MC/24/0308	
Date Received:	9 February 2024
Location:	Strood Civic Centre, Rochester, ME2 4AU
Proposal:	Demolition of the existing CCTV Building and other ancillary buildings on site and construction of residential units inclusive of a live/work unit (Use Class F1 or Class E) , cafe/bar (Use Class Eb), public open space, earthworks including flood defences, landscaping, drainage and associated infrastructure.
Applicant	Medway Development Company Ltd
Agent	DHA Planning Mrs Lucy Wilford Eclipse House Eclipse Park Sittingbourne Road Maidstone ME14 3EN
Ward:	Strood North & Frindsbury
Case Officer:	Amanda Barnes
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 18th December 2024.

Recommendation - Approval Subject to:

A. The applicant paying the Strategic Access Management and Monitoring Strategy (SAMMS) contribution of £328.17 per dwelling (excluding legal and monitoring officer's costs).

B. 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 2 December 2024
STCC BPTW XX XX SA A 0102 C04 Accommodation Schedule
STCC BPTW XX XX SA A 0103 C04 Plot Schedule
STCC BPTW S01 00 DR A 0105 C06 Ground Floor Site Layout
STCC BPTW S01 01 DR A 0106 C04 First Floor Site Layout
STCC BPTW S01 02 DR A 0107 C04 Second Floor Site Layout

STCC BPTW S01 03 DR A 0108 C04 Third Floor Site Layout
STCC BPTW S01 04 DR A 0109 C04 Roof Plan Site Layout
STCC BPTW S01 ZZ DR A 0110 C04 Site Layout Uses
STCC BPTW S01 ZZ DR A 0111 C04 Strategy Drawing Unit Type
STCC BPTW S01 ZZ DR A 0112 C04 Strategy Drawing Accessibility
STCC BPTW S01 ZZ DR A 0113 C04 Strategy Drawing Tenure
STCC BPTW S01 ZZ DR A 0114 C04 Strategy Drawing Building Height
STCC BPTW S01 ZZ DR A 0115 C04 Strategy Drawing Materiality
STCC BPTW S01 ZZ DR A 0116 C05 Strategy Drawing Parking
STCC BPTW S01 ZZ DR A 0117 C05 Strategy Drawing Cycle Parking
STCC BPTW S01 ZZ DR A 0118 C05 Strategy Drawing Refuse
STCC BPTW B03 00 DR A 1006 C04 Block 3 Ground Floor Plan
STCC BPTW B03 ZZ DR A 1007 C04 Block 3 Typical Floor Plan
STCC BPTW B03 ZZ DR A 1008 C04 Block 3 Roof Plan
STCC BPTW B04 ZZ DR A 1009 C04 Block 4 Ground & Typical Floor Plan
STCC BPTW B04 ZZ DR A 1010 C04 Block 4 Third & Roof Floor Plans
STCC BPTW B03 ZZ DR A 2005 C04 Block 3 Elevations (Sheet 1 of 2)
STCC BPTW B03 ZZ DR A 2006 C04 Block 3 Elevations (Sheet 2 of 2)
STCC BPTW B04 ZZ DR A 2007 C04 Block 4 Elevations (Sheet 1 of 2)
STCC BPTW B04 ZZ DR A 2008 C04 Block 4 Elevations (Sheet 2 of 2)
STCC BPTW ZZ ZZ DR A 1090 C04 Street Elevations (Sheet 1 of 4)
23113 BDC C XX XX EL 0617 P04 Proposed Levels Arrangement Plan (Sheet 1 of 4)
12430 LD PLN 010 P05 Landscape General Arrangement Plan (Sheet 1 of 4)
12430 LD PLN 015 P03 Landscape Levels Strategy Plan

Received 4 November 2024
23113 BDC C XX XX SK 0130 Rev P03 Proposed Site Plan
23113 BDC C XX XX EL 0517 P03 Proposed Drainage

Received 29 October 2024
STCC BPTW S01 ZZ DR A 0101 C05 Site Location Plan
STCC BPTW B01 ZZ DR A 1001 C03 Block 1 Ground & Typical Floor Plan
STCC BPTW B01 ZZ DR A 1002 C03 Block 1 Third & Roof Floor Plans
STCC BPTW B02 00 DR A 1003 C03 Block 2 Ground Floor Plan
STCC BPTW B02 ZZ DR A 1004 C03 Block 2 Typical Floor Plan
STCC BPTW B02 ZZ DR A 1005 C03 Block 2 Roof Plan
STCC BPTW B05 ZZ DR A 1011 C03 Block 5 Ground & Typical Floor Plan
STCC BPTW B05 ZZ DR A 1012 C03 Block 5 Third & Roof Floor Plans
STCC BPTW B06 ZZ DR A 1013 C03 Block 6 Ground & Typical Floor Plan
STCC BPTW B06 ZZ DR A 1014 C03 Block 6 Third & Roof Floor Plans
STCC BPTW B07 00 DR A 1015 C03 Block 7 Ground Floor Plan
STCC BPTW B07 ZZ DR A 1016 C03 Block 7 Typical Floor Plan
STCC BPTW B07 03 DR A 1017 C03 Block 7 Third Floor Plan
STCC BPTW B07 04 DR A 1018 C03 Block 7 Roof Plan
STCC BPTW ZZ 00 DR A 1019 C03 Block 8 12 Ground Floor Plan
STCC BPTW ZZ 01 DR A 1020 C03 Block 8 12 First Floor Plan
STCC BPTW ZZ 02 DR A 1021 C03 Block 8 12 Second Floor Plan
STCC BPTW ZZ 03 DR A 1022 C03 Block 8 12 Third Floor Plan
STCC BPTW ZZ 04 DR A 1023 C03 Block 8 12 Roof Plan

STCC BPTW B13 ZZ DR A 1024 C03 Block 13 Plans
STCC BPTW B14 ZZ DR A 1025 C02 Block 14 Ground & Typical Floor Plan
STCC BPTW B14 ZZ DR A 1026 C02 Block 14 Roof Plan
STCC BPTW T01 ZZ DR A 1031 C03 Terrace 1 Ground & First Floor Plans
STCC BPTW T01 ZZ DR A 1032 C03 Terrace 1 Second & Roof Floor Plans
STCC BPTW T02 ZZ DR A 1033 C03 Terrace 2 Ground & First Floor Plans
STCC BPTW T02 ZZ DR A 1034 C03 Terrace 2 Second & Roof Floor Plans
STCC BPTW T03 ZZ DR A 1035 C03 Terrace 3 Floor Plans
STCC BPTW T18 ZZ DR A 1042 C03 Terrace 18 Ground & First Floor Plans
STCC BPTW T18 ZZ DR A 1043 C03 Terrace 18 Second & Roof Floor Plans
STCC BPTW T19 ZZ DR A 1044 C03 Terrace 19 Floor Plans
STCC BPTW T20 ZZ DR A 1045 C03 Terrace 20 & 21 Floor Plan
STCC BPTW T06 ZZ DR A 1047 C02 T04, T05, T08 Floor Plans
STCC BPTW T06 ZZ DR A 1048 C02 Terrace 6 & 7 Floor Plans
STCC BPTW T06 ZZ DR A 1049 C02 Terrace 12 & 14 Floor Plans
STCC BPTW T06 ZZ DR A 1050 C02 Terrace 13 Floor Plans
STCC BPTW T06 ZZ DR A 1051 C02 Terrace 15, 16 & 17 Floor Plans
STCC BPTW ZZ ZZ DR A 1053 C02 Carport Plans and Elevations
STCC BPTW XX ZZ DR A 1046 C03 Pump House Floor Plans
STCC BPTW XX ZZ DR A 2029 C03 Pump House Elevations
STCC BPTW ZZ ZZ DR A 1091 C03 Street Elevations (Sheet 2 of 4)
STCC BPTW ZZ ZZ DR A 1092 C03 Street Elevations (Sheet 3 of 4)
STCC BPTW ZZ ZZ DR A 1093 C03 Street Elevations (Sheet 4 of 4)
STCC BPTW B01 ZZ DR A 2001 C03 Block 1 Elevations (Sheet 1 of 2)
STCC BPTW B01 ZZ DR A 2002 C03 Block 1 Elevations (Sheet 2 of 2)
STCC BPTW B02 ZZ DR A 2003 C03 Block 2 Elevations (Sheet 1 of 2)
STCC BPTW B02 ZZ DR A 2004 C03 Block 2 Elevations (Sheet 2 of 2)
STCC BPTW B05 ZZ DR A 2009 C03 Block 5 Elevations (Sheet 1 of 2)
STCC BPTW B05 ZZ DR A 2010 C03 Block 5 Elevations (Sheet 2 of 2)
STCC BPTW B06 ZZ DR A 2011 C03 Block 6 Elevations (Sheet 1 of 2)
STCC BPTW B06 ZZ DR A 2012 C03 Block 6 Elevations (Sheet 2 of 2)
STCC BPTW B07 ZZ DR A 2013 C03 Block 7 Elevations (Sheet 1 of 3)
STCC BPTW B07 ZZ DR A 2014 C03 Block 7 Elevations (Sheet 2 of 3)
STCC BPTW B07 00 DR A 2015 C03 Block 7 Elevations (Sheet 3 of 3)
STCC BPTW ZZ ZZ DR A 2016 C03 Block 8 12 Elevations (Sheet 1 of 4)
STCC BPTW ZZ ZZ DR A 2017 C03 Block 8 12 Elevations (Sheet 2 of 4)
STCC BPTW ZZ 04 DR A 2018 C03 Block 8 12 Elevations (Sheet 3 of 4)
STCC BPTW ZZ 00 DR A 2019 C03 Block 8 12 Elevations (Sheet 4 of 4)
STCC BPTW B13 ZZ DR A 2020 C03 Block 13 Elevations
STCC BPTW B14 ZZ DR A 2021 C02 Block 14 Elevations (Sheet 1 of 2)
STCC BPTW B14 ZZ DR A 2022 C02 Block 14 Elevations (Sheet 2 of 2)
STCC BPTW T01 ZZ DR A 2025 C03 Terrace 1 Elevations
STCC BPTW T02 ZZ DR A 2027 C03 Terrace 2 Elevations
STCC BPTW T03 04 DR A 2028 C03 Terrace 3 Elevations
STCC BPTW T18 ZZ DR A 2035 C03 T18 Elevations
STCC BPTW T19 ZZ DR A 2036 C03 Terrace 19 Elevations
STCC BPTW T20 ZZ DR A 2037 C03 Terrace 20 & 21 Elevations
STCC BPTW T04 ZZ DR A 2038 C02 Terrace 4, 5 & 8 Elevations
STCC BPTW T06 ZZ DR A 2039 C02 Terrace 6 & 7 Elevations
STCC BPTW T06 ZZ DR A 2040 C02 Terrace 12 &14 Elevations

STCC BPTW T06 ZZ DR A 2041 C02 Terrace 13 Elevations
STCC BPTW T15 ZZ DR A 2042 C02 Terrace 15, 16 & 17 Elevations
STCC BPTW ZZ ZZ DR A 2201 C03 Flat Block Section
STCC BPTW ZZ ZZ DR A 2202 C03 Flat Block Section with louvred ventilation
STCC BPTW ZZ ZZ DR A 2203 C03 Flat Block Section of Cafe Space
STCC BPTW ZZ ZZ DR A 2204 C03 Flat Block Section with live work space
STCC BPTW ZZ ZZ DR A 2211 C03 T01 & T02 Section
STCC BPTW ZZ ZZ DR A 2212 C03 T04, T05, T08, T09, T12, T13 & T14 Section
STCC BPTW ZZ ZZ DR A 2213 C03 T03, T06, T07, T10 & T11 Section
STCC BPTW ZZ ZZ DR A 2214 C03 T15, T16, T17, T18, T19, T20 & T21 Section
12430 LD PLN 011 P05 Landscape General Arrangement Plan (Sheet 2 of 4)

