

MC/11/2516

Date Received: 30 September, 2011

Location: Lodge Hill Chattenden Rochester Kent

Proposal: Outline planning application with some matters reserved (layout, scale, appearance and landscaping) for the demolition of existing buildings and development of a mixed use settlement comprising up to 5000 residential units, up to 36,750 sqm GEA of B1 business floorspace, up to 7,350 sqm GEA B2 business floorspace, up to 3251 sqm GEA convenience retail floorspace A1, up to 2070 sqm GEA comparison retail floorspace A1, A2, A3, A4, A5, secondary school, 3 primary schools, community facility, healthcare facility, assisted living facility, nursing home, garden centre, two hotels, water bodies and associated infrastructure works including access, roads, informal and formal open space, pedestrian, cyclist and public transport infrastructure, utilities, car and cycle parking.

Applicant: Defence Infrastructure Organisation

Agent: Land Securities C/o CBRE (E Mason) Henrietta House Henrietta Place London W1G 0NB

Ward Strood Rural

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

Recommendation - Approval subject to:

- A) Referral to the Secretary of State under the provisions of Circular 02/2009 Town and Country Planning (Consultation) (England) Direction 2009 due to the application being not wholly in accordance with Policy BNE25 of the Medway Local Plan 2003; being in an out of centre location and the proposal includes a quantum of retail, leisure and office use above the threshold set out in the Circular; and due to the objection by Sport England with regard to the loss of playing fields.
- B) Referral to Natural England in accordance with S281 (6) of the Wildlife and Countryside Act.
- C) The applicant / owner entering into an agreement under Section 106 of the Town and Country Planning Act to secure:

- i. Contribution of £1,040,750 towards off site formal sport at Deangate Ridge.
- ii. Contribution of £119.34 per dwelling towards the Great Lines Heritage Park.
- iii. Provision of 25.4% Affordable Housing units on-site (of which 120 units shall be provided as Extra Care).
- iv. Provision of 2% commuted sum towards off-site Affordable Housing provision.
- v. Provision of 2.6% first time buyer assisted purchase units.
- vi. Provision of 304ha of nightingale compensation land to be designed and managed for nightingales, to be provided on land, which meets the criteria as set out in the revised Environmental Statement. Together with any mitigation that may be required.
- vii. Contribution of £1,358,000 towards SPA and RAMSAR mitigation measures to manage potential recreational pressure adjacent to the sites and at nearby 'honey pot' sites.
- viii. Provision of up to 8 forms of primary school entry in 3 new primary schools of up to 3 form entry (minimum 2 form entry) of which one maybe part of an extended or re-located Chattenden Primary School (limited to additional 2 form entry), with contribution of £4.3 million towards the extension if pursued subject to feasibility study, all to include nursery provision.
- ix. Either a contribution of up to £1,837,550 towards temporary primary school and nursery places at Chattenden Primary School, or early years provision of first on-site 2-form entry primary school.
- x. Provision of a 5-form entry secondary school with sixth form and sports facilities on site.
- xi. Contribution of £1,937,250 towards 1 form entry of secondary school places at Hundred of Hoo.
- xii. One primary school to include Special Education Needs provision.
- xiii. One primary school to include a Family and Children's Centre (early years and family services) of 120sqm internal space and 120sqm external space.

- xiv. Temporary healthcare provision of 100sqm to be in place until a permanent facility is provided.
- xv. Permanent primary health centre facility of between 1,000sqm and 1,500 sqm (subject to specific requirements of the NHS), or a contribution of £467 per dwelling towards healthcare if no on-site facility is provided.
- xvi. Contribution of £7,596,433.88 towards highway network capacity and public transport improvements on A228 and A289, including Sans Pareil Roundabout, Anthony's Way Roundabout, Wulfere Way, Berwick Way and Vanguard Way.
- xvii. Contribution of £16,000 towards the monitoring of the travel plan.
- xvii. Contribution of £90,000 towards improvements to the cycle links between the application site and Medway City Estate.
- xviii. Contribution of £240,000 towards replacement public transport infrastructure between the site and Strood Railway Station.
- xix. Contribution of £100,000 towards Council initiatives to deliver improvements and/or extensions to off-site public rights of way.
- xx. Provision of an Employment and Skills Training Fund up to £1,000,000 for developer/contractor training schemes.
- xxi. Establishment of Community Management Body including £100,000 start up fund for setting up the continued stewardship of community facilities.
- xxii. Contribution of £175 per dwelling towards waste and recycling services.
- xxiv. Provision of library accommodation if requested by the Council.
- xxv. Contribution of £300 per trigger event for monitoring officers costs.

D) The imposition of the following conditions (delegated authority being granted to the Head of Planning to make minor amendments to the wording of the conditions if considered desirable before the issuing of the permission): -

Time Limits

- 1 Approval of the details of layout, appearance, scale and landscaping (hereinafter called "the reserved matters") for any given phase or sub-phase shall be obtained from the Local Planning Authority in writing before development for that phase or sub-phase is commenced.

Reason: As required by the provisions of Section 91(1) of the Town and

Country Planning Act 1990 and in order that the Local Planning Authority may be satisfied as to the details of the proposal in accordance with policy BNE1 of the Medway Local Plan 2003.

- 2 Application for approval of the reserved matters required by condition 3 shall be made not later than 20 years after the date of this outline planning permission.

Reason: As required by the provisions of Section 92(2)(b)(4) of the Town and Country Planning Act 1990.

- 3 The development hereby permitted shall not commence later than 2 years from the date of the final approval of the last reserved matter to be approved.

Reason: As required by the provisions of Section 92(2)(b) of the Town and Country Planning Act 1990.

Plans

- 4 The development hereby permitted shall be carried out in accordance with revised drawings: CL-PR-XXX-XX-DR-MP-616-0024 Rev B – Red Line Plan; CL-PR-XXX-XX-DR-MP-616-0022 Rev E – Parameter Plan 01 Scale; CL-PR-XXX-XX-DR-MP-616-0027 Rev B – Parameter Plan 02 Movement; CL-PR-XXXXX-DR-MP-616-0026 Rev F – Parameter Plan 03 Green Infrastructure; CL-PR-XXX-XX-DRMP-616-0029 Rev C – Parameter Plan 04 Buffer Zones; 0146-UA003269-GDD-07 – Means of Access Plan; the Lodge Hill Replacement Building Envelope Schedule and the Replacement Strategic Design Code Rev H received on 27 February 2014.

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

Phasing

- 5 Prior to or concurrently with the submission of the first reserved matters application(s), an overarching phasing plan showing the main phases of the proposed development broadly in accordance with the land parcels shown on the Indicative Phasing Plan (drawing number 140218 Rev D) contained within Appendix 21 of the Replacement Environmental Statement (“overarching phasing plan”) shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, prior to or concurrently with the submission of any other reserved matters application(s) any updated overarching phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved overarching phasing plan.

