

MC/25/0204

Date Received: 4 February 2025
Location: Former University College for the Creative Arts, Fort Pitt Hill, Chatham, Medway
Proposal: Conversion of existing building (Use Class F1(a)) to deliver 102 residential units (Use Class C3), commercial, business and service accommodation (Class E) and retained education/community use accommodation (Use Class F1) with associated works in respect of car parking, landscaping, and external alterations including new windows and doors and the installation of solar panels.
Applicant: The Substantia Group
C/O Savills
Agent: Savills
Mr Ben Tattersall
33 Margaret Street
London
W1G 0JD
United Kingdom
Ward: Fort Pitt
Case Officer: Madeline Mead
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 4 June 2025.

Recommendation - Approved Subject to S106

- A. The applicants entering into a Section 106 to secure the following:
- i) £33,534.54 towards Designated Habitats Mitigation
 - ii) The resurfacing/payment to resurface/or purchase and resurfacing of RRX20 all to an agreed specification and timescale.
 - iii) Offer of transfer of the housing to the Council or Nominated Provider prior to offer on the Open Market.

- iv) Provision of a car club facility to serve the development with incentives for residents.

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 4 February 2025:

100.001	Site location plan
100.002	Existing and proposed block plan
200.501 Rev P1	Proposed south and west elevation.
200.111 Rev P1	Proposed roof plan.
200.550	Proposed section
200.110 Rev P1	Proposed upper fifth floor plan.
200.100 Rev P1	Proposed lower fifth floor plan.
200.502 Rev P1	Proposed internal courtyard elevation.
200.600	Proposed commercial and gallery refuse store.

Received 21 March 2025:

200.105 Rev P2	Proposed ground floor plan.
200.106 Rev P2	Proposed upper first floor plan.
200.101 Rev P2	Proposed lower fourth floor plan.
200.108 Rev P2	Proposed upper third floor plan.
200.109 Rev P2	Proposed upper fourth floor plan.
200.500 Rev P2	Proposed north and east elevation.
200.107 Rev P2	Proposed upper second floor plan.
200.103 Rev P2	Proposed lower second floor plan.
200.104 Rev P2	Proposed lower first floor plan.

Received 4 April 2025:

200.200	Proposed phasing plan
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Received 15 April 2025:

200.102 Rev P3	Proposed lower third floor.
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Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The development shall be implemented in line with the approved phasing plan and delivered in numerical order as shown on drawing 200.200, received 4 April 2025.

Reason: In order to bring the development forward in phases and in a timely manner.

- 4 No development shall take within a phase or sub-phase 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 agreed scheme.

Reason: Required prior to development to manage surface water during and post construction and for the lifetime of the development as outlined at paragraph 168 of the National Planning Policy Framework 2024.

- 5 No development shall take place within a phase or sub-phase 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 is submitted to and agreed in writing by the Local Planning Authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction within the phase or sub-phase to which it relates.

The approved CSWMP and shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:

- i. Temporary drainage systems.
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses.
- iii. Measures for managing any on or offsite flood risk.

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

Reason: Required prior to development to manage surface water during and post construction and for the lifetime of the development as outlined at paragraph 168 of the National Planning Policy Framework 2024.

- 6 No development shall take place within a phase or sub-phase until a Construction Environmental Management Plan (CEMP) in relation to that phase or sub-phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include amongst other matters details of hours of construction working; measures to control noise affecting nearby residents; wheel cleaning/chassis cleaning facilities; dust control measures; pollution incident control and site contact details in case of complaints.

With regards to highways impact the CEMP should include numbers, frequency, type and routing of vehicles visiting the site and measures to ensure HGVs loads are adequately secured, travel plan and guided access/egress and parking arrangements. The construction works within that phase or sub-phase shall be undertaken in accordance with the approved CEMP.

Reason: Required before commencement of development in order to minimise the impact of the construction period on the amenities of local residents and to prevent detrimental impact on the road network with regard to Policies T1 and BNE2 of the Medway Local Plan 2003.

- 7 No development shall take place within a phase or sub-phase until an acoustic assessment has been undertaken to determine the impact of noise from transport related sources and shall be made in accordance with BS8233 2014: Guidance on Sound Insulation and Noise Reduction for Buildings. The results of the assessment and details of a scheme of acoustic protection shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include details of acoustic protection sufficient to ensure internal noise levels (LAeq,T) no greater than 30dB in bedrooms and 35dB in living rooms with windows closed and a maximum noise level (LAm_{ax}) of no more than 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 prior to any part of the development being occupied within the phase or sub-phase, in accordance with the approved details.

Reason: Required prior to commencement to safeguard conditions of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 8 No development shall take place within a phase or sub-phase until, an acoustic assessment has been undertaken to determine the impact of noise arising from mechanical plant. The noise rating level (L_{Ar},Tr) of mechanical plant shall be at least 10dB below the background noise level (L_{A90,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 be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to any part of the development being occupied within the phase or sub-phase and thereafter be maintained in accordance with the approved details.

Reason: Required prior to commencement to safeguard conditions of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 9 No development shall take place within a phase or sub-phase until, until a scheme of acoustic protection against commercial noise sources has been 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 within the phase or sub-phase and thereafter be maintained in accordance with the approved details.

Reason: Required prior to commencement to safeguard conditions of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 10 No development shall take place within a phase or sub-phase until details of all materials within the design and access statement, have been submitted to and approved in writing by the Local Planning Authority. The development within the phase or sub-phase to which it relates shall thereafter be implemented in accordance with the approved details.

Reason: Required prior to commencement to ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality and conservation area in accordance with Policies BNE1 and BNE12 of the Medway Local Plan 2003.

- 11 No development shall take place within a phase or sub-phase until details of tree protection measures, to protect the trees within and surrounding the site have been submitted to and approved in writing by the Local Planning Authority. The approved tree protection measures shall be put in place prior to works commencing within the phase or sub phase and shall be retained for the duration of the conversion of the building.