Received 2 August 2024
12430 LD PLN 012 P03 Landscape General Arrangement Plan (Sheet 3 of 4)
12430 LD PLN 013 P03 Landscape General Arrangement Plan (Sheet 4 of 4)
STCC BPTW B01 ZZ DR A 2001 C02 Block 1 Elevations (Sheet 1 of 2
STCC BPTW B01 ZZ DR A 2002 C02 Block 1 Elevations (Sheet 2 of 2)
STCC BPTW T13 ZZ DR A 1040 C02 Terrace 13 Floor Plans
32153 T 06 Refuse Vehicle Tracking
32153 T 07 Pantechnicon Tracking
32153 T 08 Fire Tender Tracking

Received 27 March 2024
STCC BPTW T04 ZZ DR A 2029 C01- T04, T05, T08 & T09 Elevations

Received 15 March 2024
STCC BPTW T04 ZZ DR A 1036 C01 Terrace 4, 5, 8 & 9 Floor Plans
STCC BPTW T06 ZZ DR A 1037 C01 Terrace 6 & 10 Floor Plans
STCC BPTW T11 ZZ DR A 1038 C01 Terrace 11 Floor Plans
STCC BPTW T12 ZZ DR A 1039 C01 Terrace 12 & 14 Floor Plans
STCC BPTW T15 ZZ DR A 1041 C01 Terrace 15, 16 & 17 Floor Plans
STCC BPTW T06 ZZ DR A 2030 C01- Terrace 6 &10 Elevations
STCC BPTW T11 ZZ DR A 2031 C01 Terrace 11 Elevations
STCC BPTW T12 ZZ DR A 2032 C01- Terrace 12 & 14 Elevations
STCC BPTW T13 ZZ DR A 2033 C01 Terrace 13 Elevations
STCC BPTW T15 ZZ DR A 2034 C01 Terrace 15, 16 & 17 Elevations

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

3 No development shall take place above slab level until details and samples of all materials to be used externally, have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

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

4 No development should progress above slab level until a Planting and Soil Statement has been submitted to and approved in writing by the Local Planning Authority that confirms the soil profile / build-up of the landscape proposals and demonstrates its interface with the ground capping layer in a way that enables the approved landscaping scheme to be implemented successfully.

This statement should cover a summary of site remediation history; impact of proposal and the provision of imported material above the capping layer; quality and sourcing of soil (retained and imported); soil build up information in relation to the site capping layer (for tree, shrub, grass planting); topsoil and subsoil analysis.

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

5 Prior to the first occupation of the development herein approved, full details of a hard and soft landscape scheme should 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, 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, raised planters etc.), 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 the play space. Including detailed specification of play equipment, safety surfacing and any minor artefacts and structures.

iv. 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.

6 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 hard and soft landscape areas, including play space and, communal amenity, (except for small, privately owned, domestic gardens) 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 and play equipment, covering installation and maintenance requirements. Prior to any handover of the maintenance of the public landscape areas to a management company, there must be a site visit involving the LPA, the proposed landscape management company and the developer. The site visit will include a review of the site area proposed to be transferred to the management company and will assess whether the approved landscape plans have been implemented as approved, the condition and maintenance of all planting and what measures are necessary prior to a handover to the management company. The results of the site visit/walk over shall be submitted to and approved in writing by the Local Planning Authority and the agreed requirements in terms of re-planting/maintenance shall be undertaken prior to any hand over to the management company. The development shall thereafter be managed in accordance with the approved details. 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.

7 Prior to the first occupation of any part of the development hereby permitted, details of on-site historical interpretation, wayfinding and public art to be incorporated within the development shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include plans and information providing details of the location, design, dimensions and materials of proposed on-site interpretation works, wayfinding aids, artwork, and a timetable for implementation. The approved details shall be implemented in accordance with the approved timetable permitted and retained and maintained thereafter.

Reason: To ensure a satisfactory visual appearance and to ensure the development makes a positive contribution to local character and distinctiveness in accordance with Policy BNE1 of the Medway Local Plan 2003.

8 No development shall commence above slab level, until details of the construction and finish of the retaining walls and associated fencing on top of

retaining walls has been submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be implemented prior to the first occupation of any of the units to which the retaining feature walls relate and shall thereafter be maintained.

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

9 Prior to the installation of any external lighting on the site, details of such lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include height, position, external appearance, any shielding, light intensity, colour, spillage (such as light contour or lux level plans showing the existing and proposed levels) and hours of use] together with a report to demonstrate its effect on the landscaping of the site (including an overlay of the proposed lighting onto the site landscaping plans), nearby residential properties and bats (including reference to the recommendations of the Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 8: Bats and Artificial Lighting 08/18' (or subsequent updates). It will be clearly demonstrated that areas to be lit will not impact protected species of the River Medway. All external lighting shall be installed in accordance with the specifications and locations set out in the plan and be maintained thereafter.

Reason: To limit the impact of the lighting on the landscaping of the site, nearby residents and wildlife and with regard to Policies BNE1, BNE2, BNE5, and BNE39 of the Medway Local Plan 2003 and paragraphs 180 and 186 of the National Planning policy Framework.

10 Any work to vegetation/structures that may provide suitable nesting habitats for nesting birds shall be carried out outside of the bird breeding season (1st March to 31st August inclusive) to avoid destroying or damaging bird nests in use or being built. If vegetation/structures need to be removed during the breeding season, this should only be undertaken with a watching brief and site examination by a suitably qualified and experienced ecologist immediately prior to starting work. If any nesting birds are found, works must cease immediately until after the birds have finished nesting.

Reason: To protect and enhance the natural environment in accordance with paragraphs 180 and 186 of the National Planning policy Framework.

11 Within 6 months of commencement of the development an ecological enhancement plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan must include the following:

- Enhancement features within the open space.
- Integrated enhancement features within the buildings.
- Programme for implementation.

The plan must be implemented as approved.

Reason: To protect and enhance the natural environment in accordance with paragraphs 180 and 186 of the National Planning policy Framework.

12 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).
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 approved scheme.

Reason: Required prior to commencement to manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 168 of NPPF.

13 Prior to occupation of any part of the development (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 surface water system 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: 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.

14 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) has been submitted to and approved in writing by the local planning authority in consultation with the Lead Local Flood Authority (LLFA).

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 CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction and thereafter retained.

Reason: Required prior to commencement to manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 173 of NPPF.

15 No development shall commence above slab level until an Air Quality Emissions Mitigation Statement has been submitted to and approved in writing by the Local Planning Authority. The Mitigation Statement shall be prepared in accordance with the Medway Air Quality Planning Guidance and shall specify the measures that will be implemented as part of the development to mitigate the development related road transport emissions. The total monetary value of the mitigation to be provided shall be demonstrated to be equivalent to, or greater than, the total damage cost value calculated as part of the Air Quality Mitigation Assessment reference RP02-23335-R2 dated 17 October 2024. The Mitigation Statement shall include full details of all mitigation to provided. The development shall be implemented, and thereafter maintained, entirely in accordance with the measures set out in the approved Mitigation Statement.

Reason: Required prior to commencement in the interests of amenity and minimising air pollution in accordance with policy BNE24 of the Medway Local Plan 2003.

16 No development shall commence above slab level until full details of a scheme of acoustic protection against 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 (LAmax) of no more than 45dB(A) with windows closed. Where the internal noise levels will be exceeded with windows open, the scheme shall incorporate appropriate acoustically screened mechanical ventilation. The scheme shall include details of acoustic protection sufficient to ensure amenity/garden noise levels of not more than 55dB (LAeq,T). All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: Required prior to commencement in the interests of amenity in accordance with policy BNE2 of the Medway Local Plan 2003.

17 No development shall commence above slab level until an acoustic assessment has been undertaken to determine the impact of noise from industrial/ commercial related noise sources. The assessment shall be made in accordance with BS4142 2014: Method for rating and assessing industrial and commercial sound. The results of the assessment and details of a scheme of acoustic protection shall thereafter be submitted to and approved in writing by

the Local Planning Authority. The scheme must demonstrate that the internal noise levels within the residential units will conform to the indoor ambient noise levels for dwellings identified by BS8233 2014: Guidance on Sound Insulation and Noise Reduction for Buildings. All works which form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained.

Reason: Required prior to commencement in the interests of amenity in accordance with policy BNE2 of the Medway Local Plan 2003.

18 No development shall commence above slab level until an acoustic assessment has been undertaken to determine the impact of noise arising from the mechanical plant. The noise rating level (LAr,Tr) of such plant shall be at least 10dB below the background noise level (LA90,T) at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014. The results of the assessment and details of any mitigation measures shall thereafter be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is brought into use and thereafter be maintained.

Reason: Required prior to commencement in the interests of amenity in accordance with policy BNE2 of the Medway Local Plan 2003

19 The separating partitions between any residential and non-residential unit shall be acoustically upgraded to ensure that sufficient levels of sound insulation are provided to protect the amenity of the residential occupants. No development shall commence above slab level until details of the proposed level of enhanced sound insulation based on the expected level of noise within the non-residential units has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is brought into use and thereafter be maintained.

The separating partitions between the bedrooms and living/kitchen/dining rooms of residential units in separate occupation shall resist the transmission of airborne sound such that the weighted standardised level difference (DnT,W +Ctr) shall not be less than 50 decibels as measured and calculated in accordance with BS EN ISO 16283-1 2014.

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

20 Prior to the occupation of any commercial unit hereby permitted, a scheme for the extraction and treatment of cooking fumes, including details for the control of noise and vibration from the system, shall be submitted to and approved in writing by the Local Planning Authority. Noise from the extraction system (LAeq,T) shall be at least 10dB(A) below the background noise level (LA90,T) at the nearest residential facade, when assessed in accordance with BS4142:2014. The approved scheme shall be implemented before the development is brought into use and thereafter be maintained.

Reason: Required prior to commencement in the interests of amenity in accordance with policy BNE2 of the Medway Local Plan 2003.

21 The use of the cafe/bar (Use Class Eb) shall only operate between the hours of 07:00 to 22:00 Mondays to Thursdays inclusive, 07:00 to 23:00 Fridays and Saturdays and between the hours of 08:00; to 22:00 on Sundays and Public Holidays.

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

22 Other than the works carried out in accordance with approved landscape plans 12430-LD-PLN-011 Rev P05 and 12430-LD-PLN-012 Rev P03 no other development shall take place between the approved building line as shown on approved layout STCC-BPTW-S01-00-DR-A-0105 Rev C05 , and the Site boundary with the river without the prior written consent of the Local Planning Authority, in consultation with the Environment Agency.

Reason: Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected in accordance with paragraphs 180 and 186 of the National Planning Policy Framework.

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

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 180 of the National Planning Policy Framework.

24 The remediation scheme must be carried out in accordance with the submitted Detailed risk assessment and remedial method statement (DQRA-RMS-22632-24-12, January 2024) by IDOM prior to the commencement of any development (other than development required to enable the remediation process to be implemented) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid any irreversible detrimental impact on human health and/or water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003 and paragraph 189 of the National Planning Policy Framework.

25 Following completion of the measures identified in the approved remediation scheme a verification report providing details of the data that will be collected in order to demonstrate that the works set out in condition 24 are complete and

identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To avoid any irreversible detrimental impact on human health and/or water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003 and paragraph 189 of the National Planning Policy Framework.

26 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must then be undertaken and where remediation is necessary a remediation scheme must be prepared and submitted to and approved in writing by the Local Planning Authority. The remediation works shall thereafter be undertaken in accordance with the approved scheme.

Reason: To avoid any irreversible detrimental impact on human health and/or water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003 and paragraph 189 of the National Planning Policy Framework.

27 No development shall take place until the implementation of a programme of archaeological and geoarchaeological work has been secured in accordance with a written specification and timetable which has first been submitted to and approved in writing by the Local Planning Authority.