Reason: To ensure the development is carried out in accordance with Policy S2 of the Medway Local Plan 2003.

- 6 Prior to or concurrently with the submission of each reserved matters application(s), a sub-phasing plan showing the relevant sub-phase(s) of the

development within the approved overarching phasing plan pursuant to condition 5 shall be submitted to and approved in writing by the Local Planning Authority (“sub-phase phasing plan”). The development shall be implemented in accordance with the approved sub-phase phasing plan.

Reason: To ensure the development is carried out in accordance with Policy S2 of the Medway Local Plan 2003.

Open Space/ Landscaping

7 Prior to the submission of the first reserved matters application a Strategic Landscape Framework for the entire site, building upon the Landscape, Open Space and Recreation Strategy, Replacement Parameter Plan 03 – Green Infrastructure and Replacement Parameter Plan 04 – Buffer Zones submitted in support of the application, shall be submitted to and approved in writing by the Local Planning Authority and shall address the following matters:

- i) Quantum and distribution of areas of public open space, play areas, allotments and sports facilities, to include the following types and amounts of open space across the site: -
 - Natural Greenspace – c15.8ha
 - Amenity Greenspace – c9.5ha
 - Formal Park – c4.68ha
 - Formal Outdoor Sport – c5.85ha
 - Outdoor Equipped Play – c0.94ha (consisting of LAPS of 100sqm, 6 x stand-alone MUGAs of 1,000sqm to be provided as part of the permitted school development, 15 x LEAPS of 400sqm and 3 x NEAPS of 1,000sqm where each NEAP shall include a MUGA of 465sqm)
 - Allotments – c2.1ha
- ii) The overall strategy for structural planting; woodland, shelterbelts and groups of trees;
- iii) The design strategy for the landscape buffer zones to the protected designated woodlands;
- iv) The overall sustainable drainage strategy;
- v) The overall strategy for historical / environmental interpretation boards;
- vi) The overall public art strategy; and
- vii) The public rights of way linkages strategy.

Reason: To ensure a satisfactory external appearance and provision for landscaping in accordance with Policies BNE1 and BNE6 of the Medway Local Plan 2003 and to ensure future residents have appropriate access to open space in accordance with Policy L4 of the Medway Local Plan 2003.

8 Prior to the submission of the first reserved matters application for each phase of the development a Landscape Framework, broadly in accordance with the Strategic Landscape Framework pursuant to condition 7, for that phase shall be submitted to and approved in writing by the Local Planning Authority and shall address the following matters:

- i) The overall hard and soft landscape framework;
- ii) Typical landscape treatments for the highway network;
- iii) Typical landscape treatments for both housing areas and other use areas;
- iv) Typical landscape treatments for any open space areas (to be development in accordance with the ecological management plan);
- v) Typical hard and soft landscape treatment for (as relevant to that phase) the Central Hub, local hubs, walled magazines and business parks;
- vi) A strategy for the provision of public open spaces, play spaces and equipment, and amenity areas;
- vii) A lighting strategy that provides a framework for lighting design and specification for different character areas and land uses; and
- viii) Sustainable drainage systems.

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

9 Any application for the approval of reserved matters in relation to layout and landscaping for a sub-phase(s) of the development shall include a landscape and open space design for that sub-phase to which the reserved matters application relates which shall be in accordance with the relevant Landscape Framework approved pursuant to condition 8 and shall address the following matters:

- i) A detailed assessment of the principal landscape character areas within and bordering the sub-phase. This assessment shall be at a scale to be agreed in writing by the Local Planning Authority before submission;
- ii) The hard landscaping proposals including all paving and external hard surfacing, seating, refuse receptacles, planters, tree grilles, any other decorative feature(s), decking, paving and hardstanding material;
- iii) The soft landscaping proposals including details of planting plans, written specifications (including cultivation and other operations associated with grass and plant establishment, aftercare and maintenance); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- iv) Details of lighting design, location and specification including spillage and intensity; and
- v) Detailed design for sustainable drainage systems;

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

- 10 No development shall take place within any sub-phase of the development until details of the play equipment and safe surfacing and the timing of such provision for that sub-phase has been submitted to and approved in writing by the Local Planning Authority. The relevant details shall be in accordance with the approved Strategic Landscape Framework as required by condition 7 and the provision of the relevant play equipment and safe surfacing shall be implemented in accordance with the approved details.

Reason: To ensure the satisfactory provision of play equipment in accordance with Policy L4 of the Medway Local Plan 2003.

- 11 All hard and soft landscape works, including public open spaces, play spaces and equipment, and amenity areas shall be carried out in accordance with the approved details and in accordance with a programme relating to that sub-phase that has been submitted to and approved in writing by the Local Planning Authority.

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

- 12 Any tree and/or shrub planted pursuant to condition 11 and being removed or severely damaged, dying or becoming seriously diseased within 5 years of planting shall be replaced with a tree or shrub of a similar size and species unless approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 13 Any application for the approval of reserved matters in relation to landscaping for a sub-phase shall include details and where appropriate, samples of all boundary walls, railings, gates, fences and other means of enclosure relating to that sub-phase. The development shall be implemented in accordance with the approved details.

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

- 14 Any application for the approval of reserved matters in relation to layout and landscaping for a sub-phase(s) of the development shall include: a tree survey; a tree retention/removal plan (with root protection area, the proposed layout, level changes and alignment of utility apparatus shown); an arboricultural impact assessment, a tree protection plan; arboricultural method statements designed to protect and safeguard trees identified for retention; a schedule of works to retained trees; and an arboricultural site monitoring schedule. All of these details shall accord with the British Standards 5837:2012 'Trees in Relation to Design, Demolition and Construction - Recommendations' (or any such subsequent revision) relevant to that sub phase. The details shall follow the landscape and open space design required

by condition 9. The relevant development shall be implemented in accordance with the approved details.

Reason: To ensure the appropriate consideration of tree issues in accordance with policy BNE43 of the Medway Local Plan 2003.

Community Facilities

- 15 The development shall include at least 800m² (GEA) of floorspace for community hubs (class D1).

Reason: To ensure satisfactory provision of community facilities in accordance with Policy CF2 of the Medway Local Plan 2003.

- 16 The development shall include a community hub of at least 250m² to be located within the Chattenden hub as set out in the Replacement Strategic Design Code, received on 27 February 2014. As part of the submission of the first reserved matters application in relation to a sub-phase that includes any part of the proposed Chattenden hub, a timetable for the delivery of the community hub shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved timetable.

