE21 of the Local Plan seeks to protect development which would affect important archaeological sites, unless appropriate field evaluation and archaeological investigations have demonstrated that it would not lead to the damage or destruction of important archaeological remains. Similarly, paragraph 194 of the NPPF requires the applicant to describe the significance of any heritage assets affected, including any contribution made by their setting and carry out appropriate assessments where necessary.

As a broad principle the archaeology at the historic dockyard is very varied and extensive. It not only includes remains associated with the dockyard but also pre-dockyard archaeology. The current designations within the historic dockyard are targeted, and it should be anticipated and expected that important, possibly nationally important archaeological remains will survive in areas not currently subject to designation. Important archaeological remains may not be designated for various reasons, including because their significance is not yet fully understood, due to past decisions around managing the archaeological resource or because the nature of the remains does not lend themselves to protection through scheduling or other designation. For the Section House site, the site's below ground archaeological potential primarily relates to (but is not limited to):

- Superficial (Head) deposits containing reworked (secondary context) Palaeolithic artefacts and potentially [pockets of] brickearth from which suggested primary context Palaeolithic worked flint has recently been recovered nearby (judged to have the potential to be of high significance – regional or possibly national importance).
- Pre-dockyard archaeology, potentially including further evidence for Iron Age activity and evidence for pre-dockyard land divisions (judged to have the potential to be of medium significance – local or regional importance).
- Remains associated with the overhead railway and timber stacking yards (judged to have the potential to be of medium to high significance – regional or possibly national importance).

Additionally, the surviving fabric of the Section House itself, along with adjoining upstanding remains (retaining walls, brick pier for the travelling crane, etc) are also of archaeological interest. The heritage interest in the former Section House is recognised through its dual designation as a grade II listed building and scheduled monument.

The application is supported by a range of documents which consider the archaeological implications of the scheme. These include an Archaeological Desk-based Assessment (ref; 32040.01 dated June 2020), Archaeological Watching Brief Report (ref; 32042.02 v01 dated June 2023), a report setting out the results of a Geophysical Survey (resistivity) (ref; DAS039-22, dated September 2022), a report by Ravelin Archaeological Services setting out the results of archaeological monitoring of geotechnical Site Investigations (dated June 2023), and Heritage Statements as referenced in the Heritage section of this report above. In combination these submitted details are sufficient to meet the information requirements set out in paragraph 194 of the NPPF.

The proposed development has the potential to impact a range of archaeological remains, these include buried remains associated with and pre-dating the historic dockyard as well as the archaeological interest represented within the fabric of the former Section House and other upstanding dockyard remains. Therefore, it would be appropriate to include relevant conditions to secure the appropriate safeguarding and/or investigation and recording of archaeological information.

In addition, it would also be appropriate to secure the delivery of appropriate on-site interpretation so that the former function of the Section House and brick pier can be understood and appreciated, alongside an understanding of the development and use of this part of the dockyard, including its role for the storing of timber. Such interpretation works could be secured through an appropriately worded planning condition. Subject to the aforementioned conditions no objection is raised in regard to Policy BNE21 of the Local Plan and paragraph 194 of the NPPF.

Trees and Landscape

Policy BNE43 of the Local Plan states that development should seek to retain trees, woodlands and other landscape features that contribute to local character. Policy BNE6 of the Local Plan also requires development to provide structured and appropriate landscaping schemes to enhance the character of the area. This is broadly aligned with paragraphs 126 and 131 of the NPPF which requires the creation of high quality sustainable places and recognises the important contribution trees make to the character and quality of urban environments and their role in mitigating climate change.

An Arboricultural Impact Assessment, Method Statement and Tree Protection Plan (ref; PLC/6297/23/01 Rev 01, dated 6 November 2023), and associated landscape proposals have been submitted with the application. The proposed development will require the removal of 34 individual trees, predominantly located to the rear of the Section House. As a collective group, trees to the rear of the current building do contribute to the green infrastructure along Dock Road and they also provide vegetative screening and shading to the nursery to the north. It is therefore acknowledged that the loss of trees and

subsequent development of the site will result in a significant change in landscape character, particularly along Dock Road. At the front of the Section House the collective canopy of T5, T6 and T7 frames the current building and is visible from multiple viewpoints within the Historic Dockyard. It is therefore considered of aesthetic and landscape value. Horse chestnut T6's removal is required to facilitate construction of a new access road to provide access for service vehicles to the rear of the property. Although this will be noticeable, the canopy of the larger Horse chestnut T7 has suppressed the canopy of T6, impacting its form and reducing its vigour. It is intended that T7 will be retained and incorporated into the design by use of engineered surfacing solutions. The loss of T6 but retention of T7 will provide a continuation of arboricultural framing either side of the building which will help to maintain the current visual aesthetic alongside T5. These trees are in good health and considered to be positive contributors to local character and the setting of the Section House. T7 also serves a positive function in screening the digital production studio towards the rear from wider views within the Historic Dockyard.