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

28 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. 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.

29 Within 9 months of the on-site completion of archaeological and geoarchaeological works, or within an alternative agreed timetable a Post-Excavation Assessment Report shall be submitted to and approved in writing by the local planning authority. The Post-Excavation Assessment Report shall be in accordance with Kent County Council's requirements and include:

i) a description and assessment of the results of all archaeological and geoarchaeological investigations that have been undertaken in that part (or parts) of the development;
ii) an Updated Project Design outlining measures to analyse and publish

the findings of the archaeological and geoarchaeological investigations, together with an implementation strategy and timetable for the same;

iii) a scheme detailing the arrangements for providing and maintaining an archaeological site archive and its deposition following completion.

The measures outlined in the Post-Excavation Assessment Report shall be implemented in full and in accordance with the agreed timings.

Reason: To record and advance understanding of the significance of any archaeology to be lost (wholly or in part) in a manner proportionate to its importance, and to make this evidence publicly accessible in accordance with the objectives of the NPPF and in accordance with Policy BNE21 of the Medway Local Plan 2003.

30 The development herein approved shall incorporate the measures to address energy efficiency and climate change as set out within the Energy & Sustainability Statement ref 11728-WCL-ZZ-ZZ-RP-SS-0001 P03. The development shall not be occupied until a verification report prepared by a suitably qualified professional has been submitted to and approved in writing by the Local Planning Authority confirming that all the approved measures have been implemented.

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

31 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 internal highways road will be kept free of parking to enable access by refuse and emergency vehicles, and how visitor and resident parking will be monitored and allocated and how any breaches will be enforced, in order to sufficiently mitigate against offsite parking impact. The Parking Management Plan shall also confirm that residents are not able to apply for permits for CPZ areas off the site. 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.

32 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.

33 No development shall take place above ground floor slab level until details of the provision of electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. Details shall include the location, charging type (power output and charging speed), associated infrastructure and timetable for installation. The development shall be implemented in accordance with the approved details prior to the new dwellings to which they relate being brought into use and shall thereafter be retained.

Reason: In the interests of sustainability in accordance with paragraph 116E of the National Planning Policy Framework.

34 No part of the development shall be occupied or used until full details of the following highway/landscaping improvements (set out on plan 32153-H-03 Rev P03 - proposed access arrangements) have been submitted to and approved in writing by the Local Planning Authority and the approved details have been implemented in full:

(a) changes to the bus stop;
(b) controlled gate access to Esplanade;
(c) improvements to the signal junction of the A2 / Canal Road / Esplanade and
(d) landscaping improvement works at the Esplanade.

The highways works are to be subject to road safety audits, the S278 process, and detailed signal design, with the audit of works to consider the potential impact of u-turning vehicles at the junction.

Reason: In the interests of highway safety and to ensure a satisfactory external appearance in accordance with Policies BNE1, BNE6, T1, T3, T6 and T11 of the Medway Local Plan 2003.

35 Prior to occupation of any part of the site details of a Car Club Scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved Car Club Scheme shall be implemented prior to occupation of any part of the development and shall include details for the provision of at least one car prior to occupation of 25% of the dwellings within the scheme and information on the location of the car club parking spaces to be provided to residents. The details shall further set out how usage of the car club on Site will be monitored including a usage threshold which if met would require the provision of a second car club vehicle to be provided on site which shall be provided in accordance with the approved details.

Reason: In the interests of sustainability in accordance with paragraph 114A of the National Planning Policy Framework, and to allow a reduction of the standard set out in the Interim Residential Parking Standards in this sustainable location in accordance with Policy T13 of the Medway Local Plan 2003.

36 Prior to the occupation of the proposed development, a full Travel Plan encouraging sustainable forms of transport shall be submitted to and approved

in writing by the Local Planning Authority. The measures set out in the approved travel plan shall be implemented upon first occupation. The Travel Plan is to incorporate details of an information pack to be provided to all initial residents regarding the availability of and whereabouts of local public transport / walking / cycling / car sharing clubs / car clubs, as well as providing for travel vouchers to be issued to each dwelling.

Reason: To encourage sustainable forms of transport in accordance with Policies T6, T11 and T14 of the Medway Local Plan 2003.

37 No development shall take place within any phase or sub-phase, including any works of demolition, until a Construction and Environmental Management Plan (CEMP) for that phase or sub phase has been submitted to and approved in writing by the Local Planning Authority. The plan shall include, but not be limited to, the following information:

i) A construction programme including a 24 hour emergency contact number;
ii) Parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
iii) Locations for loading / unloading and storage of plant and materials in constructing the development;
iv) Erection and maintenance of security hoardings (including decorative displays and facilities for public viewing where appropriate);
v) Wheel washing facilities and measures to control the emission of dust and dirt during construction;
vi) Construction vehicle access and egress routes for each phase, which shall:
    a. Ensure large construction vehicles do not pass over Rochester Bridge;
    b. Restrict vehicles to access the site via the A2 junction only via right-in turns and left-out turns; and
    c. Use the A228 Knight Road access where possible for light goods vehicle movements during early stages of construction;
vii) A scheme for recycling/disposing of waste resulting from demolition and construction works;
viii) Measures to control noise affecting nearby residents; and
ix) Pollution incident control and site contact details in case of complaints.

The construction works shall be carried out in accordance with the approved CEMP.

Reason: Required prior to commencement of development to avoid any irreversible detrimental impacts to human health and amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

38 At no point during construction or site operation shall the development prohibit access to Esplanade or Rochester Bridge for those members of the Rochester

Bridge Trust who require access to these areas, except that a gate shall be erected to help prevent unpermitted access.

Reason: To ensure longevity and maintenance of Rochester Bridge by Rochester Bridge Trust, and safeguard use of the bridge and River Medway riverbank for the public, in accordance with Policy S3 of the Medway Local Plan 2003.

39 No dwelling herein approved shall be occupied until the area shown on the submitted layout as vehicle parking space and garaging has been 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 and 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.

40 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) no development shall be carried out within Schedule 2, Part 1, Classes A, AA, B, C, D, E and F and Schedule 2 Part 2 Class A; of that Order 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 visual and neighbouring amenity in accordance with Policies BNE1 and BNE2 of the Medway Local Plan 2003.

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

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

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

Proposal

This application is for the demolition of the existing CCTV Building, and other ancillary buildings on site and construction of residential units inclusive of a live/work unit (Use Class F1 or Class E), cafe/bar (Use Class Eb), public open space, earthworks including flood defences, landscaping, drainage and associated infrastructure.

The proposal will comprise a total of 195 homes, formed from 140 apartments and 55 houses comprising 64 x 1-bed flats, 69 x 2-bed flats and 7 x 3-bed flats together with 13 x 2-bed houses, 28 x 3-bed houses and 14 x 4-bed houses.

Of this there will be 25% affordable which will comprise 11 x 1-bed and 16 x 2-bed affordable flats and 12 x 1-bed and 10 x 2-bed shared ownership flats.

Also being proposed is a new cafe/bar on the waterfront and a live work building to terminate the high street frontage.

The development is predominantly 3 and 4 storeys in height, with the tallest buildings focused on the perimeter of the Site, especially against the boundary with the railway line. In the centre of the Site heights reduce to 2 storeys, with some limited single storey ancillary buildings.

A total of 142 parking spaces will be provided within the proposed development. These are split into 54 Parking Court Spaces, 35 On Street Permit Spaces, 22 garages, 15 spaces on driveways, 6 visitor spaces, 2 ambulance parking spaces and 6 ambulance station parking spaces located next to the ambulance station, accessed from Knight Road and two car club spaces provided, to the rear of the live/work unit.

Cycle parking will also be provided in accordance with Medway's standards (total 256 no. spaces). An additional 56 cycle parking spaces will be allocated to visitors of the Site.

Electric Vehicle (EV) charging sockets will be provided in accordance with Building Regulations.

Site Area/Density

Site Area: 2.83 hectares (6.99 acres)
Site Density: 68.9dph (27.89 dpa)

Relevant Planning History

MC/24/0036	Town and Country Planning Act (Environmental Impact Assessment) Regulations 2017 (as amended) request for a screening for demolition of existing buildings and construction of 185 homes cafe/bar, live work unit and replacement ambulance

rest station together with public open space including earthworks landscaping, drainage and associated infrastructure works.
EIA Not Required 30 January 2024

MC/23/2463 Creation of site access and entrance into the site together with associated works.
Approved 16 February 2024

MC/17/3472 Application for Prior Notification under Schedule 2 Part 11 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the demolition of existing office/warehouse building.
Prior Approval not required 17 November 2017

MC/17/1172 Construction of new flood defences at the Phase 1 (Civic Centre) site, Strood, including sheet pile walls and ground raising, and removal of existing flood defence wall and demolition of Civic Centre building and other ancillary works.
Approved 30 November 2017

MC/22/2589 Application for non-material amendment to planning permissions MC/17/1172 and MC/18/1477 to move the flood wall and flood gate on the former civic centre site, the details of which were approved under discharge of condition application MC/18/1477 pursuant to condition 8 of planning permission MC/17/1172, 4.2m to the southwest, and revised cladding details of the wall to match the cladding to the main sheet pile wall already constructed.
Withdrawn 1 December 2022

Representations

The application has been advertised on site, in the press and by individual neighbour notification to the owners and occupiers of neighbouring properties. In addition to this the following have also been consulted:

Active Travel, NHS, EDF Energy, Southern Gas Networks, Southern water Services, Environment Agency, Natural England, KCC Police, Marine Management Organisation, Kent Fire and Rescue, Kent Wildlife Trust, RSPB, Rochester Bridge Trust and Historic England have also been consulted.

Southern Water Services have advised that the application site is located approximately 800m from their Public Groundwater Supply, within the Source Protection Zone 2. The development is proposing 25m piled foundation into the Chalk aquifer, of which they abstract from. The piles present a pathway for surface activity to impact the principal Chalk and our groundwater abstraction. The risks from this activity to their abstraction have not been assessed and this is required to ensure all potential adverse impacts are appropriately mitigated. Southern Water do not object to the planning application if the following conditions are adopted:

- Piling Risk Assessment and Piling Design to be shared with Southern Water for

review and approval. The assessment will need to consider and mitigate turbidity risks and cross contamination risks to ensure the Chalk water quality is not impacted. Should the assessment not provide sufficient consideration of the Chalk aquifer, a hydrogeological risk assessment will be required to inform upon the sensitive hydrogeological setting.

- Any hazardous substances or fuels required on site to be stored in a bunded and impermeable area to ensure no accidental spills to ground.
- Contractor to use spill trays when re-fuelling plant and/or vehicles at all times.
- Contractor to follow best practice guidance with regards to environmental contamination.

A map setting out the approximate position of water distribution main and public foul sewer within the development site has been provided.

- The 6-inch water distribution mains requires a clearance of 6 metres on either side of the water distribution mains to protect it from construction works and to allow for future access for maintenance.
- No excavation, mounding or tree planting should be carried out within 6 metres of the external edge of the public water distribution mains without consent from Southern Water.
- The 175 mm public foul sewer requires a clearance of 3 metres on either side of the public foul sewer to protect it from construction works and to allow for future maintenance access.
- No development or tree planting should be carried out within 3 metres of the external edge of the public foul sewer without consent from Southern Water.
- No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of public or adoptable gravity sewers or water mains.
- All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

In order to protect public sewers, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; The developer must agree with Southern Water, prior to commencement of the development, the measures to be taken to protect the public sewers.

Their investigations indicate that Southern Water can facilitate foul sewerage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS). Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component,

adoption will be considered if such systems comply with the latest Design and Construction Guidance (Appendix C) and CIRIA guidance:

Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities.

Land uses such as general hard standing that may be subject to oil/petrol spillages should be drained by means of appropriate oil trap gullies or petrol/oil interceptors.