Reason: To ensure satisfactory provision of community facilities in accordance with Policy CF2 of the Medway Local Plan 2003.

- 17 The development shall include a community hub of at least 300m² to be located within the central hub as set out in the Replacement Strategic Design Code, received on 27 February 2014. As part of the submission of the first reserved matters application in relation to a sub-phase that includes any part of the proposed central hub, a timetable for the delivery of the community centre shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved timetable.

Reason: To ensure satisfactory provision of community facilities in accordance with Policy CF2 of the Medway Local Plan 2003.

- 18 As part of the submission of the first reserved matters application in relation to a sub-phase that includes any part of the proposed central hub, a timetable for the delivery of a dedicated ambulance hard standing shall be submitted to and approved in writing by the Local Planning Authority if deemed required by the healthcare provider at the time of submission. If required, the development shall be implemented in accordance with the approved timetable. If not required, written evidence shall be submitted to and approved in writing by the Local Planning Authority that the space is not required.

Reason: To ensure satisfactory provision of community facilities in accordance with Policy CF2 of the Medway Local Plan 2003.

- 19 As part of the submission of the first reserved matters application in relation to a sub-phase that includes any part of the central hub, a timetable for the delivery of a Police Facility to accommodate an area of up to 150sqm shall be submitted to and approved in writing by the Local Planning Authority if deemed required by the Kent County Constabulary (or any similar subsequent body) at the time of submission. If required, the development shall be implemented in accordance with the approved timetable. If not required, written evidence shall be submitted to and approved in writing by the Local Planning Authority that the space is not required.

Reason: To ensure satisfactory provision of community facilities in accordance with Policy CF2 of the Medway Local Plan 2003.

Community Management

- 20 No development shall take place until a Community Management Framework (CMF) for the governance of the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the CMF as approved in writing by the Local Planning Authority from time to time. The CMF shall include:

- i) Ongoing engagement with the local public, community, voluntary and business sectors;
- ii) The approach to the stewardship of physical community assets and infrastructure;
- iii) Arrangements for partnership working to plan for and provide services, including the nature of the 'Community Management Body; and
- iv) Measures to support the development of a new community and integrate with surrounding communities.

Reason: In the interests of place making and community involvement in accordance with Policy CF2 of the Medway Local Plan 2003.

- 21 Prior to the occupation of the first residential unit within any sub-phase an implementation plan for that sub-phase shall be submitted to and approved in writing by the local planning authority, which shall broadly accord with the CMF required pursuant to condition 20 and include details (as relevant to that sub-phase) as follows:

- i) A schedule of key community assets and identification of who will deliver them and the resources that will be applied to their ongoing maintenance (such assets to include road (non-adopted), public parking areas, open space (informal open spaces, LAPs, LEAPs, NEAPs and MUGAs, allotments and fishing lakes, sports pitches (not located within school sites), on site habitat mitigation areas and green infrastructure, community

- hubs, security and CCTV and sustainability advice service and bring site;
- ii) An identification of the respective roles of the main developer, plot developers, community management body, estate management company, public service providers, local representative bodies and existing and new residential communities;
 - iii) A description of how and when local partners, neighbours and local communities can engage with the strategy; and
 - iv) Identification of the actions and resources to be applied to enable the early residents of the development to engage in the development of a new community.

Reason: In the interests of place making and community involvement in accordance with Policies BNE1 and CF2 of the Medway Local Plan 2003.

Design Codes/ Materials/ Appearance

- 22 The Replacement Strategic Design Code, received on 27 February 2014, shall be reviewed at the written request of the Local Planning Authority provided that the first review shall not be required within 10 years from the date of this permission, and any review shall take place no earlier than five years from the previous review.

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

- 23 Prior to the submission of a reserved matters application for a sub-phase, a design brief, which shall be in accordance with the Replacement Strategic Design Code, received on 27 February 2014, relevant to that sub-phase, shall be submitted to and approved in writing by the Local Planning Authority. The design brief will define the opportunities and constraints, and design objectives, for the relevant sub- phase and demonstrate how these accord with the Replacement Strategic Design Code.

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

- 24 Any application for approval of reserved matters for a sub-phase shall be in accordance with the design brief relevant to that sub-phase and as part of any reserved matters application a statement demonstrating compliance with the approved Replacement Strategic Design Code, received on 27 February 2014, and relevant design brief, approved pursuant to condition 23, shall be provided.

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

- 25 No development shall take place within a sub-phase of the development until details and samples of all materials to be used on external faces of all

individual buildings within the relevant sub-phase have been submitted to and approved in writing by the Local Planning Authority. Each building within the sub-phase shall thereafter be constructed in accordance with the approved details.

Reason: To ensure a satisfactory external appearance in accordance with Policy BNE1 of the Medway Local Plan 2003

Public Art/ Historical Interpretation

- 26 No development shall take place within a sub-phase of the development until details of any public art and/or historical/environmental interpretation boards, in accordance with the details approved for the Strategic Landscape Framework under condition 7, including the timing of such provision for that sub-phase has been submitted to and approved in writing by the Local Planning Authority. The sub-phase shall be implemented in accordance with the approved details.

Reason: To ensure a satisfactory visual appearance in accordance with Policy BNE1 of the Medway Local Plan 2003.

Cabling

- 27 No development shall take place within a sub-phase until details for the installation of cable TV pre-ducting and broadband facilities have been submitted to and approved in writing by the Local Planning Authority. The cable TV pre-ducting arrangements and broadband facilities shall be installed in accordance with the approved details during the construction phase of the development and shall be available for use prior to the first occupation of the sub-phase, which it serves.

Reason: To ensure a satisfactory visual appearance in the interests of visual amenity and to mitigate the visual impact of above ground TV apparatus and equipment in accordance with Policy BNE1 of the Medway Local Plan 2003.

Refuse

- 28 No development shall take place within a sub-phase until a Site Waste Management Plan (SWMP), in accordance with the Replacement Environmental Statement, received on 27 February 2014, for the construction stage of that sub-phase has been submitted to and approved in writing by the Local Planning Authority. The construction stage of that sub-phase shall thereafter be carried out in accordance with the SWMP approved for that sub-phase.

Reason: To ensure proper control of waste and to prevent pollution in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 29 Any application for the approval of reserved matters in relation to layout, scale and appearance for a sub-phase shall include details of refuse storage

arrangements for that sub-phase. The refuse storage details shall include the siting and design for refuse storage and shall make provision for recyclables as well as general waste. No building shall be occupied within the sub-phase until the refuse storage arrangements for that building have been implemented in accordance with the approved details. The refuse storage arrangements shall be retained thereafter.

