

MC/23/2814

Date Received: 18 December 2023
Location: Ambulance Station, Star Mill Lane, Darland, Chatham
Proposal: Demolition of the existing buildings, clearance of the site and the creation of 14no. new homes and associated amenity, landscaping, access and parking.
Applicant Carvill Developments (Star Mill) Ltd

Agent C/o DHA Planning
DHA Planning
Mr David Bedford
Eclipse House
Eclipse Park
Maidstone
ME14 3EN
Ward: Watling
Case Officer: Tom Stubbs
Contact Number: 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 8th May 2024.

Recommendation - Approved Subject to:

- A. The applicant entering into a legal agreement under the terms of Section 106 of the Town and Country Planning Act 1990 to secure:
- i. £43,378.88 towards education improvements
 - ii. £6,621.12 towards strategic measures in respect of the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites.
 - iii. Meeting the Council's costs.
- B. Delegated powers to add or amend conditions following any comments from the Environment Agency subsequent to additional information sent to them by the applicant; and
- 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:

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246_PL_P030_A - Star Mill Lane Proposed Site Elevations
246_PL_P031_A - Star Mill Lane Proposed Site Elevations
246_PL_P032_A - Star Mill Lane Proposed Site Elevations
246_PL_P100_A - House Type 1 Floor plans Plots 1-5
246_PL_P101_A - House Type 1 Roof plan Plots 1-5
246_PL_P102_A - House Type 1 Floor plans Plots 6-10
246_PL_P103_A - House Type 1 Roof plan Plots 6-10
246_PL_P104_A - House Type 2 Floor plans Plots 11-14
246_PL_P105_A - House Type 2 House Type 2 Second and Roof Plan Plots 11-14
246_PL_P110_A - House Type 1 East and West Elevations Plots 1-5
246_PL_P110_A - House Type 1 East and West Elevations Plots 1-5
246_PL_P111_A - House Type 1 East and West Elevations Plots 6-10
246_PL_P112_A - House Type 1 South and North Elevations Plots 1-10
246_PL_P113_A - House Type 1 East and West Elevations Plots 11-14
246_PL_P114_A - House Type 2 North and South Elevations Plots 11-14

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246_PL_P002_B - Block Plan
246_PL_P010_C - Proposed Site Plan
001 Rev Q - Landscape- General Arrangement

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) that describes measures to control, amongst other matters, hours of working, deliveries to the site, noise, dust 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 with regard to Policy BNE2 of the Medway Local Plan 2003.

- 4 No development shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:
 1. A preliminary risk assessment which has identified:
 - o all previous uses.
 - o potential contaminants associated with those uses.
 - o a conceptual model of the site indicating sources, pathways and receptors and

- o potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be implemented as approved.

Reason: Required prior to development to ensure that the development does not contribute to, or is not put at irreversible unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 180 of the National Planning Policy Framework (NPPF).

5. 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 180 of the National Planning Policy Framework.

6. 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 180 of the National Planning Policy Framework.

7. No development shall take place 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 has been submitted to and approved in writing by the Local Planning Authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

The approved CSWMP and 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 approved details.

Reason: Required prior to commencement of development to manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 167 of the National Planning Policy Framework 2021.

- 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 (if applicable):

- i. a timetable for its implementation (including phased implementation where applicable).
- ii. appropriate operational, maintenance and access requirements for each sustainable drainage component are adequately considered.
- iii. proposed arrangements for future adoption by any public body, statutory undertaker or management company.

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

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 168 of National Planning Policy Framework 2021.

- 9 No 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 accordance with paragraph 180 of the NPPF.

- 10 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 that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To avoid any irreversible detrimental impact on human health and water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

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

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

- 12 No development above ground floor slab level shall take place until details of the provision of 1 electric vehicle charging point per dwelling has been submitted to and approved in writing by the Local Planning Authority. Details shall include the location, charging type (power output and charging speed), associated infrastructure and timetable for installation. The development shall be implemented in accordance with the approved details and shall thereafter be maintained in working order.

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

- 13 No development above ground floor slab level shall take place until a scheme for protecting the proposed development from transport noise sources has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of acoustic protection sufficient to ensure internal noise levels (LAeq,T) no greater than 30dB in bedrooms and 35dB in living rooms with windows closed and a maximum noise level (LAm_{ax}) of no more than 40dB(A) with windows closed. Where the internal noise levels will be exceeded with windows open, the scheme shall incorporate appropriate acoustically screened mechanical ventilation. The scheme shall include details of acoustic protection sufficient to ensure amenity/garden noise levels of not more than 55dB (LAeq,T). The development shall be implemented in accordance with the approved details before any of the/the dwellings are occupied and shall thereafter be retained.