Reason: Required prior to commencement to ensure no irreversible damage is caused to protected trees in accordance with Policy BNE43 of the Medway Local Plan 2003.

- 12 Prior to occupation within a phase or sub-phase (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 agreed surface water system has been constructed as per the agreed scheme and plans. The report shall include details and locations of critical drainage infrastructure (such as inlets, outlets and control structures) including as built drawings, and an operation and maintenance manual for the unadopted parts of the scheme as constructed.

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

- 13 Prior to the first occupation of each phase or sub-phase of 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 (e.g., seating, refuse receptacles and raised planters). Soft landscape works, including details of planting plans, tree positions, planting build ups, written specifications (including cultivation and other operations associated with grass, tree and planting establishment, aftercare, and maintenance); schedules of plants, noting species, plant sizes, root treatments and proposed numbers/densities where appropriate.
 - ii. Details for the design and specification of tree planting to enable healthy establishment at maturity. Information should provide details for the planting environment (including within hard landscape, raised planters, podium decks and green roofs), calculated soil volume, tree support and tie specification, guards and grilles, aeration and irrigation systems, soil build-up information (avoiding the use of tree sand), tree cell systems (to street tree planting environments).
 - iii. Detailed information should be provided for the design and specification of green roofs, and terraces. Including drainage and soil build up, planting plans & plant schedules, the treatment for any tree planting (including tree

pit details and tree supports), all paving and hard surfacing, minor artefacts, and structures.

- iv. Detailed information for the design and specification of green wall and climbing systems, including planting selection, specification, and details of irrigation systems.
- v. Detailed information should be provided for the design and specification of the central play space. Including detailed specification of play equipment, safety surfacing, signage, fencing and any minor artefacts and structures.
- vi. A timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority.

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.

- 14 Prior to the first occupation of each phase or sub-phase of 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, communal amenity, and green roofs (except for small, privately owned, domestic gardens) for a minimum period of five years, with arrangements for implementation and future regular review for the lifetime of the development.

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

- 15 No part of the development shall be occupied within any phase or sub-phase until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall contain details of sustainable measures to encourage walking, cycling, using public transport, car sharing and a timetable for review. The Travel Plan shall be implemented in accordance with the approved details upon the first occupation of the development.

Reason: to assess the proposed development in terms of traffic generation and the impact on the local highway network and in accordance with Policy T1 of the Medway Local Plan 2003.

- 16 Prior to occupation of any phase or sub-phase, details of the privacy screens related to the private terraces and/or balconies shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the occupation of the house/flat to which it relates within any phase or sub-phase and shall thereafter be retained.

Reason: To ensure adequate privacy for the occupiers of the development in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 17 Prior to occupation of the Development full details of outreach and interpretation opportunities for the development, for future occupants to better understand the heritage asset and to minimise any low level of harm to the heritage asset, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to the first occupation of the final phase and shall thereafter be retained.

Reason: In the interests of visual amenity in the locality, in accordance with Local Plan Policy BNE1 and BNE20.

- 18 Prior to occupation of each phase or sub-phase an Ecological Enhancement Plan detailing what ecological enhancements will be incorporated, relevant to that phase or sub-phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the occupation of any part of the development to which the phase or sub-phase relates and shall thereafter be retained.

Reason: In order to enhance ecology within the site and with regard to Policy BNE39 of the Medway Local Plan 2003.

- 19 No development within a phase or sub-phase to which it relates shall be occupied until the area shown on the approved plans as vehicle parking spaces for that phase or sub-phase has been provided. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

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

- 20 No part of the development shall be occupied within any phase or sub-phase until the cycle storage as shown on drawings 200.101 revision P2, 200.104

revision P2 and 200.105 revision P2 has been provided within that phase or sub-phase in accordance with the approved details and shall thereafter be retained.

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

- 21 The development herein approved shall incorporate the measures to address energy efficiency and climate change as set out within the design and access statement. The development shall not be occupied within a phase or sub-phase until a verification report prepared by a suitably qualified professional has been submitted to and approved in writing by the Local Planning Authority confirming that all the approved measures have been implemented within the phase or sub-phase to which it relates.

Reason: In the interests of sustainability and to positively address concerns regarding climate change in accordance with paragraph 164 of the National Planning Policy Framework 2024.

- 22 Prior to the first occupation within a phase or sub-phase, refuse storage arrangements as shown on drawing numbers 200.101 revision P2 and 200.104 revision P2 shall be implemented on site in relation to the phase or sub-phase to which it relates and shall be retained thereafter.

Reason: To ensure the provision and permanent retention of refuse storage in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 23 Prior to any handover of the maintenance of the communal landscape areas to a management company, there must be a site visit involving the Local Planning Authority, 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.

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

- 24 Prior to the installation of any external lighting within each phase or sub-phase of the development, 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, bats (including reference to the recommendations of the Bat Conservation Trust) and of how this effect has been minimised. Any external lighting shall be implemented in accordance with the approved details.

Reason: In order to limit the impact of the lighting on the Listed Buildings, the Conservation Area, the landscaping of the site, the surrounding landscape and heritage features, nearby residents and wildlife and with regard to Policies BNE1, BNE2, BNE5, BNE12, BNE14 and BNE39 of the Medway Local Plan 2003.

- 25 No commercial goods shall be loaded, unloaded, stored or otherwise handled and no vehicles shall arrive or depart, within the application site outside the hours 07:00 to 19:00 Monday to Friday, 08:00 to 18:00 Saturday or at any time on Sunday or Bank Holidays.

Reason: To ensure the use does not have a detrimental impact on the residential element of the development in terms of noise and disturbance, with regard to Policy BNE2 of the Medway Local Plan 2003.