The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

Historic England have advised that they are not offering any advice on this application but that this should not be interpreted as comment on the merits of the application.

HSE have advised that this planning application does not fall under the remit of planning gateway one, because it does not meet the height condition of a relevant building.

Environment Agency have advised that they have no objection in principle to the proposed development, subject to the following condition being included in any permission granted.

Flood Risk - while we have no objection to the live/work unit and deem it acceptable that the ground floor is used for commercial purposes, the ground floor would not be safe for residential purposes.

The Local Authority should be aware that the area around TQ7367668961 between the site and the railway bridge is frequently affected by flooding at high tide, due to failing highways drainage infrastructure. This will limit access to the ambulances at periods of high tide. To rectify this, we strongly recommend that the applicant funds and implements improvements to the existing drainage infrastructure at TQ7367668961. This will help meet the requirements of the exception test, as stated in paragraph 170. b) of the National Planning Policy Framework 'the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall'.

We recommend that the flood wall between the site and the railway bridge is maintained to give the same standard of protection, as is offered to the rest of site.

We recommend that a management and maintenance plan is put in place for the flood defences and sheet pile walls that have been implemented as part of MC/17/1172.

The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following condition is included.

Flood Risk to pump house - the pump house is stated to be at 4.090 metres Above Ordnance Datum (AOD), which is already at risk of flooding and will remain at risk. There is a flood wall present at this location, however we are not aware of the integrity of the wall in this location. Owing to sea level rise the site will be at increased risk.

The Rochester Bridge Trust (RBT) have written with the following comments:

Rochester Bridge is a critically important piece of transport infrastructure which serves a public function and is the only crossing of the River Medway in the Local Authority area which accommodates all types of road user. It is also a highly valued and treasured heritage asset.

Protection of the Bridge – the construction of the proposed development will have a significant impact upon local road infrastructure (e.g. large vehicles using roads and bridges). It is common practice in such cases to secure, via planning condition, an audit of the road surfaces before and after construction so that any deterioration can be quantified and paid for by the applicant. The Trust would like to see this taken account taken of. In addition, a commitment to protect the Bridge from potential damage from construction vehicles should be included in any planning conditions.

Principle of Development – the Trust does not object to the principle of the site being redeveloped and recognises the opportunity it presents for regeneration in Strood and Rochester.

The Esplanade – the Trust uses the paved area of its land as a site compound and operational working area for essential construction activities. It also requires unrestricted and unfettered access to this area, and to the Arches under the Old Bridge, in order to perform its duties and prevent unauthorised access to bridge and other critical service infrastructure.

The regular bridge maintenance activities, which have been happening in this location for centuries, and may be noisy and possibly dusty, would not provide an appropriate environment for leisure and recreation. Furthermore, the choice of surface materials for the highway section of the Esplanade also need careful consideration and to be hard-wearing because of the type and size of vehicles needing to use the area to carry out maintenance and upkeep of the bridges.

It is proposed that the status of the Esplanade roadway, which is currently public highway for all vehicles, could be “downgraded” to allow pedestrians and cyclists, with limited vehicle access only. The principle of this would be supported provided appropriate exemption for the Trust, emergency vehicles and statutory undertakers is provided. The Trust is also willing to open discussions with the Council regarding the Trust taking on permanent or very long-term management and maintenance of the Esplanade and associated landscaping and particularly the proposed access bollards and gates.

Building Design – the architectural proposals include a large, blocky building with no architectural merit at the corner of the site adjacent to the Old Bridge with a restaurant/café and terrace overlooking the river. Apart from this being a very noisy location, with noise from the road bridge and railway being very intrusive especially at

the raised level, the proposed café area overlooks the working area for bridge construction activities. As explained, construction activities regularly take place, particularly in the evenings and overnight, which are not compatible with outdoor dining or drinking. The proposed design of this building is out of scale and inappropriately designed for the sensitive corner location and would adversely affect the setting of the listed Old Bridge. The Trust does not object to buildings of this type, scale and design being included in the development but they would be better placed within the development and not in this very sensitive location. A revised design reflecting the architecture of the buildings which historically stood at that location, and without an external terrace, would be far more suitable.

Gateway Building - some discussion was had in relation to the building proposed to the west of the entrance to the site. Should the freehold be available to purchase, the Trust suggested that the ground floor commercial unit could present an opportunity to create an engineering education venue to support its work with young people, together with a small gallery to display art and artefacts about the bridges and of local interest. The Trust remains open to further discussions on this aspect of the proposal.

Transport - RBT have a series of concerns relating to access directly from the Esplanade with regard to safety, access for bridge maintenance and general traffic congestion. It has previously been requested that alternative designs should be considered to utilise an access from Knight Road such as a one-way working arrangement with traffic lights at either end or a one-way system through the site linking the two access points. This could allow for an extended footway / cycleway to accommodate non-motorised users and the Knight Road route being used as a secondary vehicular access.

Landscaping – landscape plans show an area of land to the north of the Railway Bridge where low-level lighting is to be provided. However, the area shown does not extend to the site boundary and under the railway bridge. It is unclear as to why there is a missing section of lighting which would connect the route into the site.

The plans shows amendments to the Esplanade with planters replacing the western footway of the Esplanade. The location of the planters will effectively force pedestrians either into the carriageway or onto RBT land, which could create highway safety issues or may encourage pedestrians onto private land where bridge maintenance operations take place. It is also noted that the informal crossing point included on the drawing is shown behind the stopline and would be more safely located in advance of the stopline.

A gate has been indicated in the carriageway and the proposals are to restrict the road to general traffic. No information has been provided to demonstrate how the gate will operate and be managed. People stopping to manually open and shut the gate may conflict with the signal operation (e.g. triggering significantly more green time) at this arm unless the gate is automated. In addition, it is unclear as to whether there is enough stacking space between the gate and the stopline for the size of vehicle required for maintenance by RBT.

No information has been provided as to the mechanism (Stopping Up, TROs or other) that will be used to achieve the downgrading of the Esplanade. It is noted that the

Esplanade is outside of the red line boundary but still forms a material part of the scheme.

CEMP – no CEMP has been provided as part of the planning application and RBT request that this is provided as part of the planning application.

Road Safety Audit – a Stage 1 Road Safety Audit should be undertaken of the Esplanade Junction proposals at the planning stage. In addition to likely independently identifying a number of the issues noted above, it would ensure that road safety is considered throughout the design process to ensure the proposals, if approved, operate as safely as reasonably practicable.

Road Safety Analysis – limited information has been provided in relation to the road safety analysis and the proportion of severe collisions on the route leading into the rear of the site is considered to be more than average. Given that the proposals are for this to be an active travel route into the site in the future, with additional pedestrians and cyclists, further information should be provided to determine whether any road safety measures are required on this route.

Access Proposals and Signal Reconfiguration – the Applicant has presented a reconfiguration of the Esplanade Junction with a full reconfiguration of the southwestern arm. The revised layout also shows a new pedestrian crossing over the Esplanade arm running in a north to south direction. Traffic signal modelling software (LinSig) has been used to assess these substantive changes to the signal junction.

The Bridges are owned and maintained by the Trust. They were refurbished in 2019 through 2021 and as a part of those works, MC (as LHA) refused to allow the Trust to reduce through capacity over the Bridges by reducing the green time for ‘straight-ahead’ movement (two-way along A2 High Street) by any amount, as any reduction in green time to the A2 High Street was expected to cause long queues back through Stood and/or into Rochester (A2 Corporation Street).

Modelling Results – the LinSig modelling work undertaken to date shows that the network is over capacity and that in particular the A2 Commercial Road / Station Road / A2 High Street has significant queues in both the 2024 Base and the future scenarios. The modelling demonstrates that the Esplanade / A2 High Stret / Canal Road goes over capacity in the 2029 ‘Do Minimum’ scenario and there are a number of issues with the modelling that suggest the capacity issues are likely to be worse than what has been reported in the TA.

The Esplanade arm has been modelled to be called every other cycle, however in reality it is likely to be called more than this or indeed there will be instances when it is called in consecutive cycles, therefore the modelling work should be revised to call the stage every cycle to ensure that the modelling reflects a robust scenario. It is also noted that the queues related to the A2 Commercial Road / Station Road / A2 High Street are likely to extend all the way to the Esplanade / A2 High Stret / Canal Road and this existing issue is evidenced by the yellow box which has been previously installed at the junction. As a result, vehicles are unlikely to be able to emerge from the Esplanade junction and this is not reflected in the LinSig modelling as this software

does not account for restricted access into an exit link. A more robust tool for assessing this network would be a microsimulation model such as VISSIM.

The modelling has also been undertaken with a 240 second cycle time to reflect 2x 120s cycles despite the provision of enhanced pedestrian crossing facilities. Cycle times should be kept as low as reasonably practicable to minimise pedestrian delay, and ideally pedestrian waiting times should not exceed 90 seconds. This is due to pedestrian behaviour, as the higher the cycle time the greater the probability of pedestrians becoming impatient and crossing during a red pedestrian signal, potentially risking their safety.

Signal Junction Visibility – notwithstanding that there are some existing and historic visibility issues given the unusual angle which Esplanade approaches the junction, the proposed configuration also does not meet the typical requirements for junction intervisibility, nor is this indicated on the made available to date. Where the requirements of Design Manual for Roads and Bridges CD 123 are not achieved, it would be required that the Designer justify why the appropriate standard cannot be achieved, and to show that the deviation does not result in a design where risk is reduced as much as is reasonably practicable.

Given that the access would be used by larger vehicles, and that these are likely to be turning slowly and have a number of significant blind spots, design mitigation would have to be included to reduce risk. This could include actions such as increased intergreen/interstage times (with a consequent reduction in signal capacity), clearance of obstructions or relocation of the stop line to bring it closer to the junction.

Access Layout – there are proposed kerb line changes (some of which are within RBT ownership). These proposed kerb lines narrow the access into the Esplanade and tracking has only been provided for a fire tender and a box van. It is noted that the previously RBT have requested:

"*Access for the Bridge support space is required for vehicles up to and including maximum legal dimension articulated heavy goods vehicles. The Trust notes that the other stakeholders – such as statutory undertakers and Kent Fire & Rescue Services may have additional requirements*."

The fire tender is shown in the swept path analysis that has been produced to encroach into the space that a vehicle waiting at the stop line could be present. This would suggest that larger vehicles may not be able to access the Esplanade. Further swept path analysis should be provided to demonstrate that the access can safely accommodate larger vehicles in line with the RBT requirements.

Active Travel England have advised that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application.

Natural England has advised that it would request the usual SAMMS contribution to off set the recreational impact on the SPA and meet the requirement of the European sites Habitat directive.

Kent Fire and Rescue have advised that the emergency access requirements for the Fire and Rescue Service appears to be met. However, please consider 'The Kent Design Guide' for alternative emergency access route in the form of a link road or pedestrian/cycle lane. It is desirable that our Water Services Team has early engagement with the developer and the water undertaker to ensure that there is sufficient water flow and pressure at each hydrant across the development.

The City of Rochester Society have written with the following comments: Rochester Bridge is a beautiful and iconic landmark and gateway into the historic city of Rochester itself. The two current incarnations assumed their present forms in 1914 and 1970 with a sympathetic restoration of the old bridge taking place as recently as 2021. In the Society's view the proposed block adjacent to the bridge is extremely large and out of keeping in scale, also architecturally out of keeping with the aesthetic of the bridge.

The proposed usage of the terrace in this block for recreational purposes particularly during evenings, would be inappropriate given the road and rail noise from the bridge and the regular maintenance schedules undertaken by the Rochester Bridge Trust.

The access points to the site both during construction and post-construction are a major concern. There is only one ingress and egress way for vehicles for 134 flats and 61 houses; a total of 195 dwellings. We note that there is also insufficient parking places being created, with 47 on-street and 60 parking court places. This will cause residents to spill out and park in already crowded residential roads, negatively impacting existing residents. Public transport is also poor in terms of local buses.