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

- 14 No development above ground slab level shall take place, until details of how the development will offset biodiversity loss and enhance biodiversity have been submitted to, and approved in writing by, the local planning authority. Details will include native species planting shown, scaled plan(s) with planting schedules, as well as habitat boxes for bats and breeding birds. Boxes for breeding birds will be targeted at S41 priority species and/or red/amber listed species as listed within the latest British Trust for Ornithology Birds of Conservation Concern report. Any boxes included for wildlife will be building integrated and/or woodcrete boxes to ensure durability. The approved measures will be implemented and retained thereafter.

Reason: In means of ensuring biodiversity in accordance with paragraphs 186 of the NPPF.

- 15 No development above slab level shall take place until, full details of both hard and soft landscape works, and a timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. These details shall include existing and proposed finished ground levels; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; all paving and external hard surfacing; decking; minor artefacts and structures (play equipment, seating, refuse receptacles, planters, tree grilles, 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, aftercare and maintenance); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate. The development shall be implemented in accordance with the approved details and any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

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

- 16 Prior to the first occupation of the development herein approved, a landscape management plan, shall be 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 landscape areas (except for small, privately owned, domestic gardens) for a minimum period of five years and arrangements for implementation. The development shall thereafter be implemented 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.

- 17 No dwelling 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. The boundary treatment shall be completed in accordance with the approved details before the relevant dwellings is first occupied and shall thereafter be retained.

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

- 18 Prior to the first occupation of any dwelling herein approved (or within an agreed implementation schedule), a signed verification report carried out by a qualified drainage engineer (or equivalent) must be submitted to and approved in writing by the Local Planning Authority to confirm that the approved surface water systems has been constructed as per the approved scheme and plans. The report shall include details and locations of critical drainage infrastructure (such as inlets, outlets and control structures) including as built drawings, and an operation and maintenance manual for the unadopted parts of the scheme as constructed.

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

- 19 The development herein approved shall incorporate the measures to address energy efficiency and climate change as set out within Climate Change Statement ref: DHA/30482 (dated December 2023). No part of the Development shall be occupied until a verification report prepared by a suitably qualified professional has been submitted to and approved in writing by the Local Planning Authority confirming that all the approved measures have been implemented.

Reason: In the interests of sustainability and to positively address concerns regarding climate change in accordance with paragraph 159 of the National Planning Policy Framework 2023.

- 20 No dwelling herein approved shall be occupied until a Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Parking Management Plan shall contain details of how the parking spaces are to be managed for residents and their visitors, how the access road will be kept free of parking to enable access by refuse and emergency vehicles, how any offsite parking impacts will be mitigated, what allocation would be made to the residents of 1-4 Maynard Place, how overnight parking will be monitored and how visitor and resident parking will be monitored and allocated and how any breaches will be enforced. The Parking Management Plan shall be implemented in accordance with the approved details prior to the first occupation of any dwelling and shall thereafter be retained.

Reason: In the interests of sustainability and residential amenity in accordance with Policy T13 and BNE2 of the Medway Local plan 2003.

- 21 No dwelling herein approved shall be occupied until details in regard to the cycle storage facilities have been submitted to and approved in writing by the Local Planning Authority. The cycle storage facilities shall be provided in accordance with the approved details prior to the first occupation of the relevant dwelling and shall thereafter be retained.

Reason: To ensure satisfactory cycle storage in accordance with Policy T4 of the Medway Local Plan 2003.

- 22 No dwelling hereby approved shall be occupied until, the details in regard to the bin stores facilities have been submitted to and approved in writing by the Local Planning Authority. The bin storage facilities shall be provided in accordance with the approved details prior to first occupation of the relevant dwelling and shall thereafter be retained.

Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development in accordance with Policy T1 of the Medway Local Plan 2003.

- 23 Prior to the first occupation of any dwelling herein approved, the area shown on the submitted layout as vehicle parking space shall be provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space/garaging.

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

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

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

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 demolition of the existing buildings, clearance of the site and the creation of 14no. new homes and associated amenity, landscaping, access and parking.

The proposal seeks the demolition of the existing part two and part single storey ambulance station and workshop and to construct three rows of two storey pitched roof terraces. Two terraces of five 3-bedroom properties (plots 1-10) would be provided in the location of the ambulance station, with one fronting Star Mill Road and the other fronting the proposed car parking court. These terraces would benefit from a ginnel alley with tree planting within it. A third terrace of four 4-bedroom properties are located adjacent to 1 Maynard Place in the location of the ambulance workshop.