- 26 The separating partition(s) between the residential and non-residential units (Class E and Community Gallery) shall resist the transmission of airborne sound such that the weighted standardised level difference (DnT,W +Ctr) shall not be less than 60 decibels as measured and calculated in accordance with BS EN ISO 16283-1 2014.

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

- 27 The area shown on drawing 200.104 revision P2 as gallery space, shall not be used for any other purpose than Class F.1(a), (b) and (e) of Class F.1 of the Schedule to the Town and Country Planning (Use Classes) 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To regulate and control the use in the interests of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 28 The area shown on drawing 200.105 revision P2 as commercial, shall not be used for any other purpose than Class E(a) and (b) of Class E of the Schedule to the Town and Country Planning (Use Classes) 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To regulate and control the use in the interests of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 29 The use classes E and F.1 shall only operate between the hours of 07:00 to 22:00 Mondays to Sundays inclusive.

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.

Proposal

The application proposes the conversion of the existing building (Use Class F1(a)) to provide 102 residential units (Use Class C3), commercial, business and service accommodation (Class E) and retained education/community use accommodation (Use Class F1), along with associated works in respect of car parking, landscaping, and external alterations including new windows and doors and the installation of solar panels.

The block to the north of the site, would provide the following:

Lower ground floor level: bin store and store

Ground floor level: seven 2-bedroom flats and the ground floor of fifteen houses

First floor level: two 1-bedroom flats, two studios and the first floor of the fifteen houses

Second floor level: two studios and the second floor of the fifteen houses

Roof: solar panels

The block to the south of the site, would provide the following:

Lower fourth floor level: two 1-bedroom and five 2-bedroom flats

Lower third floor level: two 1-bedroom and five 2-bedroom flats

Lower second floor level: two residents storage spaces, mailroom and two 1-bedroom and five 2-bedroom flats

Lower first floor level: cycle parking areas, bin storage, two small storage areas, plant room, gallery space with store, two 1-bedroom and five 2-bedroom flats

Ground floor level: commercial space with kitchen and toilets, mail room, janitor storage, plant/storeroom, seven 1-bedroom and four 2-bedroom flats.

Upper first floor level: external communal space, three studios, five 1-bedroom and five 2-bedroom flats

Upper second floor level: external communal space, a studio, three 1-bedroom and two 2-bedroom flats

Upper third floor level: two studios, five 1-bedroom and one 2-bedroom flats

Upper fourth floor level: two studios, five 1-bedroom and one 2-bedroom flats

Roof level: communal terrace, extended plant room and solar panels

Between the buildings would be a communal garden that would be landscaped and also

provide some play equipment.

Six car parking spaces are proposed to serve the development, all of which are for disabled parking. External cycle storage for six cycles and a commercial refuse store, is also proposed.

On all elevations of the building, additional windows and doors are to be inserted to facilitate the conversion. To the front of the north block, raised planters, level access and steps are proposed to enable access to the town houses. To the front of these houses would be cycle and refuse storage.

New access stairs are proposed to the western elevation of the building.

On the roof of the block to the south an existing chimney is to be extended upwards, and a lift shaft overrun are to be constructed, along with solar panels on the roofs of both blocks.

The gallery and Class E use would each be accessed independently via access doors on the southern elevation of the building. An enclosed refuse storage for the commercial use would be constructed to the eastern elevation of the building.

Relevant Planning History

MC/16/4979	Application for Lawful Development Certificate (proposed) for the installation of an external fire escape staircase and ancillary changes to the external elevation including a new door and access hatch. Decision: Approved Decided: 10 February 2017
MC/14/0193	Construction of a two-storey side extension to provide a new entrance and administration facilities totalling 233sqm of floor space (Class D1), recladding of the existing fire escape staircase, landscaping, installation of a cycle stands and associated works. Decision: Approved with conditions Decision: 21 March 2014
MC/14/0202	Replacement of windows at ground and first floor level. Decision: Approved with conditions Decided: 25 March 2014

Site Area/Density

Site Area: 0.74 hectares. (1.8 acres)
Site Density: 138 dph (57 dpa)

Representations

The application has been advertised on site and in the press and by individual neighbour notification to the owners and occupiers of neighbouring properties. Kent County Constabulary, Natural England, Historic England, NHS Medway Clinical Commissioning Group, UK Power Networks, Southern Gas Networks, Southern Water Services, KCC Biodiversity, Active Travel England, Network Rail and Rochester Airport Limited have also been consulted.

12 letters of representation have been received, objecting for the following reasons:

- Lack of parking provision.
- Congestion and safety concerns on the roads.
- Insufficient local cycle infrastructure.

1 letter of support has been received, advising the following:

- Welcome the long overdue redevelopment of the site as its disuse has caused increased issues for the school and its estate.
- Reservations around the adequacy for car parking but this could be resolved with additional parking being located on the road RRX20.
- Could be enhanced congestion near the school's closest entrance. Impacts to the access to our site must be carefully considered.

KCC Ecology have raised no objections on the basis of the information that has been provided with the application. They agree that the scheme is exempt from Statutory Biodiversity Net Gain (BNG). *Further bat surveys have been undertaken, and Members will be updated on this in the Supplementary Agenda.*

Historic England Historic England has concerns regarding the application on heritage grounds and advise the issues and safeguards outlined in their advice need to be addressed in order for the application to meet the requirements of paragraphs 202, 208, 212, 213, 215, 218 and 219, of the NPPF.

Active Travel England have no comments to make.

Kent Police have advised of certain recommendations for the layout and design of the scheme and welcome a discussion with the applicant/agent about site specific designing out crime.

Southern Gas Networks have written advising that the mains record show the low/medium/intermediate pressure gas main near the site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. The position should be confirmed using hand dug trial holes. They have advised of safe digging practices in accordance with HSE publication HSG47.

UK Power Networks have provided a copy of the records that show the electrical lines and/or electrical plant, along with a fact sheet regarding the use of the plans and working around equipment.