Reason: In the interests of visual amenity and to ensure a satisfactory provision for refuse and recycling in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 30 The development shall include a hard surfaced area for use as a Recycling Bring Site to accommodate a minimum of 6 surface level banks and any communal composting facility if proposed. As part of the submission of a reserved matters application for a sub-phase that includes any part of the central hub, a timetable for the delivery of the Recycling Bring Site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be delivered in accordance with the approved timetable and retained thereafter.

Reason: To ensure satisfactory provision of community recycling facilities in accordance with Policy BNE2 of the Medway Local Plan 2003.

Contamination

- 31 Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence within a phase or sub-phase until conditions 32 to 35 have been complied with in respect of that phase or sub-phase. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified in writing by the Local Planning Authority until condition 35 has been complied with in relation to that contamination.

Reason: To ensure that any contaminated land on the application site is identified and remediated in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 32 A scheme based upon the Replacement Outline Remediation Strategy, received on 27 February 2014, submitted in support of the application to assess the nature and extent of any contamination on the site, including risks to groundwater and whether or not it originates on the site shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development on that phase or sub-phase.

An investigation and risk assessment must be undertaken in accordance with the approved scheme on each phase or sub-phase before development is commenced on that phase or sub-phase by competent persons and a written report of the findings must be produced. The written report shall be submitted to and approved by the Local Planning Authority prior to the commencement of

development on that phase or sub-phase. The report of the findings must include:

- (i) A survey of the extent, scale and nature of contamination;
- (ii) An assessment of the potential risks to:
 - Human health
 - Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes.
 - Adjoining land,
 - Groundwaters and surface waters,
 - Ecological systems,
 - Archaeological sites and ancient monuments;
- (iii) An appraisal of remedial options, and proposal of the preferred option(s).

The investigation and risk assessment must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' or any equivalent document.

Reason: To ensure that any contaminated land on the application site is identified and remediated in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 33 A detailed remediation scheme to bring each phase or sub-phase to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and submitted to and approved in writing by the Local Planning Authority prior to commencement of development on that phase or sub-phase. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that any contaminated land on the application site is identified and remediated in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 34 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development on that phase or sub-phase (other than development required to enable the remediation process to be implemented) unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given not less than two weeks written notification prior to the commencement of the remediation scheme works.

Following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the

remediation carried out must be produced, and submitted to and approved in writing by the Local Planning Authority prior to the bringing into use of that part of the development.

Reason: To ensure that any contaminated land on the application site is identified and remediated in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 35 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 be undertaken in accordance with the requirements of condition 32 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 33, which is subject to the approval in writing of the Local Planning Authority.

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 33 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 in accordance with condition 34.

Reason: To ensure that any contaminated land on the application site is identified and remediated in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 36 No development shall take place until a Code of Construction Practice (CoCP), as described in paragraph 2.6.4 of the Replacement Environmental Statement, received on 27 February 2014, has been submitted to and approved in writing by the Local Planning Authority. The CoCP shall include site-wide and off-site commitments and strategies to include: -

- Hours of Working, Housekeeping and Site Rules
- Community and Stakeholder Liaison
- Management of Consents, Licenses and Approvals
- Public Access
- Transport Management
- Waste Management and Recycling
- Noise and Vibration Control
- Air Quality and Dust Control
- Management and Remediation of Contaminated Land
- Protection of Surface Water and Groundwater
- Ecological Management
- Archaeology and Heritage Management
- Pollution Incident Control

- Habitat Creation

The development shall be undertaken in accordance with the Code of Construction Practice.

Reason: To safeguard the amenities of neighbouring residents in accordance with Policy BNE2 and to minimise the risk to ecology in accordance with Policies BNE36 and BNE37 of the Medway Local Plan 2003.

37 No development shall take place within a sub-phase of the development until a Construction Environmental Management Plan (CEMP) relevant to that sub-phase, as required by paragraph 2.6.4.5 of the Replacement Environmental Statement, received on 27 February 2014, has been submitted to and approved in writing by the Local Planning Authority. Each CEMP shall demonstrate how the requirements of the Code of Construction Practice pursuant to condition 36 will be met (in respect of the relevant sub-phase) and shall include: -

- Noise and Vibration Control (noise levels to be agreed in writing by the Local Planning Authority prior to the submission of each CEMP);
- Dust and Air Pollution;
- Water Pollution;
- Cultural Heritage;
- Effective Waste and Traffic Management;
- Identification of major construction activities, the associated environmental issues and appropriate mitigation, to include (but not be limited to) boundary treatment, screening, wheel cleaning facilities, the location of compounds, offices and storage sites and illumination;
- Contingency plans to minimise accidental exposure to human and environmental receptors from unexpected hazards;
- Specific control measure(s) that would reduce cumulative effects from construction;
- Risk assessment of potentially damaging construction activities in relation to biodiversity interests;
- Identification of biodiversity protection zones;
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
- The location and timing of sensitive works to avoid harm to biodiversity features;
- The times during construction when specialist ecologists need to be present on site to oversee works;
- Responsible persons and lines of communication;
- The role and responsibility on site of an Ecological Clerk of Work (EcoW) or similarly competent persons; and
- Use of protective fences, exclusion barriers and warning signs.

The construction works for the sub-phase shall thereafter be carried out at all times in accordance with the CEMP approved for that sub-phase.

Reason: To safeguard the amenities of neighbouring residents in accordance with Policy BNE2 and to minimise the risk to ecology in accordance with Policies BNE36 and BNE37 of the Medway Local Plan 2003.

Drainage and Flood Risk

- 38 Any application for the approval of reserved matters for a sub-phase shall include a surface water drainage scheme for that sub-phase, based on sustainable drainage principles within an assessment of the hydrological and hydro geological context of the development together with habitats and woodland. The scheme shall also include details of how the scheme shall be maintained and managed after completion. The surface water drainage scheme shall be implemented in accordance with the approved details in respect of that sub-phase prior to occupation of any building on the relevant sub-phase and be maintained and managed in accordance with the approved details.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage scheme in accordance with Policy CF12 of the Medway Local Plan 2003.

- 39 No development shall take place until a scheme to provide floodplain compensation to prevent any increase in flood risk caused by loss of floodplain, as described in paragraph 5.2 of the Replacement Environmental Statement Flood Risk Assessment, received on 27 February 2014, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing and/or phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To prevent adverse impact on flood storage in accordance with Policy CF12 of the Medway Local Plan 2003.

- 40 No development shall take place within a sub-phase until details of the method for piling foundations or any other foundation designs using penetrative methods and any other proposals involving below ground excavation relating to that sub-phase have been submitted to and approved in writing by the Local Planning Authority. Piling works shall be implemented in accordance with the approved details.