Plots 1-10 would measure approx. 5.5m wide, approx. 9.5m deep, approx. 5.6m to the eaves and approx. 8.4m to the ridge. Each property would consist of a ground floor open plan kitchen/living room/diner with w/c and hallway and a first floor of three bedrooms and a bathroom.

Plots 11-14 would measure approx. 5.4m wide, approx. 9.3m deep, approx. 5.6m to the eaves and approx. 8.6m to the ridge and include a flat roof rear dormer. Each property would consist of a ground floor open plan kitchen/living room/diner with w/c and hallway, a first floor of two bedrooms and a bathroom and second floor with a bedroom and ensuite.

The application proposes a shared surface however with a raised kerb to retain the existing footpath along Maynard Place adjacent Star Mill Court. The proposal includes 26 parking spaces which is proposed to be managed for 21 spaces for the new residents and 5 spaces for visitors and existing residents of Maynard Place.

Site Area/Density

Site Area: 0.26 hectares (0.64 acres)

Site Density: 53.85 dph (21.88 dpa)

Relevant Planning History

Adjacent site – Former Medway Fire Station

MC/23/1473	Construction of a food retail store (Class E) and 12 x apartments, split between two separate blocks comprising a ground floor retail unit and 4 apartments above fronting Watling Street with a separate building containing 8 apartments to the rear fronting Star Mill Lane with means of access and associated car parking, servicing and landscaping. Decision: Approved subject to conditions Decided: 26 April 2024
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Representation

The application has been advertised on site and by individual neighbour notification to the owners and occupiers of neighbouring properties. The Environment Agency, EDF Energy, Southern Water, Southern Gas Networks, Natural England, NHS, KCC Biodiversity, RSPB, Kent Wildlife Trust, Kent Police and National Highways have also been consulted.

Seven letters of objection have been received from **six** separate households raising the following concerns:

- Overstretched infrastructure regarding doctors and hospitals.
- Development would add to the existing parking pressure in the area.
- Impact on new development on existing parking arrangements for residents in Maynard Place unable to park in front of their garages.
- Concerns about safety of the access and onsite turning for large vehicles and originally proposed shared surfacing.
- Concerns regarding original bin store locations.
- Although supportive of the proposed green spaces in general. Concerns about loss privacy from the benches original proposed.
- Impact of privacy and overlooking of existing residents.

The **Environment Agency** have written to indicate that planning permission could be granted subject to conditions. The conditions requested include Remediation strategy, verification reports, unexpected contamination, Surface water drainage, no infiltration of surface water and piling details. Informative are also included regarding foul drainage, piling and waste. An informative will be added to draw the applicant's attention to this letter.

KCC Biodiversity have written to inform that sufficient information is provided within the application package. Section 40 of the Environment and Rural Communities Act 2006 and paragraphs 180 and 186 of the NPPF indicate that biodiversity should be maintained and enhanced through the planning system. Conditions are recommended to provide ecological enhancements and offset biodiversity loss are required. A breeding bird informative is also requested. They also indicate the need to secure bird mitigation due to the site location within 6km of the Medway Estuary and Marshes Protection Area.

Southern Water have written to indicate that the site is located within SPZ1 of Gillingham public groundwater supply. They oppose infiltration drainage at this site unless enhanced treatment is adopted. They do not object based on the details of the drainage strategy. They have provided a map of Southern Water equipment in the area and need to establish the exact position prior to determination. They indicate that a public foul sewer could be crossing the site. which needs an application to themselves. Any changes to the sewers will need to be done at the applicant expense. Further details are needed about SUDs and foul water. An informative will be added to draw the applicant's attention to this letter.

Kent Police have written to inform that the applicant should consult them for designing out crime and incorporate secure by design measures and listing some areas for

consideration. An informative will be added to draw the applicant's attention to this letter.

National Highways have written to offer no objection to the application.

Natural England have written to raise no objection subject to the securing of the bird mitigation requirements due to location within 6km of the Medway Estuary and Marshes Protection Area.

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 December 2023 (NPPF) and are generally considered to conform. Where non-conformity exists, this is addressed in the Planning Appraisal section below.