There is also the question of insufficient local provision as regards schools and medical facilities to accommodate a development of this size in this location.

The Marine Management Organisation have advised on when and what is necessary re a marine licence.

Following the receipt of amended plans the following comments have been made:

Environment Agency have advised that they have no objection in principle to the proposed development, subject to conditions being included in any permission granted.

Biodiversity - The proposed development will be acceptable if a planning condition is included requiring a scheme to be agreed to protect a 16m (or near) wide buffer to the tidal watercourse.

Groundwater and Contaminated Land – recommend conditions.

Land Contamination – it is understood that contamination has been identified within the made ground, including free phase hydrocarbons in a hotspot area. However, contamination appears to be restricted to made ground/perched water. The underlying natural deposits were not impacted by significant/gross contamination. However, it is understood that further targeted investigations are required in areas currently

inaccessible (including former fuel dispensing). Remediation of hotspot areas impacted by TPH is proposed, including removal of free product. Validation criteria are proposed for excavations.

Piling – it is understood that piling is proposed. While the contamination on site does not appear to have impacted the deeper aquifers, the introduction of piles may alter. They therefore request a piling condition on any approval.

They reiterate their advice on the live/work unit, and the advice on the flood wall between the site and the railway bridge and the recommendation that a management and maintenance plan is put in place for the flood defences and sheet pile walls that have been implemented as part of MC/17/1172.

Flood risk to pump house – the pump house is stated to be at 4.090 metres Above Ordnance Datum (AOD), which is already at risk of flooding and will remain at risk. There is a flood wall present at this location, however they are not aware of the integrity of the wall in this location. Owing to sea level rise the site will be at increased risk.

Flood resistance and resilience – they strongly recommend the use of flood resistance and resilience measures. Physical barriers raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

Surface Water – it is understood that surface water will be discharged into the River Medway, and that only limited infiltration to ground will occur. We do not object to this proposal.

Foul Drainage – it is understood that foul drainage will be directed to the local mains sewer network. They have no objection to this proposal.

Natural England have advised that the advice provided in their previous response applies equally to this amendment The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Southern Water have advised that the proposed rainwater harvesting system should be designed, installed and maintained to current British Standards.

From the site location, it appears that the proposed development lies within an area identified as flood zone 2/3. Southern Water supports the Government's requirement to apply the sequential and exception tests to development sites located in flood zones 2 or 3. In flood events, additional surface water can inundate sewers, which may result in the overloading of the sewerage system. Southern Water will rely on the Council's consultations with the Environment Agency to ensure that any proposed development on a floodplain is appropriately assessed, and necessary mitigation measures adopted.

If the applicant proposes to offer a new on-site drainage and pumping station for adoption as part of the foul/surface water public sewerage system, this would have to be designed and constructed to the specification of Southern Water Services Ltd.

Health and Safety Executive have advised that from the information provided for this planning application, it does not appear to fall under the remit of planning gateway one because the height condition of a relevant building is not met.

Active Travel England have advised that standing advice should be issued and would encourage the local planning authority to consider this as part of tits assessment of the application.

Southern Gas Networks have sent mains records for the proposed work area.

Historic England do not wish to offer any comments.

UK Power Networks sent a copy of where the electrical lines and/or electrical plant are situated and a fact sheet containing important information regarding the use of their plans and working around our equipment.

The Marine Management Organisation have written with the same comments as set out above.

The Rochester Bridge Trust have written to advise that unfortunately, the revised information does not address the earlier comments that have been made. As such, the earlier comments above still stand.

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

Planning Appraisal

Background and Principle

The Site is located to the east of Strood, with commercial/ retail units to the north-west, the River Medway to the south/south-east, a railway line to the west and the A2 to the east. Jane's Creek, a small inlet of the River Medway is to the south-west. The Site lies within the wider former Strood Civic Centre site and comprises an area of 3,140sqm of land used as hardstanding/made ground.

Within the Local Plan Proposals Map, this site is unallocated 'white' land. Policy S1 of the Local Plan establishes that the re-investment in the urban fabric is a priority and that this includes the redevelopment and recycling of underused and derelict land. Policy S10 further identifies the Medway riverside as a designated "Action Plan Area", where the regeneration of the area is sought in line with an Adopted Development Brief to be approved by the Council.

Since the establishment of the Local Plan the Strood Waterfront Development Brief 2018 (SWDB) and Strood Town Centre Masterplan 2019 (STCM) set out that the wider Civic Centre site is a key waterfront site.

Within the SWDB the Former Civic Centre site has been identified as a residential-led, mixed-use regeneration site forming part of a series of sites, that run along the Strood riverside frontage. The Illustrative Masterplan proposed c.564 homes on the former Civic Centre site. A mix of 4-11 storey apartment buildings and two and three-storey townhouses.

In 2019 this guidance was further refined through the preparation of the STCM. This continued to support the redevelopment of the site for primarily residential development, with some opportunities for limited commercial/non-residential floorspace.

The vision in these two documents for Strood Waterfront is for the creation of a residential-led development with appropriate supporting commercial uses including leisure and food/drink opportunities to enliven street frontages and public spaces.

The principle of redeveloping the Site is clearly established as acceptable in adopted policy. In addition to this paragraph 124c of the NPPF gives "*substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land*".

The site is considered to be in a sustainable location and the development of the site for housing would be in accordance with the Policies H1, S1 and S10 where the development strategy for the plan area is to prioritise re- investment in the urban fabric, including the redevelopment and recycling of under-used and derelict land within the urban area, and with paragraphs 11, 38, 60, 96, 123, 124 of the NPPF.

Layout Design and impact on heritage assets

The NPPF attaches great importance to the design of the built environment. Paragraphs 131 and 135 of the NPPF emphasises the importance of good design and Policy BNE1 of the Local Plan is a general, criteria-based policy for all development. It seeks appropriate design in relation to the character, appearance and functioning of the built and natural environment.

The site has a lot of historical industrial influence, it previously housed Invicta Engineering Works Factory, the Aveling & Porter and the former Civic Centre with a public parking to the rear. All of which have now been demolished and the public car parking been made redundant.

The council owned CCTV building and ambulance station, currently inhabit the west of the site, with the rest of the site being derelict. As part of this redevelopment of the site the CCTV building is to be demolished and re-located and the ambulance station will be retained.

The primary access to the site is from the High Street (A2) at the start of the bridge, with a secondary access beneath the railway bridge from the retail park to the North West for use by the ambulance station. There is an additional pedestrian access along Taylor's Lane from the High Street.

To prepare the site for residential development, flood defence works have been partially undertaken, raising the site above the flood risk level. To achieve this, two large sections of river wall and associated anchor walls have been introduced at the perimeter of the site and the site levels have been raised behind. The flood defence wall creates a visual and access barrier between the covenanted esplanade amenity area and residential area behind.

The railway to the North West of the site creates a physical barrier to the town centre to the North and generates noise along the boundary. The East of the site is exposed to noise from traffic on the A2 road bridge and the railway bridge beyond.

The site is in a prominent and prime location on the waterfront with stunning views of Rochester Castle and Cathedral, as well as longer views upstream towards the M2 bridge.

The key features of the proposed layout include:

- Live/work unit at the entrance to the Site from the A2, complimenting and bookending Strood high street
- Provision of a café/bar at the south-western corner of the Site, providing views across the river Medway and towards Rochester
- Providing a platform/viewing area on the south-eastern edge of the Site, offering views across to Rochester and towards the castle
- Enhancing the river walk experience, through the creation of new and complementary routes for cyclists and pedestrians, featuring a new high-quality landscape scheme that runs parallel with the river frontage
- Providing a new area of equipped play along the river walk, benefiting the residents of the development as well as the wider community
- Development arranged in parameter blocks, offering good levels of natural surveillance to create a secure and safe residential environment
- Orientating development to maximise views towards the river Medway and Rochester Castle, whilst offering passive surveillance over the public open spaces, supporting the provision of a safe and secure environment for the riverside walk
- Public/historical art set within the riverside walk/open space running around the edge of the Site Enhancing the appearance of the sub-station to the south of the Site, improving the local environment.

The design of the site has drawn from the riverside location and the rich heritage of the site and its surroundings, particularly drawing inspiration from Rochester Castle. The design and access statement advises that the site has been designed with the buildings around the perimeter of the site acting as the 'outer walls' of the castle overlooking the primary routes through the site with a crenelated building form, punctuated with key turreted form buildings. The houses at the centre of the scheme act as the low-scale smaller buildings within the 'shelter of the castle walls'. Secondary

routes cut across the site, through these ‘walls’, improving connections through a new residential neighbourhood, from the High Street towards the river, ensuring that there are views to the river from all areas of the site.

The character of the buildings in the ‘Inner Wall’ area of the scheme have been designed to reflect the 19th Century terrace housing of Strood. The form of the terrace housing is characterised by having gable roofs, simple window openings, bay windows at ground level and detailing between the windows. The entrances are a feature element on the houses and are characterised by a stack bond detail to the sides and a framed element over a fan light. The red and yellow/buff bricks proposed are reminiscent of those used within Strood.

The area in the centre of the Site abutting the Site boundaries to the railway line and the rear of the existing buildings that front the A2 has taken reference from the Invicta Engineering Factory that once stood on this site. The Invicta Engineering Factory had an industrial character with a unique series of pitched roofs. The proposed properties in this area will also have a pitched roof form that replicates the previous industrial forms that were on the Site. The factory roof line form has been applied as per the original factory orientation across terraces, creating the variation within the streets. Flat roof linear apartment buildings are proposed along the railway edge and although, not replicating the inspired form from the factory, the elevation details and materials proposed provide this direct correlation to the industrial character area. Flat roofed rectangular buildings punctuate key routes and end vistas within the central streets.

The ‘Outer Wall’ houses run parallel to the railway with a repeated gable roof line, a common feature on the High Street. The proposed brick and material tones are consistent with the Riverfront to bolster the ‘Citadel’ concept. Window proportions and configurations have been inspired by the historic high street buildings, with two windows on first floor and one window extending into the gable.

The Aveling and Porter HQ building originally stood on the north eastern edge of the Site. The form of this building has been referenced in the buildings along the south-eastern edge of the Site fronting the river Medway and adjacent to Rochester Bridge. This character area will also incorporate the café/bar.

A corner building creates an inviting entrance to the site and a continuation of the existing High Street by providing an active frontage on the ground floor by means of a non-residential use. The form and massing complements the current High Street, whist also remaining sympathetic to the mixed-use buildings which historically lined the edge of the site it also screens the somewhat unsightly end wall of the current building. The building is planned as a live-work unit that could be used as a sales suite for marketing purposes.

The Strood Waterfront Development Brief outlined c.564 homes on the former Civic Centre Site. However, the new flood defence river walls and anchors that have been installed, significantly reduce the developable area. In addition to this, due to the location of the site in a critical, visible location within the Medway valley, it is important not to obstruct key views across Medway to historic landmark buildings or break the horizon line with tall buildings, as such the height of the buildings has been kept to 4

storeys which is consistent with the existing low context of Strood, again reducing the number of units that could be delivered.

The landscape measures, principally concentrated along the riverside edge, have been designed to deliver a high-quality and multi-sensory environment enhancing the quality and attractiveness of the Site as both a destination, but also as a space to move through as part of extending and improving the riverside experience for walkers and cyclists.

Amongst the landscaped environment, opportunities for heritage interpretation are included as part of a public art strategy. The soft landscaping also incorporates opportunities for ecological mitigation and enhancement through the provision of planting specifically selected to support wildlife and a greater diversity of ecology across the Site. Boxes and bricks for birds, bats and bees are also proposed to compliment the planting proposals.