Reason: To prevent pollution of the water environment in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 41 No development shall take place until a Foul Drainage Strategy (FDS) for the whole site has been submitted to and approved in writing by the Local

Planning Authority. The FDS shall be based upon off-site treatment in accordance with the approach described within the Replacement Supporting Infrastructure Report and the Replacement Environmental Statement, received on 27 February 2014, unless any proposal for on-site treatment is supported by a report assessing the potential environmental effects of on-site treatment relative to the assessment of off-site treatment as reported in the Replacement Environmental Statement. The FDS should include the fixing of the broad locations of the foul drainage pumping stations.

Reason: To prevent pollution of the water environment in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 42 Any application for the approval of reserved matters for a sub-phase shall include details relating to foul drainage for that sub-phase, including (where relevant) the precise location and design of the pumping stations for that sub-phase, in accordance with the FDS approved as part of condition 41. The development shall be undertaken in accordance with the approved details

Reason: To prevent pollution of the water environment in accordance with Policy BNE23 of the Medway Local Plan 2003.

Safety and Security

- 43 Applications for the approval of reserved matters in relation to layout and appearance for a sub-phase shall include a statement detailing how the development reflects the requirements set out in "Safer Places: the Planning System and Crime Prevention (2004)". The development of that sub-phase shall be implemented in accordance with the approved details.

Reason: To ensure a safe and secure environment in accordance with Policy BNE8 of the Medway Local Plan 2003

- 44 No development shall take place within a sub-phase until details of the design and location of any proposed CCTV cameras in or relating to that sub-phase have been submitted to and approved in writing by the Local Planning Authority. The development of that sub-phase shall be implemented in accordance with the approved details.

Reason: To ensure a safe and secure environment in accordance with Policy BNE8 of the Medway Local Plan 2003.

Highways

- 45 No development shall take place until a S278 agreement has been entered into with the Highways Authority for the A228 off-slip from Four Elms Hill to the site (as illustrated on drawing 0146-UA003269-GDD-07 Replacement Means of Access Plan, received on 27 February 2014). The development shall be carried out in accordance with the approved details and implemented prior to any construction traffic accessing or egressing the site via Chattenden Lane.

Reason: In the interests of highway safety in accordance with policy T2 of the Medway Local Plan 2003.

- 46 No development shall take place until a S278 agreement has been entered into with the Highways Authority for the works to Dux Court Road as illustrated on drawing 0147-UA003869-GDD-04 Rev 4. A scheme for the hard and soft landscaping and street lighting associated with these highway works shall be submitted to and approved in writing by the Local Planning Authority. These highway works including the associated hard and soft landscaping and street lighting shall be implemented in accordance with the approved details prior to any construction traffic accessing or egressing the site via Dux Court Road.

Reason: In the interests of highway safety and to ensure a satisfactory external appearance in accordance with Policies T2 and BNE1 of the Medway Local Plan 2003.

- 47 No development shall take place until a S278 agreement has been entered into with the Highways Authority for the works to Four Elms Hill and Four Elms Roundabout (including the replacement bridge at Upchat Road and the new pedestrian / cycle bridge over Four Elms roundabout) as illustrated on drawing 0066-LN02460-GDD-02 Rev 2. A scheme for the hard and soft landscaping and street lighting associated with these highway works shall be submitted to and approved in writing by the Local Planning Authority. These highway works, including the associated hard and soft landscaping and street lighting, shall be implemented in accordance with the approved scheme prior to the occupation of the development.

Reason: In the interests of highway safety and to ensure a satisfactory external appearance in accordance with Policies T2 and BNE1 of the Medway Local Plan 2003.

- 48 No development shall take place until a S278 agreement has been entered into with the Highways Authority to secure the pedestrian and cycle bridge at the A228 and Dux Court Road as illustrated on drawing 0147-UA003869-GDD-04 Rev 4. The details of the design, materials and associated landscaping of the bridge shall be submitted to and approved in writing by the Local Planning Authority. The bridge shall be fully operational in accordance with the approved details prior to the occupation of the 1000th residential unit.

Reason: In the interests of pedestrian safety and to ensure a satisfactory external appearance in accordance with Policies T3 and BNE1 of the Medway Local Plan 2003.

- 49 No development shall take place within a sub-phase of the development until details of cycle parking facilities for that sub-phase to accord with the Local Planning Authority's adopted cycle parking standards have been submitted to and approved in writing by the Local Planning Authority. The details shall incorporate protection and security measures for cycles, which, where applicable, shall include a lockable enclosure. No building within the relevant

sub-phase shall be occupied until such time as the cycle parking facilities relating to it have been provided in accordance with the approved details and are available for use.

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

- 50 Application(s) for the approval of reserved matters in relation to layout for a sub-phase shall include details of the road, footway, footpath and cycleway layout in broad accordance with Replacement Parameter Plan 02 – Movement Network. The details shall show the alignment, widths, surfacing arrangements, forward visibility sight lines and vision splays, speed restraint measures, gradients, drainage and details of the strategic pedestrian and cycle network connections from that sub-phase to the existing off-site pedestrian and cycle infrastructure adjoining the application site. The development shall be implemented in accordance with the approved details prior to the first occupation of any building within the relevant sub-phase.

Reason: To ensure satisfactory arrangements for cyclists in accordance with Policy T4 of the Medway Local Plan 2003.

- 51 No building shall be occupied on any part of the site until a Framework Travel Plan, in accordance with the Replacement Interim Travel Plan, received on 27 February 2014, related to the whole site has been submitted to and approved in writing by the Local Planning Authority. The Framework Travel Plan must include:

- i) The establishment of a Travel Plan working group, to include, as a minimum, the Local Authority, the Highways Agency and members of the local parish councils, in order to allow all members an opportunity to inform the Travel Plan content and its targets, monitoring procedures and potential remedial measures;
- ii) The appointment of a Travel Plan Coordinator including a commitment to funding that post for a minimum of 5 years post completion of the whole development, with a Commercial Travel Plan Coordinator role being in place for the lifetime of the commercial developments;
- iii) A tiered mechanism for individual phases or sub-phases developing and submitting their own specific Detailed Travel Plans and how these will link into the established principles of the Travel Plan Framework. All Travel Plans must include mode share targets;
- iv) Maximum Trip Generation Targets for all phases of the development based on that set out in chapter 13 of the Replacement Transport Assessment, received on 27 February 2014;
- v) A timetable for completion and collation of base line travel surveys including traffic counts and travel questionnaires from which targets and initiatives can be based;

- vi) Details of the proposed measures intended to encourage sustainable travel to and from the site and minimise the number of private car trips to and from the site, for example car club provision;
- vii) Details of the proposed arrangements for vehicle monitoring surveys at development boundaries to determine the level of traffic being generated by the development, to establish whether actual traffic generation is exceeding the specified targets set down in the Traffic Management Plan. These arrangements must set out the dates and regularity of such surveys taking place; and
- viii) Details of the possible travel plan remedial measures that would be implemented in the event the mode share targets are not achieved.