Southern Water have advised that there is currently adequate capacity in the local sewerage network to accommodate a foul flow of 0.92 l/s at manhole reference TQ75670701. No surface water flows (existing or proposed) can be accommodated within the existing foul sewerage system, unless agreed by the Lead Local Flood Authority. The planning application makes reference to drainage using Sustainable Urban Drainage Systems (SuDS) and under certain circumstances SuDS will be adopted. Here SuDS rely on facilities which are not adoptable, the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities.

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 2024 (NPPF) and are considered to conform.

Planning Appraisal

Principle

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

The site is within the existing urban area of Chatham and within the New Road Rochester conservation area. Fort Pitt is a scheduled ancient monument (SAM). The UCA building is excluded from the SAM listing, however, the ground beneath the building is included within the listing. In the immediate vicinity, listed buildings are present within the Fort Pitt Grammar School that lies to the south of the site.

Policies S1 and S2 of the Local Plan seek to prioritise development within the existing urban fabric and then strategically sustainable development using a sequential approach to location. Policies H4 and H5 of the Local Plan states that residential development in the form of infilling and reuse of buildings no longer needed for non-residential purposes in such areas is acceptable providing that a clear improvement in the local environment will result whilst encouraging high density in town centres and areas near existing public transport.

The NPPF seeks to pursue sustainable development, in a positive way through a presumption in favour of sustainable development, unless the policies within the NPPF provide clear reasons for refusing development, or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits (paragraph 11).

Paragraph 61 of the NPPF also seeks to boost the supply of housing by bringing forward a variety of land to meet specific housing requirements.

The application proposes a mix of 1-, 2-, 3- and 4-bedroom dwellings and flats which would be considered acceptable within this location and within close proximity to Chatham train station and therefore considered to comply with Policy H10 of the Local Plan and paragraph 61 of the NPPF. Policy H3 of the Local Plan would require the securing of 25% affordable housing. The applicants have provided a viability assessment that demonstrates the scheme is not viable with affordable housing at policy compliant level or with contributions in line with paragraph 59 of the NPPF.

Policy CF1 resists the loss of existing community facilities unless it can be demonstrated that exceptional circumstances exist such that it would be beneficial to redevelop the site and replacement facilities of a similar scale and kind can be provided.

The former UCA Rochester campus was opened in 1970 and was sold in 2024 following the closure of the Campus as part of UCA's transformation plan, with the aim of creating focussed campuses in Canterbury, Epsom and Farnham. The site was sold following challenges maintaining and providing suitable facilities for students, with the site underutilised and a significant proportion of the floorspace not in active use in the final years of UCA's occupation. Given the costs associated with the upkeep of the site for education use and the large size of the existing building, it is not considered feasible that the site can be used solely for education.

This application proposes the conversion of the building to residential, however, although there would be a large reduction in floor space of the community facility, the application incorporates the retention of the gallery space at lower first floor level and the area immediately above this, at ground floor level as commercial class E use. It is envisaged that this area would be used as a café and for the sale of retail goods. The gallery space would be 180m² and commercial space 240m².

Although the main use of the building would be for residential, in consideration of the size of the existing building and the likely hood of this building, as a whole being occupied as education/community facility, it is considered that the proposed gallery and commercial space, along with maintaining the re use of a significantly sized building which would retain some form of community facility would be considered acceptable in relation to Policy CF1 of the Local Plan. Conditions would be recommended to secure these areas as commercial and community facilities.

Subject to compliance with the detailed matters of policies which are subject to assessment below, the principle of the site for residential development is considered acceptable.

Design and Heritage Impact

Paragraphs 131 and 135 of the NPPF emphasises the importance of good design and Policy BNE1 of the Local Plan states that development should be satisfactory in terms of scale and mass and should respect the visual amenity of the surrounding area. Policies BNE14, BNE18 and BNE20 of the Local Plan seeks to ensure development is not detrimental to the setting of the conservation areas, listed buildings and scheduled ancient monuments. Paragraphs 212-221 set out how to assess the impact on heritage assets.

Heritage

Fort Pitt is a nationally important scheduled monument (SAM) (National Heritage List no 1021432), that contains several Grade II listed structures and additionally lies within the New Road Rochester conservation area.

The Fort has clear historical, evidential, and aesthetic value. Despite modifications, demolitions, and 20th century development, it is still possible to understand how the Fort was constructed and operated through its physical form and dominating presence in the landscape. As an accessible and prominent monument, with strong associations with the naval history and identity of this area, Fort Pitt also retains some communal value.

The Fort has been subject to significant change from its original form, however fieldwork both within and around the Fort, shows that despite later disturbance, deep and complex features relating to the fort survive extensively across the site below the ground. In addition, significant earthwork elements also survive and are visible features in the modern landscape.

With the exception of part of the southern defences which have been built over for housing (and therefore excavated archaeologically) it is possible to follow the trace of the defences around much of the fort. Even in the southern area, however, the modern housing estate also respects the layout of the Fort including the location of the former southeast bastion, which aids in overall interpretation.

The remains of Fort Pitt are justifiably of national importance given the degree of survival, archaeological potential, form of the defences, historical interest, and as an important component of the wider Chatham defensive landscape which has international claims to significance.

Any proposed development which may affect the significance of the monument must therefore be given very careful consideration; with efforts made to avoid and minimise harm, and opportunities sought to sustain and enhance significance, as required by the NPPF.

Design

In terms of scale and mass, this is an existing building and does not propose any substantial extensions to the building. To the front of the northern block, raised planters, level access and steps are proposed to enable access to the town houses. To the front of these houses would also be cycle and refuse storage.

On all elevations of the building, additional windows and doors are to be inserted to facilitate the conversion and new access stairs are proposed to the western elevation of the building.

On the roof of the block to the south of the site, an existing chimney is to be extended upwards, and a lift shaft overrun are to be constructed, along with solar panels on the roofs of both blocks.