The proposed landscaping scheme has incorporated a total of nine new trees, with six of these located within the site's eastern aspect to provide future green infrastructure that is visible from Dock Road. The proposals seek to increase the extent of built form across the site, which ultimately reduces the area available for compensatory tree planting. Additional offsite tree mitigation within the vicinity to the site has therefore been explored to sufficiently compensate tree loss, as detailed within the Biodiversity Net Gain section of this report below.

The landscaping scheme has been designed to create new external spaces between the Section House and digital production studio, while retaining existing trees where possible. The landscaping scheme will create a landscaped garden area to the front of the Section House where two existing horse chestnut trees will be retained. This will consist of a central paved area to accommodate outdoor seating with clear lines of site to the building entrances with the addition of hedges and rain gardens to soften the built frontage.

To the rear, a courtyard garden between the Section House and digital production studio will be created to allow staff, students and visitors to appreciate the setting of the listed building and new extension. Surrounding the digital production studio, soft landscaping will be introduced to soften and screen the new built form from Dock Road and neighbouring sites. A green roof will also be integrated on top of the ground floor roof of the studio to enhance the biodiversity of the site. In regard to hard landscaping, permeable paving is sought to be used, integrating into the wider drainage strategy, for areas towards the front and rear of the site. Where permeable paving is not proposed, notably within the courtyard area and front seating area, rain gardens and other SUDs measures will be used to manage surface water run-off. Further details of the proposed landscape strategy including boundary treatments, hard and soft landscape works, lighting, and an associated landscape management plan can be secured as conditions of the approval.

The Tree Survey includes an Arboricultural Method Statement, which includes further details in respect to initial tree works, tree protection fencing, storage and handling of chemicals and any works that may impact root protection areas during the demolition and

construction phases. However, the survey states that as this is only a preliminary statement, an updated arboricultural method statement will be required prior to demolition/construction as this will capture any/all updates and detailed designs that may occur between planning and commencement of site-based work, including construction site logistics and construction site set up. This updated method statement and tree protection plan can be requested as a planning condition.

The proposal will result in the loss of a substantial number of trees on site, including several classed as Category B and primarily of Sycamore and Horse Chestnut species. The loss of trees results in a degree of change to the setting of Dock Road, where existing tree canopies contribute to the formation of a green gateway. A level of mitigation planting is proposed, as part of framing the setting of the built form and impact of the development, although this would result in a net loss of trees for the site which cannot be suitably compensated for through replacement trees on site. However, the loss of these trees would need to be balanced against the benefits of the scheme, as well as any further mitigation that is proposed offsite. In this regard, there would be significant benefits associated with securing the long-term beneficial use of the Section House, an important and long vacant historic building. In addition, the proposal will offer state-of-the-art digital production studios aligning academia, industry and the community which will put Medway at the forefront of research and innovation into digital immersive experiences. Furthermore, and to compensate the loss of the trees, an environmental mitigation contribution will be secured for habitat creation/enhancement on land owned by Medway Council as outlined in the Biodiversity Net Gain section of this report.

In summary, and subject to the above mentioned conditions the proposal is considered acceptable including with regard to Policies BNE6 and BNE43 of the Local Plan and the advice set out in paragraphs 131 and 174 of the NPPF.

Ecology

The application has been submitted with an Ecological Impact Assessment (ECIA) (ref; 1136_R04_REV A, dated 11 July 2023), Bat Survey Report (ref; 1136_R01, dated 11 July 2023) and External Lighting Statement (dated August 2023). Previous ecological surveys were undertaken in 2020, as part of this the bat surveys undertaken at this time confirmed the presence of summer day roost for up to two common pipistrelle bats within the Section House, whereby bats gained access through an open sash window on the second floor. An updated Ecological Survey was undertaken by Native Ecology in January 2023, with an associated letter informing the requirement for updated roosting bat emergence surveys. Subsequent updated dusk emergence surveys were therefore undertaken between May and June 2023, confirming the presence of a single summer day roost with a peak count of two common pipistrelle bats.