The Framework Travel Plan shall thereafter be implemented in accordance with the approved details prior to the occupation of the development and maintained for 5 years post completion of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the sustainable transport objective related to the development of this site and to reduce potential impact on the surrounding area in accordance with Policy T14 of the Medway Local Plan 2003.

- 52 Applications for the approval of reserved matters in relation to layout for a sub-phase of the development shall include a parking management plan showing adequate land, reserved for the parking or garaging of vehicles and the manoeuvring of vehicles to accord with the provisions of the adopted vehicle parking standards applicable at the time. The layout shall also include location(s) for electric vehicle charging points and the accompanying details should establish the level of parking charging and ongoing management and enforcement of parking areas for residential, retail, leisure, community and business uses. The plan should also include details of suitable provision for reviewing the parking management at regular intervals with the Local Planning Authority. No building shall be occupied until such time as the parking facilities relating to it have been constructed in accordance with the approved details and are available for use.

Reason: To achieve sustainable objectives by ensuring the development does not have an adverse affect on the local road network by the generation of unacceptable levels of traffic in accordance with policies T1 and T13 of the Medway Local Plan 2003.

- 53 No development shall take place until a Traffic Management Plan (TMP) has been submitted to and approved in writing by the Local Planning Authority. The TMP should include the following: -

- Maximum Trip Generation Targets for all phases of the development based on that set out in chapter 13 of the Replacement Transport Assessment, received on 27 February

2014;

- Strategies for traffic reduction interventions in the event that the maximum trip thresholds are exceeded, setting out funding sources and appropriate measures;
- A strategy and timetable for monitoring and reporting the level and speed of traffic generated by the site on a regular basis with relevant figures reported to the Local Planning Authority, to include Chattenden Lane, Woodfield Way, Upchat Road and Upnor Road, including a set of pre-agreed thresholds where necessary, in line with the Manual for Streets recommendations;
- A strategy and timetable for interventions to discourage rat running and cut through traffic (appropriate traffic calming interventions to be agreed with the Local Planning Authority); and
- A signing strategy to include removal and remediation of existing signs and posts and provision and installation of new signs as appropriate to be agreed with the Local Planning Authority.

The TMP shall thereafter be implemented in accordance with the approved details prior to the occupation of the development and maintained for 5 years post completion of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve sustainable objectives by ensuring the development does not have an adverse affect on the local road network by the generation of unacceptable levels of traffic in accordance with policies T1 and T13 of the Medway Local Plan 2003.

54 No development shall take place until a Public Transport Strategy (PTS) has been submitted to and approved in writing by the Local Planning Authority, in broad accordance with the Indicative 400m Public Transport Network drawing, received on 27 February 2014. The PTS shall include: -

- Full details of the service routes, including the shuttle bus service to Strood Railway Station, and arrangements for routing of buses within the site and stopping locations;
- Details of measures to ensure bus services offer a reliable means of travel in terms of journey time and frequency;
- Details of the infrastructure to ensure a high quality passenger comfort experience;
- Evidence of discussions with local bus operators;
- Details of the frequencies and fare arrangements to ensure an attractive service;
- Details of the marketing and incentive material to be implemented; and
- Details of the monitoring and review mechanisms for opportunities of the services and infrastructure at regular intervals in conjunction with service providers and the Council and the procedures for doing so, to

correspond with the timing of each sub-phase.

The PTS shall thereafter be implemented in accordance with the approved details prior to the first occupation of the development and maintained for 5 years post completion of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve sustainable objectives by ensuring the development does not have an adverse affect on the local road network by the generation of unacceptable levels of traffic in accordance with policies T1 and T13 of the Medway Local Plan 2003.

- 55 No more than 1,350 dwellings within the development hereby permitted shall be occupied until the completion of the improvements to Junction 3 of the M2 shown on drawing number UA003269-SK6000-04 (and comprising capacity improvements to the off-slip road including an increased length of offside flare of the M2 coastbound off-slip to 300m) or such other scheme of works for the purposes of providing proportionate mitigation to address the predicted impact of the development hereby permitted on the M2 coastbound off-slip (an additional 113pcu during the PM peak) as may be approved in writing by the local planning authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport).

Reason: To ensure that with the development hereby permitted the M2 Motorway, A229 and A2045 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

Telecommunications

- 56 Any application for the approval of reserved matters in relation to layout, scale and appearance for a sub-phase of the development shall include a strategy for the provision of telecommunications to serve that sub-phase. The development shall be carried out in accordance with the approved details and shall be retained thereafter.

Reason: To ensure that such equipment is an integral part of the design of the development in accordance with policies BNE1 and CF14 of the Medway Local Plan 2003.

Environmental Health and Noise

- 57 A strategy for hours of delivery, refuse collection and/or any other commercial servicing activity related to any non-residential unit within a sub-phase shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use of any non-residential unit within that sub-phase. The strategy shall be implemented in accordance with the approved details and thereafter be complied with.

Reason: To ensure that the occupiers of neighbouring residential properties are not unduly affected by noise and disturbance in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 58 Where non-residential buildings form part of a sub-phase, no development of such non-residential buildings shall take place within that sub-phase until an acoustic assessment has been undertaken to determine the impact of noise arising from the plant of the non-residential buildings within that sub-phase. Noise from non-residential premises shall be at least 10dB below the background noise level (LA90,T). The noise levels shall be determined at the nearest noise sensitive receptors. All measurements shall be defined and derived in accordance with BS4142: 1997. The results of the assessment and details of any mitigation measures shall be submitted and approved in writing by the Local Planning Authority. The approved measures shall be implemented before commercial buildings within the relevant sub-phase are brought into use and shall be retained thereafter.

Reason: To safeguard the amenities of neighbouring residents in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 59 No development of non-residential buildings which includes the provision for the preparation and serving of hot food for consumption by the public, shall take place within any sub-phase of the development until details for the conduction and extraction of cooking odours within those buildings relevant to that sub-phase has been submitted to and approved in writing by the Local Planning Authority. All equipment must be installed in accordance with the approved details and be in full working order prior to the first use of the commercial kitchen to which they relate and shall thereafter be maintained in accordance with the manufacturers instructions for as long as the approved use of the commercial kitchen to which they relate continues to operate.

Reason: To ensure the satisfactory dispersal of cooking odours and fumes in accordance with Policies BNE2 and R18 of the Medway Local Plan 2003.