The play space provision meets required standards, together with the areas of amenity green space, which includes elements of natural green space. It is noted that the on-site open space provision falls short of the Councils open space requirements specifically with regards to the provision of parks and gardens and outdoor sport. However, it is not considered that large parks/gardens and outdoor sports areas are appropriate for this site itself but all are available within a short distance and are accessible to residents.

The play space has been located a minimum of 6m from the façade of the nearest building. The buffer zone includes two layers of hedge planting, with the adjacent buildings also elevated above the play space level. The planting and levels are designed to provide a sense of separation and privacy between each user group. This approach is considered appropriate.

Off-site improvements are proposed to the Esplanade (adjacent to Rochester Bridge), to be secured under S278 works, contributing to enhancing the wider public realm and the riverside experience.

In accordance with paragraph 136 of the NPPF the proposals also include new tree planting, including providing tree lined streets.

Significant enhancements are proposed to pedestrian and cycle crossing facilities at the A2 High Street / Canal Road / Esplanade junction, including the installation of new toucan crossings on the A2 (west) arm. This will enhance connectivity from the Site to the east. It is also proposed to continue the on-carriageway westbound cycle lane from Rochester Bridge along the A2 High Street to the junction with Station Road.

As part of the proposed access design, Strood Esplanade is to be reprioritised in favour of the Site, with the existing service road downgraded to a private crossover for maintenance access only, including suitable access control measures. The Site and the service road will be subject to individual signal control and pedestrian crossing facilities. This provides the opportunity to enhance the Esplanade environment through the removal of vehicle movements and introduces the opportunity for some soft landscaping running adjacent to the existing flood defence wall.

It is considered that the development will add to the quality of the area and will be visually attractive as a result of a good layout, and high-quality architecture. It is sympathetic to the local character and history of the Site and wider area, which is reflected in the design led approach (set out above).

The site is set adjacent to Rochester Bridge, a Grade II listed structure and facing onto Rochester Castle (Grade I and Scheduled Monument). It is considered that whilst the development proposals lie close to the setting of a number of identified heritage assets it is not considered to result in harm to, or affect the significance of these assets. In fact, the proposals are considered to improve the quality and appearance of the Site and views to and from the heritage assets.

A Townscape and Visual Appraisal (TVA) has been submitted with the proposal It has assessed the effects of the development on identified important views. In total the development has been assessed from 12 viewpoints.

The TVA has concluded that the development results in no adverse effects on the identified views and is judged to result in a beneficial effect on the townscape character of Historic Rochester. Beneficial effects on character will arise from the replacement of a large brownfield Site with a high-quality development that is sympathetic to the townscape character in its reference to the Site's history. The development is set with a high-quality riverside public realm/landscaping that will enhance key views from Historic Rochester and will create a positive transition to Strood Town Centre.

Overall, the layout and design shows that the proposal responds appropriately to the requirements and provisions of Policies BNE1, BNE6, BNE12, BNE14, BNE18, L4 of the Local Plan and Paragraphs 131, 135, 136 and 208 of the NPPF and is considered acceptable.

Type and mix of development

Whilst the predominant type of development on the Site is residential, in accordance with the Development Brief, a limited amount of commercial floorspace has been proposed. A live/work unit has been located at the Site entrance with the A2, together with a café/bar that will encourage visitors into the development to enjoy views across to Rochester and complimenting the open space/recreational opportunities available.

The mix of uses is considered acceptable and in line with the SWDB and STCM.

The proposals will deliver 195 new homes of which 25% are proposed to be affordable, in accordance with Policy H3 of the Local Plan. The housing mix provides a good balance between apartments and houses, responding to the Site's urban location whilst providing a choice of accommodation types to deliver a diverse new community.

Amenity

Policy BNE2 of the Local Plan requires all development to protect those amenities enjoyed by nearby and adjacent properties. It states that the design of development, should have regard to: (i) privacy, daylight, and sunlight; and (ii) noise, vibration, light,

heat, smell and airborne emissions consisting of fumes, smoke, soot, ash, dust and grit; and (iii) activity levels and traffic generation.

There are two main amenity considerations, firstly the impact of the development on the neighbouring properties and secondly the living conditions which would be created for potential occupants of the development itself. Paragraph 135f of the NPPF and Policy BNE2 of the Local Plan relate to the protection of these amenities.

Amenity of Future Occupiers - the residential properties have been designed to achieve the required Nationally Described Space Standards.

Some of the houses, particularly those fronting the river are non-traditional and do not have an enclosed standard garden. Instead to maximise the experience of the river a ground floor terrace opens out towards the river from the kitchen/dining space. These houses are elevated from the river public realm and with planting around the terraces it is considered they will not feel exposed to residents using them. To ensure that there are some private amenity two further angled terraces are proposed to provide alternative amenity spaces that capture the views. While this may be an unusual relationship it is considered acceptable due to the urban location of the site and the tight grain that has been achieved.

Neighbouring Residential Amenity – the layout has been designed to ensure that the amenity of the neighbouring residential properties along the High Street is maintained. The new properties are set a sufficient distance away to ensure that there no new issues are raised with regard to loss of sunlight, daylight privacy or outlook.

Due to the location of the site with regard to residential properties a condition is recommended on any permission for a Construction Environmental Management Plan (CEMP) to be submitted.

For the reasons above and subject to this condition no objection is raised and the application is considered to be in accordance with Policy BNE2 of the Local Plan and paragraph 135(f) of the NPPF.

Noise

As well as road traffic, sources of noise off site include the railway line and a wide variety of commercial premises around the site. At this stage the final design/construction details are unknown. As such it will be necessary to impose conditions in relation to existing sources of noise to protect future occupiers. Subject to these conditions, no objection is raised with regard to Policy BNE2 of the Local Plan and paragraph 135(f) of the NPPF.

Air Quality

To ensure that the development does not have a negative affect on the Air Quality of the area, a condition is recommended for the submission of an Air Quality Emissions Mitigation Statement to specify the measures that will be implemented as part of the development to mitigate the development related road transport emissions. Subject

to this condition the application is considered to be in accordance with Policies BNE2 and BNE24 of the Local Plan and paragraph 192 of the NPPF.

Contamination

The Geo-Environmental Assessment and Detailed risk assessment and remedial method statement submitted with the application are considered acceptable. Conditions are recommended on any approval to ensure remediation is carried out as per the submitted Method Statement.

Subject to these conditions the application is considered to be in accordance with Policy BNE23 of the Local Plan and paragraph 189 of the NPPF.

Ecology

The submitted information has detailed that the site is a mixture of hard standing, scrub and areas of sparsely vegetated land some of which meets the criteria for the priority habitat Open Mosaic Habitat on Previously Developed Land (OMHPDL). The site is directly adjacent to the Medway Estuary Marine Conservation Zone. Invertebrates have been recorded within the vegetated areas and suitable habitat is present for breeding birds.

No reptiles were recorded during the reptile survey and 3 species of bats were recorded foraging/commuting within the wider site. It is considered that no further species surveys are required as part of this application.

Open Mosaic Habitat on Previously Developed Land - A small area of OMHPDL is present on the site. The area of OMHPDL currently covers 0.19ha which is less than the size needed to be considered a priority habitat.

This habitat cannot be considered a priority; however, invertebrates have been recorded within the development site and therefore the applicant was asked to consider re-providing some of this habitat on the roof of the buildings. The applicant has advised that due to the roof designs and accommodation of PV and other roof equipment this has not been possible and the addition of such features would further burden the development with additional construction costs and maintenance liabilities. As such this habitat will not be re-provided, however other provisions will be made for ecology (see below) which can be considered to offset this loss.

Enhancing the site for biodiversity - under section 40 of the NERC Act 2006 and paragraph 180 of the NPPF, biodiversity should be maintained and enhanced through the planning system. Additionally, in alignment with paragraph 186 of the NPPF, the implementation of measurable net gains for biodiversity (integrated as part of design) should be encouraged. The submitted information has detailed that the proposal will achieve a measurable net gain (as per the NPPF).

As an enhancement, nest-bricks are proposed on all new dwellings, to provide nesting habitat for around 100 pairs of birds, ideally targeting Priority Species such as swift (Apus apus). The swift has suffered serious declines in the UK, and in the latest BoCC (BoCC5), it was added to the Red List (Stanbury et al, 2021). Swift bricks are effective

and readily used by swifts but are also readily used by house sparrow (Passer domesticus), another Red List species. Another species which could benefit from nest-bricks are the black redstart (Phoenicurus ochruros). It was previously Red-Listed, but is now on the Amber List (Stanbury et al, 2021), not least because of a concerted effort to provide nesting habitat in urban locations. A condition is recommended to ensure that this is achieved.

Medway Estuary Marine Conservation Zone - the submitted information has assessed the impact regarding surface water and assessing the impact the proposed dwellings may have during the construction or operational phase (e.g. increase in noise, lighting and dust). The submitted information has detailed that the proposal is unlikely to have an impact from scouring on the mud flats due to surface water discharge as measures can be put in place to ensure that the current water run off levels from the site do not increase.

Regarding impacts on noise, lighting and dust it is considered that appropriate measures can be put in place to minimise impacts form dust, lighting and noise through the construction management plan.

Subject to appropriate conditions it is considered that the application is acceptable in terms of impact on ecology and protected species and is in accordance with Policies BNE37 and BNE39 of the Local Plan and paragraph 180 of the NPPF.

Flood Risk

The site is set within Flood Zone 3 (High Risk) according to the Environment Agency Mapping. However, it is noted that flood defence works have been completed, following planning approval in 2017, which has raised the developable area at the site. These works were completed in 2019.

Paragraph 80 of the Planning Policy Guidance presents a hierarchy of drainage options to follow with the aim being to discharge surface runoff as high up the hierarchy as possible. This is also reiterated within Part H of the Building Regulations. The options are:

1 Into the ground
2 To a surface body
3 To a surface water sewer, highway drain, or another drainage system
4 To a combined sewer

As shown within the submitted documents the proposed strategy is to use the existing system on site. The proposed surface water strategy will use a piped network, tree pits and lined paving. The submitted surface water calculations show that although there is no flooding until the 100 year plus 45% event there is surcharging within 30 year event. During the detailed design stage it would be beneficial to assess attenuation storage, through tanks, at the development site to determine whether this reduces the surcharging and potential flooding during the larger scale events.

It is also recommended that rainwater harvesting, grey water recycling and water butts (where practicable) are used in order to provide an additional means of surface water

attenuation as well as reduced demand on potable water supplies together with permeable paving (lined). Details of this should be provided during the detailed design phase and pursuant to condition.

Based on the above, conditions are recommended on any approval with regard to the sustainable drainage including a verification report on completion of the scheme and Construction Surface Water Management Plan. Subject to these conditions the application is considered to be in accordance with Policy CF13 of the Local Plan and paragraphs 165 and 166 of the NPPF.

Highways Impact

Site Access - there are two existing vehicular accesses to the site that will be retained for the development. The main access is directly off the A2 High Street via Esplanade and the secondary access off the A228 Knight Road (which in terms of motorised vehicles will be restricted to the retained ambulance accommodation post only).

Pedestrian / cycle access will be achieved at the following points:

- The primary access from the A2 High Street;
- The existing footway leading from Strood Retail Park and the A228 Knight Road;
- A pedestrian-only link from the A2 High Street via Taylor's Lane; and
- Three shared pedestrian / cycle links from Strood Esplanade.

Proposed off site highway improvements - the access arrangement includes an upgrade to the existing uncontrolled crossing of the Esplanade arm of the A2 / Canal Road / Esplanade signalised crossroads to a controlled facility and a new toucan crossing on the western arm to enhance pedestrian and cycle connectivity. All crossings include the provision of dropped kerbs and tactile paving.

The Esplanade will be downgraded to a vehicle crossover and will be for maintenance access only. A gate is proposed on the Esplanade to restrict the road to the general public.