Planning Appraisal

Principle

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that all planning applications must be determined in accordance with the Development Plan unless other material considerations indicate otherwise. The development plan consists of the relevant saved policies of the Medway Local Plan 2003. The scheme should also be assessed against the Government's National Planning Policy Framework (The Framework), and The Government's National Planning Practice Guidance (NPPG), both of which are important material considerations.

The application site lies within an urban residential area. The site is not allocated for employment under the Local Plan and was previously operating as an ambulance station. The preamble for Policy ED3 of the Local Plan indicates that it can be appropriate to consider redevelopment of sites to facilitate an improvement to local amenity and environment in the area, likely to be housing. Policy H4 of the Local Plan states that residential development in the form of infilling and reuse of buildings no longer needed for non-residential purposes in such areas is acceptable providing that a clear improvement in the local environment will result. Paragraph 11 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development and, due to the Council's five-year land supply position great weight should be given to the social benefits of the provision of housing need as per paragraph 70 of the NPPF. Paragraphs 123 and 124 of the NPPF also encourages efficient uses of brownfield sites but seek to safeguard and improve the environment and ensure safe and healthy living conditions.

The principle of residential development is considered acceptable.

Design

Paragraphs 131 and 135 of the NPPF emphasises the importance of good design and Policy BNE1 of the Local Plan states that development should be satisfactory in terms of scale and mass and should respect the visual amenity of the surrounding area.

The proposed terraces are considered to be acceptable in size and scale being a contemporary version of the existing terraces in the area. The rear dormers to plots 11-14 are also considered to be suitable in size and scale. A condition is recommended to secure further details regarding external materials. Although the proposed site layout is quite hard landscaped dominant, the layout does allow some areas of soft landscaping public realm, including street tree planting which is an enhancement to the existing street scene which is dominated by car parking spaces for the previous ambulance station. To ensure satisfactory landscaping is provided on site, conditions are recommended regarding landscaping details, landscape management, lighting and boundary treatment.

Similarly, to ensure satisfactory and sensitive refuse collection and cycle storage is provided on site appropriate conditions are recommended.

Subject to the abovementioned conditions, the proposal is considered to comply with Policy BNE1 of the Local Plan and paragraphs 131,135 and 136 of the NPPF.

Amenity

There are two main amenity considerations, firstly the impact of the proposal on neighbours and secondly the living conditions which would be created for potential occupants of the development itself. Policy BNE2 of the Local Plan and paragraph 135(f) of the NPPF relates to the protection of these amenities.

Neighbouring Residential Amenity

By virtue of the siting, size and scale of the proposed terraces, orientation of the site and the relationship to neighbouring residential properties (including the consented development at the adjacent former fire station site) and their habitable room windows there would be no unacceptable impact on these neighbours in terms of loss of outlook, privacy, sunlight and daylight.

There is a potential for noise and dust impacts on the neighbouring properties during construction and as a result a condition requiring the submission of a Construction Environment Management Plan (CEMP) is recommended.

Amenity of Future Occupiers

With regard to the amenities of future occupants of the development itself the houses have been assessed with regard to the technical housing standards – nationally described space standard 2015 (the national standard). The 3-bedroom 4-person two storey houses of plots 1-10 would have a gross internal floor area (GIA) of approx. 88sqm, and the 3-bedroom five people three storey houses would have a GIA of approx. 103sqm exceeding the national standards of 79sqm and 99sqm respectively.

As guidance, the Medway Housing Standards (interim) November 2011 (MHDS) states that private rear gardens for the width of the property should be 10m in depth or 7m when constraints exist. The proposed gardens of the houses range between 7.6 and 8.8m therefore exceeding the minimum requirements.

The application site is in close proximity to busy roads and a commercial premises which could result in potential noise nuisance to the future occupiers. The application has been supported by a noise assessment which indicates some mitigation is required for some dwellings including mechanical ventilation on some facades and acoustic boundaries for rear amenity spaces. Consequently, appropriate conditions are recommended.

Subject to the abovementioned conditions the proposal is considered to be in accordance with Policy BNE2 of the Local Plan and paragraphs 135 and 180 of the NPPF.

Highways

There were initial concerns regarding the access proposed originally which resulted in a total shared surface. The application has been amended to provide kerbs which provides a greater level of pedestrian security and separating whilst reducing the car dominance of the area and allowing efficient vehicle manoeuvring. Therefore, there are no highway concerns from the amended layout.