The gallery and Class E use would each be accessed independently via access doors on the southern elevation of the building. An enclosed refuse storage for the commercial use would be constructed to the eastern elevation of the building.

Details of proposed materials are shown within the design and access statement, these materials, from the details submitted, appear to be in keeping with the existing building, whilst adding different materials such as metal cladding, balustrades and louvres, which would add interest to the building whilst still being in keeping with materials and textures of the fortifications and historic buildings on the site, and those of the wider conservation area. A condition is recommended for further details of the materials to be submitted in line with those specified within the design and access statement.

Impact on heritage assets

The NPPF is clear that heritage assets are an irreplaceable resource, and notes the requirement for conservation in a manner appropriate to the assets significance paragraph 202, with harm to heritage significance to be avoided or minimised paragraph 208, and for any harm to a designated heritage asset to be clearly and convincingly justified paragraph 213.

The NPPF notes that when considering the impact of a proposed development affecting a designated heritage asset, great weight should be given to that asset's conservation, irrespective of whether any potential harm amounts to substantial or less than substantial harm to its significance paragraph 212. The more important the asset the greater that weight should be; scheduled monuments are of the highest level of importance. Any residual harm remaining after the process of minimising harm to significance should be balanced against the public benefits of the application paragraph 215.

Developments within the setting of heritage assets, should seek to enhance or better reveal their significance. Proposals that preserve those elements of setting that make a

positive contribution to or better reveal the significance of the asset will be treated favourably paragraph 219.

Physical impacts

With regard to the physical impacts of the development, the majority of the changes proposed are to a modern building and would have no effect on the built form or archaeology of the SAM. It is noted from photographs included in the application submission that some areas of the historic flanking wall have significant vegetation growth (e.g. Building Heritage Statement, plate 2). It is possible this could be hiding defects and repair issues that would need consideration in the future. Landscape proposals for the development may also impact on the heritage as the scheduling description for this site notes that: "All modern surfaces (such as paths, roads, car parks), telegraph poles, fences, benches, dustbins and signs are excluded from the scheduling, although the ground beneath them is included". Therefore, changes that affect the ground below (e.g. digging up, re-laying, or re-routing paths, planting trees or shrubs, configuration of parking areas, new signposts set in the ground etc.) would need Scheduled Monument Consent, and such activities could impact on archaeological deposits.

With regard to the conservation area, which characterised by the grouping of other separate heritage assets. Long range views from outside the conservation area are important, as it is a landmark signifying the site of the former fort structure. These all form a distinct character area strongly reflecting the historic and evolving uses of the site. The change of use of this building involves little intervention to the building and that which is proposed, such as the rhythm of the fenestration and the improved materials palette for the windows, doors and cladding, will enhance its appearance. The use is, appropriate to the character of the area and the proposal would sustain the significance of the conservation area.

Setting impacts

The setting impacts to the monument are likely to be minimal, although landscaping may create changes that need careful consideration.

The exterior finish of the existing modern building would change, however, the proposed cladding, window casing, balustrades and louvres that would be added, in cool bronze metal tone, as listed within the submitted design and access statement would be an appropriate finish in keeping with the existing tones, materials and textures of the fortifications and historic buildings on the site, and those of the wider conservation area.

It is considered that the assessment of 'no harm' arrived at as a result of the proposals, on the listed buildings, is agreed. The alterations to the building are limited and the presence and scale of the building will remain unaltered, so that part of the setting of the listed buildings will also remain unaltered. The proposals will therefore sustain the significance of the listed school buildings and terrace.

Summary of harm to historic assets

In summary of this section, Historic England have advised that the setting and physical impacts of the development are likely to be minimal, however, landscaping works would be required for the development and therefore potential for harm to the significance of the SAM. It is likely that the applicant would seek to avoid and minimise harm as far as possible through careful design, in line with paragraph 208 of the NPPF, however it is possible that some harm could remain. Heritage benefits could be sought to outweigh any residual harm in line with paragraph 215 of the NPPF, but until landscape details are submitted it is unknown if there would be any harm and if there was harm it would likely be of a low level.

Paragraph 219 of the NPPF is applicable regardless of harm being identified. A condition is recommended for ways in which the Forts significance (and other related heritage assets) may be better revealed and enhanced. This would be beneficial given that the conversion would house a new community and change the use of a significant part of the monument, and part of the conservation area.

In accordance with paragraph 215 of the NPPF, where a development proposal will lead to low level of harm to the significance of a designated heritage assets, this harm should be weighed against the public benefits of the proposal. The proposal provides public benefits, most notably the reuse of an existing vacant building, provision of market housing and some community benefits and would bring forward a sustainable form of development. This is considered a heritage benefit in its own right. It is considered that the public benefits of the proposal outweigh the low harm, if any, which may occur through future landscaping of the development, which would be controlled by condition and SAM consent, to the heritage assets, even when applying the statutory and policy weighting to such harm as set out above.

The proposal is therefore considered to be in accordance with Policies BNE1, BNE14, BNE18 and BNE20 of the Local Plan and paragraphs 212-221 of the NPPF.

Amenity

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

Neighbouring Residential Amenity

The location of the buildings is some distance from the residential properties on New Road and Cressey Court, with the nearest buildings being Fort Pitt Grammar School for Girls. Due to the school not being a residential use, it is not considered that the development would have a detrimental impact on neighbouring amenity in terms of loss of daylight, sunlight, outlook or privacy.

Amenity of Future Occupiers

With regard to the amenities of the future occupiers, the proposed houses and flats have been considered against the technical housing standards - nationally described space standard dated March 2015.

The proposed flats would comprise thirteen 1B1P, thirty-four 1B2P, twenty-six 2B3P and fourteen 2B4P. The dwellings would comprise thirteen 3B5P and two 4B6P. All of the accommodation would either meet or exceed the requirements of the space standards in terms of overall gross internal floor area and would meet the requirements for the overall floor area and width of all of the bedrooms.