The on-carriageway westbound cycle lane is to be extended along the A2 from Rochester Bridge along to the junction with Station Road and the proposal also includes widening of the carriageway along the south-west side of the A2 to accommodate retention of the bus lay-by.

To enhance non-motorised user safety and security, street lighting will be installed alongside the Knight Road site access.

The Rochester Bridge Trust comments - the Trust are the operating and maintenance authority for the A2 Rochester Bridge and offers no objection to the principle of the proposal including downgrading of the Esplanade, provided there is a commitment for unrestricted access for the Trust, emergency vehicles and statutory undertakers. There are concerns about how the vehicle access to the Esplanade will be controlled.

Details regarding the gate to be placed on the Esplanade have not been provided, however the exact form and placement of the gate are considered matters that can be resolved post-determination as part of detailed design. The location of the gate, how it interacts with Esplanade traffic and how it interacts with the signals are items that will require agreement with the Traffic Engineering team, Traffic Signals team and with Rochester Bridge Trust. However, it is considered that a solution is possible, and that the exact details would not affect the viability of the development proposals. This will form part of the Section 278 application along with the Proposed bus shelter relocation and consideration of conflict caused by u-turners.

Personal Injury Collision (PIC) - following a review of PIC data, one incident is recorded on the local highway network within the site vicinity for the most recent available three-year period (January 2020 to December 2022). A total of 72 incidents occurred on the A2 network within the study area but no 'serious' incidents occurred within the immediate vicinity of the primary site access.

As a significant programme of offsite highway measures are proposed and further investigation will take place during the detailed design / RSA2 phase it is considered that these would further reduce highway safety risks to vulnerable road users in the site vicinity.

Parking – a total of 141 car parking spaces are proposed, which equates to an overall ratio of 0.7 spaces per dwelling. The site is within an urban location and well connected to public transport. Therefore, a reduction in parking standards is considered acceptable. However, the need to be sustainable should be aligned with additional sustainable transport measures (identified in both the Transport Assessment and Travel Plan) to ensure provision can meet the demand without causing additional parking pressure on the surrounding highway network. The applicant would need to commit to providing a Car Parking Management Plan, clearly explaining how parking will be managed, monitored and enforced, and this will be a condition. Residents are expected to park on-site, with parking allocated through site management. Residents would therefore not be eligible for CPZ permits to park on other nearby.

A total of 256 residential cycle parking spaces are proposed, at a rate of one space per flat and two spaces per house. An additional 56 cycle parking spaces will be allocated to visitors of the site, with 28 Sheffield stands provided within the public realm. It is recommended that a suitable condition is included as part of the planning permission to ensure cycle provision is provided.

The Transport Assessment also reports that the developer will consider the provision of car club spaces as part of a package of measures to reduce the level of parking on-site. A 2021 CoMoUK's car club study reported that each club vehicle in the UK can replace up to 20 private cars. Furthermore, Element Energy's 2021 report for Transport Environment identified that the average car club user in London drives 526 miles less per year after joining a car club. In highway terms, car clubs provide a dual benefit by promoting the sustainability of a development to an extent whereby a reduced parking provision would be considered acceptable. An appropriate condition is recommended.

As part of the Council's commitment to reduce car reliance and emission, the developer is required to provide electric vehicle charging spaces for each unit with an allocated parking space. A suitably worded condition is recommended.

Traffic Assessment - It is forecasted that the residential units could potentially generate 64 and 70 two-way vehicular trips in the AM and PM peaks respectively. It should be noted that the Transport Assessment utilises 2011 Census Journey to Work data instead of 2021 data. In the revised package of information, the applicant provided a breakdown of the distribution of traffic compared between 2011 and 2021 census data. This shows little difference between the two distributions, and updating to 2021 census data would not be expected to affect the conclusions of the modelling. The modelling distribution is therefore considered sufficient.

Vehicle Tracking - Swept path analysis has been provided that demonstrates the site layout can accommodate large vehicle movements, and vehicles can access and egress the site in a forward gear.

Rochester Bridge Trust have requested vehicle tracking demonstrating that a maximum legal length vehicle (16.5m) would be able to access the Esplanade via the junction. However, the proposed access to Esplanade and to the site is no narrower than it is currently (note that the Esplanade width remains the same, but the joint width to the site access and Esplanade has widened). Therefore, if a 16.5m vehicle can access currently, it will be able to access in future. Indeed, it is considered unlikely that 16.5m vehicles access the Esplanade, given the lack of available space for a vehicle of this size to turn around. Vehicle tracking has since been provided demonstrating that the access is accessible by a 12m long vehicle, and it is clear that the proposals would not affect the ability of this manoeuvre to occur.

Concerns about a fire tender encroaching over the stop line as it accesses Esplanade are also, upon review, not considered to be a significant issue. The encroachment only occurs if the vehicle approaches from the east and has to make a sharp turn. The encroachment is also relatively minor, and it is expected that a vehicle waiting here would be able to move out of the way of the fire tender – as vehicles typically do for emergency service vehicles. This likelihood of this conflict is also low.

It is clear that larger vehicles will have an easier time accessing Esplanade by arriving from the west. This reflects the current situation, and it is expected that Rochester Bridge Trust will continue to route large vehicles to Esplanade via this route post-development.

Construction Management Plan (CEMP) - the construction of the proposed development will have a significant impact upon local road infrastructure. It is recommended that the developer provides detail of how the construction traffic will be managed in order to minimise disruption on the highway network. A condition requiring a Construction Management Plan is recommended on any approval, within this it should set out that HGVs would not access the site via the bridge during construction.

Travel Plan - the applicant has submitted an Interim Framework Travel Plan outlining plans to reduce single occupancy car usage. An initial target has been set to cover the

first five-years post-occupation with a minimum of 15% reduction in single occupancy car travel, split between other sustainable modes of travel. A condition on any approval is required for a site Travel Plan.

Subject to the recommended condition the proposal is not considered to conflict with Policies T1 and T13 of the Local Plan, or paragraph 115 of the NPPF.

Archaeology

The proposed development site is likely to contain a wide range of heritage assets of archaeological interest. Such remains will include archaeological and geoarchaeological sequences, some of which may be located at comparatively shallow depth, but others will include deeply buried, potentially waterlogged deposits. These sequences are likely to date from the early Prehistoric period onwards.

It should be anticipated that the site will be underlain by a sequence of deposits associated with the river Medway. Typically, the deposit sequence would be expected to consist of (working upwards) chalk – fluvial gravels – alluvial clay-silts and peats – and finally more recent (Roman and post-Roman) archaeology and modern made ground. Such a sequence has been demonstrated through previous geotechnical boreholes drilled at the site.

The basal deposit of Pleistocene fluvial gravels would have been lain down by a high-energy, cold-climate river system possibly during the mid to late Devensian. It is anticipated that such Pleistocene fluvial gravels will be buried at depth at the former civic centre site, but could be impacted upon by piling. Elsewhere along this stretch of the Medway the fluvial sequence has shown recutting of the gravels by deep channels, which are themselves infilled by further sequences of fluvial gravels and finer-grained sands (which may be suitable for dating and/or contain palaeoenvironmental material).

Previous geotechnical investigations have demonstrated that these Pleistocene fluvial deposits are overlain by a deep sequence of Holocene alluvial clay-silts and peats. The nature of these deposits means that they have a high potential for surviving organic remains and palaeoenvironmental indicators due to their waterlogged conditions. This would appear to be supported by the previous geotechnical site investigations which have recorded the presence of organic silts, peats, and preserved roots, wood and nuts. These peats and organic rich sediments represent periods when marine conditions have retreated, and terrestrial vegetation developed. The presence of these peat layers interbedded with mineral-rich clay-silts illustrate an oscillating picture of marine influence in this part of the Medway.

A short distance upstream (at the Temple Waterfront site) these peat deposits have been shown to span the Neolithic to Late Bronze Age. Elsewhere in the Medway valley basal organic rich deposits have been dated to the Mesolithic and the previous geotechnical investigations suggest there is at least an upper (chronologically later) and lower (earlier) peat deposit. The alluvial deposits known at the site have the potential to preserve a rich palaeoenvironmental record (comprising both animal and plant remains) that could inform our understanding of the environment and vegetational history of the Medway valley and changes in relative sea-level. Such deposits would be of high palaeoenvironmental significance.

Archaeological evidence may be preserved throughout this sequence, including potentially past-landsurfaces associated with terrestrial vegetation development. There is growing evidence for later Prehistoric activity in the Strood area, including possible evidence for Bronze Age salt production to the north of the former Civic Centre site.

In the Romano-British period Strood would become the location of an important river crossing over the Medway. A causeway is known to cross the marsh on the Strood side of the river, which is approximately followed by the line of the modern-day High Street. This causeway led to a bridge, of which possible remains were identified during the construction of the modern-day road crossing. The Roman bridge is believed to have been constructed from oak piles driven into the chalk bedrock which supported masonry piers and a timber superstructure and deck. The precise alignment of the Romano-British period bridge is not known, but it is possible that remains associated with this first crossing over the Medway may be present within the north-eastern part of the site.

Additionally, there is evidence for Romano-British period buildings and occupation flanking the causeway. Evidence for a Romano-British building was found immediately to the north of the site in question where a series of floor surfaces of probable first or second century AD date were observed. There is continued evidence for salt production along the Strood bank of the Medway into the Romano-British period, as well as for burials to either side of the causeway. Pottery of probable Roman date was observed during previous geotechnical investigations on the site.

The Roman period bridge is reported to have stood until the fourteenth century (albeit rebuilt and repaired) when it was damaged beyond repair. Construction of a new crossing commenced in 1387 and completed by 1391. The new medieval bridge was located about 80m upstream of the Roman crossing. The medieval bridge was built of stone, consisting of twelve massive piers, spanned by stone arches, but with a wooden draw-bridge towards the Strood end to permit the passage of taller vessels. This medieval bridge is shown on the Strood Tithe Map of 1844, which clearly shows the bridge landing on the Strood side of the river at the site.

Archaeological trenching carried-out in the eastern part of the site as part of the recent flood defence works demonstrated the presence of structural remains dating from the medieval period onwards. The earliest deposits identified in the evaluation comprised alluvium which was interpreted as representing the surface of the medieval marshland and deposits associated with its subsequent reclamation. Masonry structures appear from around 1200-1450, perhaps contemporary with the construction of the new bridge crossing in the late fourteenth century. Some of these structures were interpreted as relating to features for water-management but other walls suggest the presence of stone building foundations.

Further buildings develop in the late medieval and early post-medieval period, with the evaluation identifying various structural walls and floors belonging to buildings of seventeenth- and eighteenth-century date. By the time of the Strood Tithe Map (1844) the eastern part of the site was covered by tightly packed buildings, including houses, a shipwright’s yard, storehouses, wharfs and public houses.

Between 1850 and 1856 a new bridge was constructed across the Medway. Located downstream of the medieval crossing, the new bridge was located on or close to the alignment of the Roman crossing. As part of the construction of the new bridge the waterfront on the site was remodelled and a number of properties were demolished. The site would be extensively remodelled in the later nineteenth century, when Thomas Aveling opened a steam traction engine works here in 1861. The works would expand considerably, eventually taking up the whole of the proposed site. The present bridge is the result of the very substantial rebuilding of the 1856 structure between 1910 and 1914, when most of the bridge's structure was replaced. The bridge is now designated as a Grade II Listed Building.

In summary, the site is considered to have a good potential to contain:

- Complex sedimentary sequences, including well-preserved organic remains.
- Evidence for prehistoric exploitation along the margins of the River Medway, potentially including evidence for salt-production.
- Evidence for the Roman river crossing over the Medway, including causeway, bridge and associated structures and activity.
- Medieval occupation and the line of the medieval bridge over the Medway.
- Evidence for post medieval occupation and industry.
- Industrial archaeological remains associated with the former Thomas Aveling Invicta works.