Medway Council's Interim Residential Parking Standards require the provision of 1 space for a 1-bedroom dwelling and 1.5 spaces per dwelling for a 2-bedroom dwelling, plus 0.25 spaces per dwelling for visitor parking, making a requirement of 31 spaces for the proposed development. However, reductions are allowed in a sustainable area such as this where the site is in close proximity to the neighbourhood centres along the A2. It is recognised that there is high parking pressure in the area and, at present, the now ceased ambulance station does allow the former commercial bays to be used by residents. However, this interim and informal use would be lost by bringing the site back into use whether by redevelopment for housing or for any other use. A parking survey as indicated there are 15-16 spaces in a 200m radius of the application site excluding the existing on-street car parking on site but including disabled and permit parking. This demonstrates there is a parking stress in the area and that any redevelopment needs to provide sufficient on-site parking to serve its needs/.

On balance, due to the sustainable location and considering the public benefits of providing housing on a brownfield site, the ability to retain the remaining greenspace by not providing any further parking onsite and the use of a parking management plan for unallocated parking provision, the proposed level of parking would be considered sufficient. The parking management plan should detail:

- How the access roads will be kept free of parking to enable access by refuse and emergency service vehicles.
- How and if parking bays inside the site will be allocated to dwellings.
- How any off-site parking impacts will be mitigated.
- What allocations would be made for residents of 1-4 Maynard Place or other local residents.

- How overnight parking will be monitored.
- How visitor and resident parking will be monitored and allocated (e.g. permits), and how infractions will be enforced.

The proposal also includes the provision of cycle stores in the rear gardens and electric charging points and appropriate conditions are recommended.

Subject to the recommended conditions the proposal conforms to Policies BNE2, T1, T2, T3, T4 and T13 of the Local Plan and paragraph 115 of the NPPF.

Air Quality

Policy BNE24 of the Local Plan and paragraphs 180 and 192 of the NPPF requires new development to take account of the impact on air quality.

Due to the location of the site adjacent to an Air Quality Management Area (AQMA) and in accordance with the Medway Air Quality Planning Guidance (2016) conditions are recommended to provide standard mitigation measures including. The final wording of these conditions will be set out on the supplementary agenda to this Committee.

Subject to the abovementioned condition no objection is raised to the proposal under Policy BNE24 of the Local Plan and paragraphs 180 and 192 of the NPPF.

Contamination

Policy BNE23 of the Medway Local Plan 2003 requires that land known to be or likely to be contaminated should be accompanied by detailed site examination and appropriate remedial measures to reduce or eliminate risk to human health and the wider environment be agreed.

The Environment Agency (EA) have raised concerns of the possible impact of contamination of control waters and have requested conditions restricting piling methods during construction and infiltration of ground waters. They have also requested further investigations into contamination and remediation.

The applicant has written a response to the EA to indicate that the risk of pollution from PFAs from the former fire station is lower than their statement due to land level changes between the sites. The EA have not yet responded but it is recommended that delegated powers are provided to amend the final contamination conditions, and this will be set out in the supplementary report to this Committee.

Subject to the above no objection is raised to the proposal under Policy BNE23 of the Local Plan and paragraphs 180 of the NPPF.

Suds and flooding

The site lies within Flood Zone 1 (Low Risk) according to the Environment Agency Mapping. The mapping also shows that the site is not at risk of surface water flooding. The SUDS details show options for drainage strategies with infiltration and no

infiltration due to the above-mentioned potential for contamination on infiltration. This is considered to be appropriate and acceptable subject to the final design details.

Subject to conditions regarding a suds scheme, verification of its installation and a construction surface water management plan the application is considered acceptable with regards to paragraph 168 of the NPPF.

Ecology

Section 40 of the Environment and Rural Communities Act 2006 and paragraphs 180 and 186 of the NPPF indicate that biodiversity should be maintained and enhanced through the planning system. As the application was submitted prior to the biodiversity net gain requirements, it is considered appropriate to condition the requirements for further details to provide ecological enhancements and offset biodiversity loss.

A breeding bird informative will also be included within any decision to inform the applicant about when work can take place onsite regarding clearance.

Subject to the above conditions the proposal is considered to be acceptable with regards to paragraphs 180 and 186 of the NPPF.

Climate Change and Energy Efficiency

The application is supported by a Climate Change Statement which sets out the energy and carbon reduction methods proposed. This includes meeting the recommendations in part L of the building regulations – Future Homes Hub and providing:

- In excess of 10% biodiversity net gain.
- Introduction of green infrastructure not currently present on site.
- Construction to allow for future retrofit to further improve energy efficiency allowing use of zero carbon energy.
- Fabric first approach.
- Air source heat pumps.
- High standards of water efficiency.
- Use of permeable surfaces.
- SuDS.
- EV charging spaces.
- Cycle storage.
- Connectivity to local centre.
- Low voltage designed lighting.
- Incorporation of water saving measures.
- Resident's packs re recycling etc.