It is acknowledged that some of the flats would have single aspect windows, however, this is a substantial in size, existing building and therefore in order to provide a residential led development, that makes good use of the floorspace within the building, it is accepted that single aspect windows are proposed. Overall, it is considered that all habitable windows would be provided with sufficient outlook.

The distance between the two blocks (courtyard in the middle) is approx. 13m. Although the MHDS's on new build developments generally require a back to back distance of 20m, in consideration that this is a conversion of an existing building and that a distance of 13m can be achieved, when this is considered against what is acceptable on a constrained development site where back gardens would require a depth of 7m, which would only give a total separation of 14m, in this case, due to it being an existing building, a 13m separation is considered acceptable.

The application has been submitted with a supporting daylight and sunlight assessment for the proposed scheme.

The methodology set out within the assessment is stated to be in accordance with BRE's "Site Layout Planning for Daylight and Sunlight, A Guide to Good Practice" by PJ Littlefair (2022) which is accepted as good practice by Planning Authorities. The numerical criteria suggested within the BRE guidelines was applied to the assessment.

To carry out the assessment a 3D computer model was generated, for the existing site, the closest surrounding buildings and trees, as well as the proposed scheme. Using this model and specialist software, the daylight and sunlight levels were calculated for habitable spaces within the proposed dwellings.

All habitable rooms across the scheme were modelled. Trees located around the perimeter of the site were considered highly likely to be deciduous and were modelled both in full leaf (summer) and bare branch (winter) scenarios. The results showed that when trees are in full leaf conditions, minor daylight reductions were identified in certain rooms but were not significant to alter which rooms meet the targets or not.

The vast majority of habitable rooms (97%) were found to exceed BRE's recommendations for daylight, using the illuminance method and climate-based modelling.

The remaining 3% of rooms (8no.) were found to meet the illuminance target for 34-43% of their working plane area, slightly lower than the 50% target in the BRE guide. These rooms are open planned kitchen/living/dining (KLD) rooms and belong to the lowest floor of the development facing the courtyard. Therefore, they are inevitably more constrained for daylight access. The kitchen and living part of the rooms achieved good levels of daylight and only the dining areas to the rear of these rooms, where occupancy would be less frequent than other parts of the KLD, were found to experience reduced daylight access. Overall, when considering their entire room areas, their daylight levels are broadly in line with BRE's recommendations for bedrooms which indicates they receive certain levels of daylight.

All habitable spaces with windows facing within 90 degrees due south were found to exceed BRE's recommendations for sunlight.

The majority of the proposed amenity spaces were found to achieve sunlight consistent with BRE's guidelines. The communal amenity areas at lower fourth floor (within the courtyard and on the upper second floor are located to the north of the tall building massing and are therefore constrained for sunlight access. However, when assessed on 21 June during the summer when future residents are more likely to use the communal external spaces, all proposed open spaces were found to receive more than 2 hours of sunlight for over 50% of their area.

Given the constraints generally associated with conversions of existing buildings and that the majority of the rooms are considered to achieve good daylight and sunlight, whilst making effective use of land with regards to paragraph 125(c) of the NPPF, it is considered that suitable levels of daylight and sunlight would be received to habitable rooms and communal amenity areas.

Some of the flats within the blocks would adjoin the communal amenity spaces. These flats would have their own balconies, however, they have habitable room windows that would face onto this area. Within the submitted drawings different heights of privacy screening and planters are proposed, however, in order to confirm the exact details and materials proposed, a condition is recommended for details of privacy screening to be submitted in order to protect the occupants of these flats from loss of privacy.

All of the town houses would be provided with private external amenity space in the form of a roof terrace and these would measure 27.4m² with the larger two dwellings having private external amenity space of 45.2m² and 44.9m².

Thirty-two of the flats would also be provided with private external amenity space in the form of a courtyard or amenity space and all of these would be over 5m².

The development would provide an external communal courtyard space at ground level between the two buildings of 655m², on the south block on the upper first floor a communal terrace of 341m², at upper second floor a communal terrace of 327m² and on the upper fifth floor (roof) a communal terrace of 133m².

It is therefore considered that the dwellings and flats would be provided with suitable private amenity space or communal amenity space and therefore the future occupants would be provided with adequate private or communal amenity space.

The construction of the development itself could lead to noise and nuisance dust emissions to nearby residential properties and therefore a condition is recommended requiring the submission of a Construction Environmental Management Plan.

It is considered that the dwellings and flats would not have a detrimental impact on neighbouring amenity and would provide sufficient internal and external amenity for the future occupiers of the development and would therefore comply with Policy BNE2 of the Local Plan and paragraph 135f of the NPPF.

Highways

A transport statement has been submitted with the application.

Vehicle Access Arrangements

The application proposes six car parking spaces, and these would be available as disabled parking spaces. Step free access would be provided to all of the disabled parking bays. In relation to wheelchair accessibility a maximum gradient encountered to access the site is around 1:17, which whilst quite steep, is within the approach route gradient range of between 1:12 and 1:20 and is considered to be acceptable.

Access to RRX20 Road

RRX20 Road lies to the front of the building (north) and is currently unsurfaced and does not present an attractive, usable route for pedestrians, cyclists, wheelchair users or parents with pushchairs/buggies. In order to bring this road back to a more useable condition, the applicant have proposed to resurface this road, which would be secured via a section 106 agreement.

Not part of this application, but the applicant has shown indicative proposals for options to revise the layout of RRX20 Road, both of which include converting RRX20 to be one-way westbound, alongside extending the CPZ to cover RRX20, widening the footway on the southern side to a 3m continuous route and providing pedestrian crossing points.