KCC Ecology have advised that the proposed works and associated mitigation in respect to bats are acceptable, including to maintain the favourable conservation status of the bat population. It is noted that no works can be carried out until a European Protected Species licence for bats has been issued by Natural England and consideration has been given to whether it is likely that a licence will be granted. The bats were seen accessing the

building via second floor sash windows which are slightly ajar. The results of the survey work indicate that the roost is located within the loft area of the building, which is open to the second floor. In order to provide roost continuity during works, one bat box, will be temporarily installed on a retained mature tree within the site. A licenced bat ecologist will then provide an on site toolbox talk at the start of works and will be on site to supervise internal alterations above the first floor and any external alterations at roof level. Prior to the start of works appropriate measures will be taken within the top floor and roof of the building to exclude bats from this area as far as possible. In the event that a bat is found during internal or external works to the building, appropriate measures will be taken by the licenced ecologist to ensure that the bat is inspected and checked for signs of injury and released as soon as possible into the pre-installed temporary bat box or taken into care to release at or after dusk. In order to provide long-term roost opportunities within the site, at least two bat boxes, will be installed at the south and east elevations of the Section House to compensate the day roosts that will be lost and any external lighting will be directed away from proposed bat access points. In view of the above, and when also taking into account that these works are required to secure the long term re-use of a vacant building which will have a significant public benefit it is considered likely that a licence will be issued.

In addition to bats the ECIA also includes mitigation and compensation measures in respect to hedgehogs and nesting birds. This includes ecological enhancement measures that will be included as part of development proposals such as green roofs, native planting, bird boxes, log piles and bee bricks. Furthermore, paragraphs 10.25-6 of the ECIA also provide recommendations for precautionary measures to be followed during site clearance and construction. These mitigation and enhancement measures will be secured through appropriately worded planning conditions.

Subject to the aforementioned conditions, no objection is raised with regards to Policies BNE37 and BNE39 of the Local Plan and paragraph 174 of the NPPF.

Biodiversity Net Gain

The application has been submitted with a Baseline Habitat Condition Assessment (ref; 1136_R02, dated 10 July 2023), Biodiversity Gain Plan (ref; 1136_R04, dated 6 November 2023), Habitat Condition Assessment (modified grassland, individual trees, woodland) and Biodiversity Metric 4.0 calculations.

Proposals include the retention of 3 trees. It is assumed that all other habitats within the site will be lost during the construction process. Habitat creation will include areas of vegetated and rain garden, modified grassland, green roof and ground based green wall, 3no. medium trees, 6no. small trees and a native species hedgerow.

The biodiversity gain plan shows that development proposals result in a 15% loss in the biodiversity value of habitat units within the site. To achieve biodiversity net gain, loss of habitats of medium-very high distinctiveness must be offset according to the following habitat trading rules:

- loss of medium distinctiveness habitats must be offset with habitat creation of the same broad habitat type (e.g. grassland, woodland etc.) or a habitat of higher distinctiveness.
- loss of high distinctiveness habitat must be offset with like for like habitat creation.
- loss of very high distinctiveness habitat is likely to require bespoke compensation.

In the absence of suitable compensation, the trading summary results show that the habitat trading rules outlined above have not been met for loss of the following medium distinctiveness habitat:

- other woodland; broadleaved (0.58 unit deficit)

To compensate for this loss 0.58 units of other woodland; broadleaved, an environmental mitigation contribution will be secured for habitat creation/enhancement on land owned by Medway Council.

The environmental mitigation contribution will be used for:

- Monitoring / surveying of Medway Council land to identify which sites require enhancement or suitability for habitat creation.
- Costs associated with management plan reviews/updates to all types of habitats within the vicinity of the site (not restricted to open mosaic habitat, grassland and grassland/scrub mix).
- Capital works to create/enhance the recommended habitats.
- Costs of ongoing management costs of existing, enhanced and created habitats for a 15-year period.

A contribution will need to be agreed, based on the estimated cost of recreating an equivalent area of woodland elsewhere plus monitoring /reporting costs. The applicant has agreed to complete a Unilateral Undertaking to secure this contribution.

Further details of the measures that will be incorporated in respect to Biodiversity Net Gain will also be secured as a condition. This condition will require the applicant to submit a Landscape and Ecological Management Plan for written approval by the Local Planning Authority.