A verification condition is recommended to ensure these measures have been incorporated into the final build in accordance with Paragraph 159 of the NPPF.

S106 Matters and Affordable Housing

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

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

The obligations proposed comply with these tests because they are necessary to make the development acceptable in planning terms, they are directly related to the development and are fair and reasonable in scale and kind.

The following contributions were requested in line with the adopted Developer Contributions Guide:

Greenspace Services

A contribution of £45,685.36 based on a contribution of £3,263.24 per dwelling. The contribution would split that £43,401.09 would go towards on improvements to open spaces facilities within the vicinity of the development and £2,284.27 (5%) towards Great Lines Heritage Park.

Schools

A contribution of £107,341.84 broken down to 24,690.96 for nursery and £34,631.44 provision within 2 miles of development site or SEND education within Medway. £48,019.44 for secondary to a secondary education within Medway.

Community Facilities

A contribution of £3,280.90 towards community facilities within the vicinity of the site based on a contribution of £234.35 per dwelling.

Libraries

A contribution of £2,957.08 towards equipment and facilities at either Luton, Chatham or Gillingham Libraries. Based on a contribution of £808.75 per dwelling.

Health

A contribution of £11,322.50 towards contribution towards extension/refurbishment or upgrading of existing proactive premises within the vicinity or contribution to a new facility if required based on a contribution of £808.75 per dwelling.

Sports Provision

A contribution of £4,359.46 based on a contribution of £311.39 per dwelling towards improvements at Medway Park.

Waste

A contribution of £3,098.48 towards waste containment for the development, maintenance and improvement of location bring centres and waste education and protection based on a contribution of £221.32 per dwelling.

Public Realm

A contribution of £3,430 towards public realm improvements towards Gillingham Town Centre.

Bird Mitigation

As the application site is within 6km of the North Kent Marshes SPA/Ramsar Sites, the proposed development is likely to have a significant effect, either alone or in combination, on the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites from recreational disturbance on the over-wintering bird interest. Natural England has advised that an appropriate tariff of £275.88 per dwelling (excluding legal and monitoring officer's costs, which separately total £550) should be collected to fund strategic measures across the Thames, Medway and Swale Estuaries. This tariff should be collected for new dwellings, either as new builds or conversions (which includes HMOs and student accommodation).

These strategic SAMMS mitigation measures are being delivered through Bird Wise North Kent, which is the brand name of the North Kent Strategic Access Management and Monitoring Scheme (SAMMS) Board, and the mitigation measures have been informed by the Category A measures identified in the Thames, Medway & Swale Estuaries Strategic Access Management and Monitoring Strategy (SAMM) produced by Footprint Ecology in July 2014. Further information regarding the work being undertaken is available at The Bird Wise website which can be found at <https://northkent.birdwise.org.uk/about/>.

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

The required mitigation is therefore £6,621.12 (24 x £ 275.88).

Paragraph 58 of the NPPF states that it is for the applicant to demonstrate whether circumstances justify the need for a viability assessment at the application stage. In this case a joint financial viability appraisal was submitted by the applicant. The conclusion was that the scheme would not be viable with contributions over £50,000.

It is therefore necessary to consider how to split this amongst the requests. To comply with the Habitat Regulations the applicant must provide the bird mitigation irrespective of viability. This leaves £43,378.88 for the remaining requests. It is considered that this should go towards education to offset the impact of the development on local schools.

No objection is therefore raised under paragraphs 55, 57, 58, 186 and 187 of the NPPF and Policies BNE2, S6 and BNE35 of the Local Plan.

Local Finance Considerations

There are no local finance considerations.

Conclusions and Reasons for Approval

The proposal is considered acceptable in terms of principle, design, amenity, contamination and highway aspects and with regard to all other material planning considerations. It is therefore recommended that the proposal be approved subject to appropriate conditions and the completion of the s106 with delegated powers for the final contamination condition depending on the response from the Environment Agency. The proposal accords with the provisions of Policies S6, ED3, H4, BNE1, BNE2, BNE23, BNE24, BNE35, T1, T2, T3, T4 and T13 of the Local Plan and paragraphs 11, 55, 57, 58, 70, 115, 123, 124, 131, 135, 136, 159, 168, 180, 186, 187 and 192 of the NPPF. The application is accordingly recommended for approval.

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

Background Papers

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

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