Option 1 removes parking from RRX20. Option 2 provides controlled parking bays for up to 19 vehicles. A swept path analysis for a refuse vehicle and a fire tender has also

been submitted within these indicative proposals. These access arrangements would need to be agreed with Medway Council's highways department.

Car Club

The application suggests the provision of an additional car club vehicle, which would be located on site or close to the site. This would offer two years free car club membership, and this would be offered as an incentive to residents. This provision would be secured as part of the S106 agreement.

Accessibility Assessment

An accessibility assessment has been submitted with the application, which details a tabular breakdown of bus and train services with frequencies during a typical weekday, evening and weekend and confirms good links to public transport services and confirms suitability of the site to be delivered as car lite.

Cycle Parking Provision

It is proposed for each of the town house dwellings to have their own dedicated cycle storage sheds to accommodate up to three bicycles, which would exceed Medway's cycle parking guidance, which requires only one cycle parking space per dwelling. However, standards recommend minimum cycle store dimensions of 1.4m x 2m. The cycle storage proposed does not meet this standard and therefore a condition is recommended for further details of these cycle storage sheds to be submitted.

Some cycle storage would be provided externally, with the majority of cycle storage being provided within the building. The provision of 5% oversized adapted cycle storage is welcomed. The accessible bays conform with the dimensions required for cycle storage, along with all access doors to the cycle storage being of relevant size.

Deliveries and Servicing – Residential

The refuse arrangements proposed would be the same as the former use of the site. A swept path analysis has been submitted with the application, and this shows that access is possible. The applicants have suggested the removal of the existing smoking shelter and parking bays (associated with the previous use of the building) on the southside of the road and this is considered to enhance the ease of this movement for refuse vehicles. Sufficient refuse storage has been provided, and a condition is recommended to secure the proposed area for that use.

The dwellings fronting onto RRX20 road would have their refuse storage areas to the front of the building. In order for these refuse storage areas to be serviced, RRX20 would need to be resurfaced, therefore a condition is recommended that RRX20 is resurfaced prior to the occupation of these dwellings.

With above mentioned conditions imposed it is considered that the development would comply with Policy T1 of the Local Plan and paragraph 116 of the NPPF.

Air quality

An air quality assessment has been submitted with the application and is considered to be acceptable. The proposed development as residential, would result in a substantial reduction in vehicle trips over the current permitted use of the building and therefore no additional air quality specific mitigation of road transport emission is required. No objection is raised in terms of air quality under Policy BNE24 of the Local Plan and paragraph 199 of the NPPF.

Noise

A noise impact assessment has not been submitted with the application. Due to the location of the building road traffic is likely to be the prevalent noise source affecting the site, and the final designs for the development should be informed by an acoustic assessment. A condition is therefore recommended for a noise impact assessment to be submitted.

The development itself introduces a number of potential noise sources which need to be considered further. These sources include the proposed commercial space (Class E), which covers a wide range of potential noisy end uses. The proposed drawings also show some undesirable internal layouts, e.g. bedrooms next to the living rooms of separate residential units, which would require the provision of enhanced airborne sound insulation. There would also be some disturbance associated with the adjacent school, but this is likely to be condensed to the morning arrival, lunchtimes and afternoon departure periods and these also need to be considered. Conditions are therefore recommended to overcome these issues.

With the recommended conditions imposed, no objection is raised in terms of noise under Policy BNE23 of the Local Plan and paragraph 187 of the NPPF.

Trees

There are a small group of trees within the site boundary to the northeast of the existing building and trees are present to the north, south, east and west boundaries of the site. All of the trees are protected as they are within the New Road Rochester conservation area.

The existing building is to be retained, with very little groundwork/extensions to the building and therefore it is considered that the trees on and off site would not be affected by the development.

However, in order to safeguard any damage to the trees through the conversion of the site, a condition is recommended for tree protection measures to be agreed and

installed. With the above-mentioned condition imposed the development is considered to accord with Policy BNE34 of the Local Plan and paragraph 187 of the NPPF.

Flooding/SUDS

The site lies within Flood Zone 1 (Low Risk) according to the Environment Agency Mapping. The mapping also shows that the site is not at risk of surface water flooding.

Paragraph 80 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.

This is reflected also of Part H3 of (Part H) of the Building Regulations.

It should be ensured that there is a maintenance schedule in place for the lifetime of the development to maintain any SuDs, which serve it. All SuDS should be located in publicly accessible areas, unless deemed inappropriate or not possible, to allow for suitable access for maintenance. A plan of the frequency of maintenance for each SuDS feature on site based on guidance in the CIRIA SuDS Manual as well as details of who will carrying out the maintenance would need to be submitted and therefore a condition is recommended to secure this.

Subject to the condition mentioned above, the development is considered to be in accordance with paragraph 182 of the NPPF.

Climate Change and Energy Efficiency

The application has been submitted with a climate change – energy efficiency statement, within the design and access statement. The statement outlines what measures will be taken within the conversion to address climate change and energy efficiency and include:

- Existing structure retained, reducing the need for demolition and promoting sustainable approach to redevelopment.
- Reuse of materials where necessary.
- Insulation to existing walls to improve thermal performance.
- New windows and doors, to optimize energy efficiency, minimise heat loss and reduce noise.
- Solar panels.

- Car free development, as the building is within close proximity to public transport and local amenities and encourages the use of sustainable transport options.
- Cycle storage.
- Fully electric units.

A condition is recommended for an energy efficiency and climate change verification report to be submitted, that shows the above-mentioned measures have been carried out.

With the above-mentioned recommended condition imposed the development would be considered to comply with paragraph 164 of the NPPF.

Biodiversity Net Gain (BNG)

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all major planning applications received in England (with a few exemptions) must deliver at least a 10% biodiversity net gain (BNG) from 12 February 2024 and all minor applications from 2 April 2024.

The applicant has claimed an exemption from BNG (de minimis). This exemption does apply as the proposals will not result in the loss/degradation of over 25m² and/or 5 linear metres of onsite habitat that has biodiversity value greater than zero.