Climate Change and Energy Efficiency

The applicant has incorporated a Sustainability Statement within their Design and Access Statement which outlines the sustainability measures adopted as part of the proposed scheme. As part of the University's ongoing commitment to reduce the environmental impacts of their operations, the new proposals will operate in a way that contributes to a sustainable future. The University are developing the digital production studio to be compliant with BAFTA Albert's Sustainable Studio criteria. It is the ambition that these spaces will achieve the formal Albert Accreditation, which enable clients using the studios to list their output as a Sustainable Production. The Plan focuses on the following 5 areas:

- Electricity – exclusively 100% renewable.
- Offsetting – carbon footprint to be calculated annually and remaining emissions offset.
- Generation – monitoring annual energy use and working towards on-site generation.
- Services – disposal of waste with respect to the waste hierarchy.
- Future Tech – reduction of production travel emissions.

The proposed development seeks to be carbon 'net zero ready' and a fossil fuel free building through the ability to naturally ventilate via openable windows during the summer months to encourage a reduction in energy consumption and minimising waste by installing air source heat pump technology which will recycle the rejected heat from the digital production studio to provide free heating to the Section House. Photovoltaic panel arrays will be installed on the roof of the Main Studio providing on-site electricity generation for the entire facility and mechanical ventilation with high efficiency heat recovery units will minimise winter heating loads, reduce the size of the heating plant and allow for night-time free cooling.

The proposed development seeks to re-use and retain the existing Section House as part of the sustainability approach. The retention of the Section House will ensure that embodied carbon can be retained through the reuse of the existing building. The Section House will undergo a comprehensive retrofit removing all remaining asbestos and to enhance the thermal performance of the building fabric including roofs, walls, floors and windows. The proposed development will employ the principles of the circular economy during construction and fit out seeking to maximising reuse, retaining and recycling materials wherever possible. The use of sustainable, natural and low carbon materials will also be sought wherever possible.

The new digital production studio has been designed to minimise embodied carbon and energy to create a high performance thermally efficient building in its construction and operation. The digital production studio aims to target Passivhaus standards if achievable. Durable, long-lasting materials such as steel and masonry have historically been used in the dockyard and are proven to withstand the harsh maritime environment.

Further details of these measures will be requested as a condition of the approval in accordance with paragraph 154 of the NPPF.

Presumption in Favour of Sustainable development and the Overall Planning Balance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 11 of the NPPF applies a presumption in favour of sustainable development. For decision making this means approving development proposals that accord with an

up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (paragraph 11(d)), granting permission unless:

ii. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

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.

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.

The proposal would result in harm to the significance to the Section House, conservation area and to a much lesser extent the Brunel Sawmill, but this harm would be less than substantial. In addition, the harm identified would be clearly outweighed by the heritage benefits of securing the long-term beneficial use of the Section House, an important and long vacant historic building. This benefit would carry **significant** weight in the balance.

There would be clear economic benefits from the construction and operational phases of the development, and the development will create a demand for skilled jobs in digital research and innovation. There would also be broader benefits from providing a state-of-the-art digital production studio which would be accessible to students, creative industries, and the community. These benefits also carry **significant** weight in the balance.

The development would be located within in the urban area in a sustainable location in close proximity to the Universities existing campus which in turn could reduce car dependency. These are key objectives of the NPPF and would carry **moderate** weight.

Although the proposal would result in the loss of existing trees which do contribute to the green infrastructure along Dock Road, with wider eco-system benefits, to compensate the loss of the trees, an environmental mitigation contribution will be secured for habitat creation/enhancement on land owned by Medway Council. This will include capital works to create/enhance the recommended habitats as well as the costs for its ongoing management.

Taking all matters raised into account, the benefits of the proposal would significantly and demonstrably outweigh any harm, when assessed against the policies in the NPPF taken as a whole.

Conclusions and reasons for Approval

For the reasons as outlined above the proposed development is considered acceptable and there would be no detrimental impact in respect design, amenity, contamination, highways, flood risk, heritage impacts, archaeology, ecology, tree and landscape considerations. The application is therefore in accordance with Policies S1, S2, S9, BNE1, BNE2, BNE12, BNE14, BNE17, BNE18, BNE20, BNE21, BNE23, BNE37, BNE39, CF7, CF13, T1, T2, T3, T4 and T13 of the Local Plan, the advice set out in paragraphs 11, 83, 111, 112, 126, 130, 131, 154, 167, 174, 183, 184, 194, 195 and 199 – 206 of the NPPF.

The application would normally be determined under delegated powers but is being referred for Committee determination as requested by the Chief Planning Officer recognising the sensitivity of the proposal and the need to balance all the material planning issues.

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/>