- 60 Any application for the approval of reserved matters in relation to any energy centre shall include an assessment of the noise, air quality, transport and odour impacts associated with the proposed design of the centre based upon the assessments in the Replacement Environmental Statement, received on 27 February 2014. The assessment report shall include the impact on receptors on the site, surrounding dwellings and any Air Quality Management Area (AQMA). Where the impact on any receptor or AQMA is classified as 'slight adverse' or 'greater' an appropriate scheme of mitigation shall be submitted to and approved in writing by the Local Planning Authority that ensures the impact is no greater than 'slight adverse'. The development shall be implemented in accordance with these approved details and shall be retained thereafter.

Reason: To ensure appropriate consideration of the energy centre in accordance with policies BNE2 and BNE24 of the Medway Local Plan 2003.

- 61 Prior to the first occupation of any residential unit within a sub-phase an assessment of the passage of sound confirming the internal noise level in the living room is no more than 40dB during the day and 35dB at night and in the bedroom no more than 35dB during the day and 30dB at night shall be submitted to and approved in writing by the Local Planning Authority.

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

Archaeology and Heritage

- 62 Any application for the submission of reserved matters relating to a sub-phase of the development containing any designated heritage asset, as identified in the Replacement Environment Statement, received on 27 February 2014, shall include details of how each asset in that sub-phase integrates into the development together with its restoration and management. The development shall be implemented in accordance with these approved details and shall thereafter be retained.

Reason: To ensure the appropriate retention of historic features in accordance with policy BNE21 of the Medway Local Plan 2003 and the NPPF.

- 63 Any application for the submission of reserved matters relating to a sub-phase of the development containing any non-designated heritage asset, as identified in the Replacement Environmental Statement, received on 27 February 2014, shall identify those undesignated heritage assets that are proposed to be retained as part of any detailed design proposal for that sub-phase together with their re-use, restoration and management. The development shall be implemented in accordance with these approved details and shall thereafter be retained.

Reason: To ensure the appropriate retention of historic features in accordance with Policy BNE21 of the Medway Local Plan 2003.

- 64 The submission of any reserved matters application relating to a sub-phase of the development containing any designated heritage asset, including the Lodge Hill Battery, will include details of the hoarding to be erected around the relevant heritage asset prior to and during construction to prevent unauthorised access and damage during construction. The development shall be carried out in accordance with the approved details.

Reason: To ensure the appropriate retention of historic features in accordance with Policy BNE21 of the Medway Local Plan 2003.

- 65 No development or remediation work shall take place within a phase or sub-phase until a scheme specifying archaeological field evaluation works and a timetable has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be implemented as appropriate in accordance with the timetable contained therein. Any safeguarding measures

required to ensure preservation in situ of important archaeological remains and/or further investigation and recording shall be carried out in accordance with a specification and timetable, which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record in accordance with Policy BNE21 of the Medway Local Plan 2003.

- 66 No development or remediation work shall take place within a sub-phase until a programme of building recording in respect of any building within that sub-phase which is to be demolished or converted has been implemented in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority. The building recording shall be implemented in accordance with the approved written specification and copies of the building record shall be deposited with the Archaeological Department of Kent County Council and in the Local Archives Centre.

Reason: To ensure that historic building features are properly examined and recorded in accordance with Policy BNE21 of the Medway Local Plan 2003.

Retail

- 67 No more than 70% of the non-food retail floor area of the development hereby approved shall be used for A1 non-food retail.

Reason: To ensure that a mix of uses is present within the development in accordance with policy R9 of the Medway Local Plan 2003.

- 68 No more than 400sqm (GEA) of the non-food retail floorspace hereby permitted shall be used for activities falling within the A4 use class.

Reason: To ensure that a mix of uses is present within the development in accordance with policy R9 of the Medway Local Plan 2003.

- 69 No more than 400sqm (GEA) of the non-food retail floorspace hereby permitted shall be used for activities falling within the A5 use class.

Reason: To ensure that a mix of uses is present within the development in accordance with policy R9 of the Medway Local Plan 2003.

Education

- 70 Any part of the site identified as a primary or secondary school/academy with proposed associated facilities and ancillary uses available to the public as described in this application shall be used for no purposes other than those detailed in the relevant reserved matters and approved, including any other

purpose within Class D1 or D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987.

Reason: In order to confirm the nature of the permitted use and to ensure that educational provision remains the prime use of the site and with regard to the development plan policies including policies CF2 and L3 of the Medway Local Plan 2003.

- 71 Prior to the first beneficial occupation/use of any part of each school site hereby permitted details of the hours of use of the site for public use, including of the buildings, the external facilities and the car parking shall be submitted to and approved in writing by the Local Planning Authority. The use of the relevant school site shall only take place within the approved times.

Reason: In order to ensure that the development does not cause unacceptable harm to the amenities of local residents and with regard to Policies CF2 and BNE2 of the Medway Local Plan 2003.

Sustainability

- 72 All reserved matters applications for a sub-phase shall be accompanied by an assessment against the BREEAM Communities toolkit or any subsequent amending standard demonstrating how the development can reach an overall standard of 'Excellent'. The development of that sub-phase shall be implemented in accordance with the approved details.

Reason: To ensure a satisfactory provision of dwellings in accordance with policy BNE2 of the Medway Local Plan 2003.

- 73 All reserved matters applications for a sub-phase of the development containing non-residential development shall be accompanied by a BREEAM pre-design stage assessment (or any subsequent amending standard) demonstrating how the development can achieve BREEAM 'Excellent'. No non-residential building shall be occupied until a final BREEAM Certificate has been issued for it certifying that BREEAM 'Excellent' (or any subsequent amending standard) has been achieved. The development of that sub-phase shall be implemented in accordance with the approved details.

Reason: In the interests of sustainability in accordance with policy BNE4 of the Medway Local Plan 2003.

- 74 All reserved matters applications for a sub-phase of the development containing residential development shall be accompanied by a Code for Sustainable Homes pre-design stage assessment (or any subsequent amending standard) demonstrating how the development can achieve Level 4 of the Code for Sustainable Homes as a minimum. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 4 or higher (or any subsequent amending standard) has been achieved. The development of that sub-phase shall be implemented in accordance with the approved details.

Reason: In the interests of sustainability in accordance with policy BNE4 of the Medway Local Plan 2003.

- 75 Any application for the approval of reserved matters for a sub-phase containing residential development shall be accompanied by an assessment of the proposals against the Building for Life 12 standards (or any subsequent amending standard).

Reason: In the interests of sustainability and design, in accordance with Policies BNE1 and BNE4 of the Medway Local Plan 2003.