Under section 40 of the NERC Act (2006) and paragraph 187 of the NPPF, biodiversity must be maintained and enhanced through the planning system. Additionally, in alignment with paragraph 193 of the NPPF, the implementation of net gains for biodiversity should be encouraged.

Enhancement features are not considered as part of a measurable net gain, however, in addition to the measurable net gains, enhancement features should also be incorporated into an enhancement plan within the red line boundary. These can include bat and bird bricks/durable boxes, as well as generous native planting. A condition is therefore recommended to secure the submission of an ecological enhancement plan.

Subject to the imposition of the recommended condition, the application is considered acceptable and in accordance with Policy BNE37 of the Local Plan and paragraphs 187 and 193 of the NPPF.

Section 106 Contributions

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

- (a) necessary to make the development acceptable in planning terms.

- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The obligations proposed comply with these tests because they have been calculated based on the quantum and location of the proposal and are directly related to the development.

Based on a net increase of 102 flats, the following contributions are sought in accordance with Medway Council's Developer Contributions Guide 2019:

- i) £1,000.00 towards the promotion and improvements of the National Trail KCIII ECP between Doust Way and Sun Pier.
- ii) £33,199.98 towards Strood Sports Centre to go towards:
 - Sports Hall refurbishment including replacement sports equipment.
 - New changing room village.
 - Refurbish sauna and steam.
 - Soccer pitch improvements.
 - Reception refurbishment.
 - New conference equipment.
 - Improved café furniture.
- iii) £347,917.92 towards enhancement of open space facilities within the vicinity of the development, including Great Lines Heritage Park
 - £330,522.02 open space facilities within the vicinity
 - £17,395.90 Medway's Metropolitan Park – Great Lines Heritage Park
- iv) £22,519.56 towards improved equipment and facilities at Chatham Library and/or Rochester Library.
- v) £27,652.05 towards mainstream nursery education within a radius of 2 miles from the development site and/or SEND education within Medway.
- vi) £16,591.26 towards mainstream primary education within a radius of 2 miles from the development site and/or SEND education within Medway.
- vii) £62,269.61 towards mainstream or SEND secondary/sixth form education within Medway.
- viii) £24,990.00 towards public realm improvements to the town centre gateways and Rochester High Street (including the historic and Intra sections).
- ix) £23,596.68 towards the provision, improvement and promotion of waste and recycling services to cover the impact of the development.

- x) £38,820.18 towards a new lift at Eastgate House.
- xi) £33,534.54 towards Designated Habitats Mitigation.
- xii) 25% affordable housing.

Bird Mitigation

As the application site is within 6km of the North Kent Marshes SPA/Ramsar Sites, the proposed development is likely to have a significant effect, either alone or in combination, on the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites from recreational disturbance on the over-wintering bird interest. Natural England has advised that an appropriate tariff of £328.77 per dwelling (excluding legal and monitoring officer's costs, which separately total £550) should be collected to fund strategic measures across the Thames, Medway and Swale Estuaries. The strategic measures are in the process of being developed but are likely to be in accordance with the Category A measures identified in the Thames, Medway & Swale Estuaries Strategic Access Management and Monitoring Strategy (SAMM) produced by Footprint Ecology in July 2014. The interim tariff stated above should be collected for new dwellings, either as new builds or conversions (which includes HMOs and student accommodation), in anticipation of:

- An administrative body being identified to manage the strategic tariff collected by the local authorities.
- A memorandum of understanding or legal agreement between the local authorities and administrative body to underpin the strategic approach.
- Ensure that a delivery mechanism for the agreed SAMM measures is secured and the SAMM strategy is being implemented from the first occupation of the dwellings, proportionate to the level of the housing development.

With 102 residential units proposed, the contribution for mitigation would be £33,534.54.

In accordance with paragraph 59 of the NPPF, a viability assessment has been submitted. The viability assessment has been independently assessed by Pathfinder who concluded that a viable scheme is one which contains the provision of no affordable housing and no commuted sum payments only at considerably enhanced risk to the developer.

The applicant has agreed to pay the SAMM's mitigation contribution of £33,534.54 and this would be secured by a section 106 agreement. The applicant has also agreed to clauses within the s106 agreement for a cascading sale of the building, in order to give Medway Council or a local registered provider the opportunity to purchase/rent all or

part of the building, a clause for the resurfacing of RRX20 and a clause for a car club to be provided.

The proposal therefore complies with Policies S6 and BNE35 of the Local Plan and paragraphs 59, 193 and 194 of the NPPF.

Conclusions and Reasons for Approval

The site has been vacant and underused for some time. The proposal for a mainly residential development with some retained community uses, represents an appropriate, sustainable response to the location taking account of the location, with particular regard paid to the historic environment and heritage issues. The proposal offers economic, social and environmental benefits in terms of the re-use of a substantial empty building, the visual benefits associated with alterations to the external elevations of the building and bringing the site back into active use, employment, provision of 102 new homes.

The proposal is considered acceptable in terms of principle, design, impact on the conservation area, listed building and scheduled ancient monument, amenity and highway aspects and with regard to all other material planning considerations. The proposal accords with the provisions of Policies BNE1, BNE2, BNE14, BNE18, BNE20, BNE23, BNE24, BNE34, BNE35, BNE37, CF1, H3, H4, H5, S1, S2, S6 and T1 of the Medway Local Plan 2003 and paragraphs 11, 59, 61, 116, 131, 135, 164, 182, 187, 193, 194, 199, 202, 208 and 212-221 of the National Planning Policy Framework 2024.

The application would normally be determined under delegated powers but has been called in, to be decided by the Planning Committee, due to the number of representations contrary to the officer's recommendation.

Background Papers

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

Any information referred to is available for inspection on Medway Council's Website <https://publicaccess1.medway.gov.uk/online-applications/>