The recent monitoring of geotechnical site investigations and the updated archaeological deposit model by MOLA have provided further useful information on understanding the subsurface deposit sequences at the site. The main deposits identified across the site are well-summarised in Table 3 of the updated deposit model.

The MOLA model describes that the deep Pleistocene floodplain gravels (capped with sands in places) lie between -5m and c -8m OD (about 9 to 12m below ground level). That these are overlain by a complex sequence of Holocene alluvial clay and peats that average about 7m in thickness. Within these Holocene deposits there may be evidence for activity spanning from the Mesolithic to post-medieval period, including prehistoric trackways in the peats and structures relating to waterside activity (e.g. boats, fish traps, wharves) particularly in the higher elevation minerogenic deposits.

As well as evidence for past human activity the Holocene deposits are also identified as being of high palaeoenvironmental potential. The MOLA deposit model describes how such palaeoenvironmental remains could include visible organic material such as timber, wood or seeds, and microscopic fossils such as pollen which provide information on the nature of the landscape and climate, and the context for human activity. The MOLA report goes on to note that Peat (which is identified across the site, often in multiple layers) provides a very good preservational environment for organic material such as plant macrofossils and rare organic artefacts or timber structures.

The Holocene deposit sequence is capped by more-recent made-ground deposits. Much of these made-ground deposits are of recent date, relating to the twentieth century development and use of the site. Archaeological investigation works associated with the Strood Flood Defence Scheme however demonstrated localised survival of earlier structural remains, including masonry structures and surfaces of

medieval and early post-medieval date. These appear to be focussed within the eastern part of the site.

The proposed development site is demonstrated to contain a range of archaeological and palaeoenvironmental remains which are predicted to span from the Mesolithic through to the post-medieval and modern periods. These deposits are predicted to be of at least local to regional importance but the potential for archaeology of high significance (national importance) cannot be ruled out.

Due to their nature, and the variable depths at which they are buried, the archaeological investigation and recording of these deposits will need to involve a combination of geoarchaeological and archaeological techniques in a staged programme of archaeological works. It is recommended that such a programme of archaeological works should be secured by means of an appropriately worded planning condition. In addition to this it is recommended that conditions are included requiring the agreement of foundation designs and for the assessment and dissemination of the archaeological findings.

Subject to these conditions the application is considered to be in accordance with Policy BNE21 of the Local Plan.

Waste and Refuse Storage

The plans show adequate waste and refuse storage for each type of property in accordance with Medway Councils standards.

Climate Change and Energy Efficiency

The Energy & Sustainability Statement sets out that amongst other things the development will:

- Adopt a fabric first approach to maximise the thermal and energy efficiency of the proposed buildings.
- Utilise exhaust Air Heat Pumps (EAHP) for the residential heating and hot water.
- A total of 78 kWp PV panels is proposed for the roof of the flats, and the houses have between 1.2-2.4kWp per house. The applicant will be selecting high performance PV panels of at least 400 watts per panel.
- A car-club has been proposed to provide short term car rentals to reduce the need for parking and allow for cleaner transport.
- The proposed development is delivering 121 car parking spaces, with electric vehicle (EV) charging infrastructure provision.
- Improvements to existing pedestrian and cycle infrastructure are being proposed to enhance connectivity to Rochester and within Strood.
- Each house will be provided with cycle parking within the premises and the apartments will have separate dedicated cycle stores, in line with Medway Standards.
- During construction, the waste hierarchy should be followed for existing onsite building materials, this ensures any embedded carbon onsite is retained.
- The scheme will provide sufficient recycling facilities for the residents in the

form of recycling bins and food wastebins. This will encourage residents to segregate their waste and recycle more.

- The target for water consumption in the apartments has been enhanced past that of the requirements of Part G, to meet a target of 125 litres/person/day.
- The cafe will have heating provided by electric panel heaters. The live/work unit will be via instantaneous electric water heaters. No cooling is proposed to these units.
- Use of low energy light fittings.
- Auto-on-off controls to WCs and stores in the café.
- Photoelectric control to the café.
- Incorporation of SuDs measures where possible (noting site constraints).

The report concludes that the proposed development at Strood Civic Centre will achieve a 79% improvement over Part L1 2021 of the Building Regulations.

It is considered that a suitably worded condition should be imposed to ensure that these measures are included within the development to tackle climate change, subject to this condition the development is considered to be in accordance with paragraph 159 of the NPPF.

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. 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. There was therefore a need under the Conservation of Habitats and Species Regulations 2017 for an appropriate assessment to be carried out as part of this application.

As a result of the Appropriate Assessment Natural England has advised that an appropriate tariff of £328.27 per dwelling (excluding legal and monitoring officer's costs) should be collected to fund strategic measures across the Thames, Medway and Swale Estuaries by way of mitigation for the adverse effects of the development. 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/.

The applicant has agreed to pay this obligation therefore subject to payment no objection is raised under Policies S6 and BNE35 of the Local Plan and paragraphs 186 and 187 of the NPPF.

S106 Matters and viability

Policy S6 of the Local Plan states conditions and/or legal agreements should be used to make provision for additional demand for local services generated by new developments.

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 (s106 agreement) may only be taken into account if the obligation is:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

The Approved Guide to Developers Contribution (2018) sets the Council's detailed approach towards ensuring that the demands generated by new developments is properly provided for by way of financial contributions made by the developer towards the provision of new and improved infrastructure and services. The Guide sets out comprehensive advice on how financial contributions will be calculated in respect of a broad range of different services.

In accordance with Guide to Developer Contribution the following contributions have been requested in respect of this application:

- Contributions towards improved Education provision comprising:
    - Nursery: £121,210.17
    - Primary: £197,729.03
    - Secondary: £245,332.40
    - Sixth form: £0.00

      Total: **£564,271.60**

- Contribution to assist with development of improved public realm for civic spaces and gateways to Strood town centre (greening, bollards, lighting, paving, wayfinding and signage): **£47,775**
- Contribution towards improvement s to the hydrotherapy pool such as changing facilities and hoists for disabled access at Strood Sports Centre: **£60,721.05**
- Contribution towards community facilities: **£47,767.20**
- Contribution towards health: **£164,847.15**
- Contribution towards improving equipment and facilities at Strood Library and/or Rochester Library: **£41,187.90**
- Contribution towards the provision, improvement and promotion of waste and recycling services to cover the impact of the development: **£43,157.40**
- Contribution to enhance open space facilities within the vicinity of the development, as well as Great Lines Heritage Park**: £636,331.80**

- Contribution for improvements to Public Rights of Way (PROW) RRX55, RRX54, RRX50, RRX51. To include but not restricted to resurfacing, lighting, accessibility improvements such as handrails, steps or regrading of surface: **£14,625**
- Contribution towards the improvements of PROWs on the Strood Community Trail: **£5,000**
- Contribution towards the long-term maintenance and improvements of the ECP spanning from Rochester Bridge (Rochester side to Commissioners Road): **£10,000**
- Contribution towards new interpretation at Rochester Castle & the Guildhall Museum to enhance visitor experience: **£74,215.05**
- Thomas Aveling Society have requested a contribution towards heritage schemes recognising Thomas Aveling and Aveling & Porter within the Rochester, Strood and Hoo Peninsula area: **£70,409.15**

These requests have been calculated in accordance with the Approved Developers Contribution Guide (2018) and based on the quantum and location of the development and are thereby considered to comply with the CIL Regulation Tests.

Paragraph 58 of the NPPF states that "*It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available*."

The Planning Statement advises that due to the contamination on the Site, the need for further flood defence works (principally in the form of ground raising) together with other site preparation measures, to make the Site suitable for development the scheme is not viable. In addition to this, due to the prominence and importance of the Site on the river and high street frontage, its proximity to a number of identified and significant heritage assets, build costs are also high. To ensure the delivery of a high-quality built and landscaped environment the development cannot viably support both policy compliant levels of affordable housing and S106 contributions as sought under the Council's Adopted Developer Contributions Guidance (except for those required towards SPA mitigation).

A Viability Report has been prepared in accordance with the PPG and in line with the NPPF. The Council's independent assessor has considered the viability of the proposed scheme including the provision of 25% affordable housing and £3,169,532 of commuted sum payments in total.

They considered the value of the proposed development and subtracted the total costs in bringing the scheme forward (including construction, fees, and finance). They also subtracted what they consider to be a suitable developer's profit adjusted for the risks the scheme presents. This leaves a Residual Land Value as shown below:

Gross Development Value	£	71,192,758
Less Gross Development Costs	£	66,453,719
Less a suitable developer's profit	£	11,702,331
Residual Land Value	-£	6,963,293

They compared the residual land value to the Benchmark Land Value. Planning guidance refers to this as *"the minimum return at which it is considered a reasonable landowner would be willing to sell..."* They considered this to be no less than £1,064,700 for the site based on its Existing Use Value Plus approach in line with PPG guidance and the NPPF.

The FVA indicates the scheme generates a negative land value and therefore is unviable.

Alternatively, they considered the scheme as proposed, based on current known costs and values generates a residual land value of £921,688 assuming the provision of 25% affordable housing and no commuted sum payments, should the affordable housing not be required by the S106 agreement and therefore attract grant funding at the assumed rate.

It is therefore their reasonable judgment that a viable scheme is one which contains the provision of 25% affordable housing but no commuted sum payments in total, if affordable housing is delivered outside of the S106 agreement and only at an enhanced risk to the developer.

Policy H3 of the Local Plan sets out a requirement for 25% of the new housing within the development site to be affordable housing. The applicant has submitted a letter advising that they are committed to providing 25% affordable housing. For the affordable rent housing this will comprise of x 1-bed and 16 x 2-bed affordable flats and 12 x 1-bed and 10 x 2-bed shared ownership flats.

Due to a lack of funding, affordable housing providers are not currently bidding on sites. The applicant is therefore proposing that they will engage with the market and review available options, including engagement with Medway Council to deliver the affordable rent via the Housing Revenue Account (HRA).

As set out above the scheme will deliver a high-quality environment that will substantially improve the condition of the Site, the river frontage and Strood High Street, contributing to the regeneration aims of the wider area in addition to providing much needed housing in a time where the Council is unable to demonstrate a 5-year supply of housing and thus the "presumption in favour of sustainable" development also applies (paragraph 11 of the NPPF).

It is therefore considered that the substantial benefits of the scheme demonstrably outweigh any harm arising from the development being unable to support both S106 contributions and affordable housing provision, especially given that there is an agreement to deliver the affordable housing outside of any legal agreement.

Local Finance Considerations

There are no local finance considerations due to the extent of works proposed.

Conclusions and Reasons for Approval

The development will be located on a brownfield site set within a highly sustainable location, adjacent to Strood High Street with excellent connections to a range of services and facilities including public transport nodes. The development of the site for housing is in accordance with the Policies H1, S1 and S10 where the development strategy for the plan area is to prioritise re- investment in the urban fabric, including the redevelopment and recycling of under-used and derelict land within the urban area, in accordance with the Strood Waterfront Development Brief 2018 and Strood Town Centre Masterplan 2019 and paragraphs 11, 38, 60, 96, 123, 125 of the NPPF.

The development will contribute to the supply of both market and affordable housing, for which there is a need in Medway, especially in the absence of a 5-year housing land supply.

The application is of a high quality and will create an exciting new development within Strood without causing demonstrable harm to the character of the local area, heritage assets, amenity or issues with regard to the highway network and as such is in accordance with Policies in the Local Plan and the NPPF.

Whilst the proposals are not able to viably support both S106 contributions and affordable housing provision, the disbenefits of not being able to secure the sought after levels of contributions, is outweighed by the substantial benefits the delivery of this development will bring in contributing to the regeneration of Strood.

It is therefore recommended that planning permission is granted subject to conditions.

The application is being referred for Committee determination due to the number of representations received expressing a view contrary to the 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/