- 76 Any application for the approval of reserved matters for a sub-phase shall be accompanied by an energy statement setting out energy efficiency measures to be included within that sub-phase. The energy statement shall include:

- i) An assessment of likely energy demand and carbon dioxide emissions;
- ii) Proposals for the reduction of likely energy demand and carbon dioxide emissions through stated energy efficiency measures; and
- iii) Calculations showing the reduction of energy and carbon dioxide in terms of kWh of energy, kgCO₂ and the percentage of reduction.

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

Reason: To ensure satisfactory arrangements are made for reducing the demand for energy and recycling in the interests of sustainability in accordance with Policy BNE4 and CF11 of the Medway Local Plan 2003.

- 77 Any application for the approval of reserved matters for a sub-phase that includes proposals for a decentralised energy system shall include the following details:

- i) Energy supply;
- ii) Timetable for delivery of buildings with high heat loads;
- iii) Methodology for allowing proposed and existing buildings to connect to the energy network; and
- iv) Connection to existing heat sources

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

Reason: To ensure satisfactory arrangements are made for reducing the demand for energy and recycling in the interests of sustainability in accordance with Policy BNE4 and CF11 of the Medway Local Plan 2003.

- 78 No demolition shall take place until a pre-demolition audit that has been carried out in line with the Institute of Civil Engineers' Demolition Protocol has been submitted to and approved in writing by the Local Planning Authority. Details of the temporary re-use of any buildings shall also be included with the

audit. The development shall be implemented in accordance with the approved details.

Reason: In the interests of sustainability in accordance with policy BNE4 of the Medway Local Plan 2003.

Ecology and Woodland

79 No development shall take place until an Ecological Action Plan Framework has been submitted to and approved in writing by the Local Planning Authority. The Ecological Action Plan Framework shall set out the site-wide strategy for the mitigation (including species translocation and habitat creation and establishment) and enhancement of the following species and their habitats as proposed on-site and at the off-site mitigation area(s) (including green infrastructure and buffer zones) within the Replacement Environmental Statement, received on 27 February 2014, and in particular as set out in the Species Masterplans appended to the Replacement Environmental Statement. The Ecological Action Plan Framework shall address and include method statements in respect of:

- Terrestrial and aquatic invertebrates
- Amphibians
- Reptiles
- Bats
- Breeding birds
- Badgers
- Grassland
- Dormouse

Reason: To safeguard and enhance biodiversity on the site in accordance with policies BNE35, BNE38 and BNE39 of the Medway Local Plan 2003.

80 No development shall take place within a sub-phase of development, until Ecological Actions Plans, in conjunction with the Construction and Environmental Management Plans to be approved under Condition 37, have been submitted to and approved in writing by the Local Planning Authority. The Ecological Action Plans shall be based upon and address the matters, species and habitats set out in the approved Ecological Action Plan Framework approved under Condition 79, and shall include details of:

- (a) Phasing of operations;
- (b) The further survey work to be undertaken to update the surveys as reported in the Replacement Environmental Statement, received on 27 February 2014, and Updated Invertebrate Survey, in case there has been any ecological change, together with the scope, methodology, timing/frequency and findings of these surveys and how they have informed or will inform the measures outlined in the Ecological Action Plans;
- (c) How detailed mitigation measures have been incorporated in

- (d) the Ecological Action Plan;
- (d) How the detailed mitigation and measures outlined within the Ecological Action Plans will be implemented on-site and at the off-site mitigation area(s);
- (e) An explanation of how the Ecological Action Plans for the relevant sub-phase complies with the Ecological Action Plan Framework and relates to the Ecological Action Plans for any previous sub-phases (where relevant);
- (f) The methodologies for translocation of protected species (including grassland) (where relevant);
- (g) Suitable receptor areas together with evidence produced by an ecologist that the receptor areas are capable of supporting the population displaced;
- (h) For bats, details of bat corridors including widths, and the locations of replacement roosts;
- (i) For great crested newts, details of mitigation measures including timescales for creation of replacement habitat for each phase or sub-phase;
- (j) The methods for the protection of existing species in situ (where relevant);
- (k) Any seeding, planting and methods to promote habitat creation and establishment or habitat enhancement both on and off site;
- (l) Identification of buffer zones between the proposed development and the remaining areas of Chattenden Woods and Lodge Hill SSSI and ancient woodland; and
- (m) An assessment of the works required for management and who will undertake such works, details of which will be provided via the Habitats Management and Maintenance Plans.

The development shall be implemented in accordance with the approved details and timescale in the Ecological Action Plans.

Reason: To safeguard and enhance biodiversity on the site in accordance with policies BNE35, BNE38 and BNE39 of the Medway Local Plan 2003.

- 81 No development shall take place until a site-wide Habitat Management and Maintenance Framework has been submitted to and approved in writing by the Local Planning Authority. The Habitat Management and Maintenance Framework shall be prepared in the context of the aims and objectives of the Species Masterplans (as appended to the Replacement Environmental Statement) the Ecological Action Plan Framework approved under Condition 79 and the Access Management Strategy approved under Condition 83 and shall be implemented as approved.

The Frameworks will cover habitats set out below, in accordance with legal requirements and best practice guidelines, and accompanying Method Statements, where relevant:

- Ancient, semi-natural and lowland broadleaved woodland
- Dense scrub
- Standing water
- Species rich coarse grassland with tall ruderal vegetation
- Artificial hibernacula, log piles and bee banks
- Wildlife hotels
- Green infrastructure
- Species rich hedgerows

The Framework will include the following details:

- Strategic prescriptive management, maintenance and monitoring measures for retained and created habitats on-site and created habitats at the off-site mitigation area;
- Measures will include actions for management, maintenance and monitoring, the timing/frequency of such measures and persons responsible; and
- Strategic prescriptions for management will respond to remedial actions identified through annual monitoring, starting one year following the date on which the first habitats were created for a period of 15 years and thereafter to be carried out in consultation with the Local Planning Authority. It should provide for an annual reporting mechanism to the Local Planning Authority for the monitoring period.

Reason: To safeguard and enhance biodiversity and tree management on the site in accordance with policies BNE35, BNE38, BNE39 and BNE43 of the Medway Local Plan 2003.

82 No development shall take place within a sub-phase of the development, until a Habitat Management and Maintenance Plan, for that sub-phase of development has been submitted to and approved in writing by the Local Planning Authority. Such Plans shall be prepared in accordance with the approved Habitat Management and Maintenance Framework approved under condition 81. Each Plan will provide a detailed description of the objectives and the management, monitoring and maintenance measures for the area covered by the Plan including:

- Description and evaluation of features to be managed;
- Ecological trends and constraints on site that might influence management;
- Aims and objectives of management;
- Appropriate management options for achieving aims and objectives;
- Detailed prescriptions for management actions;
- Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- Details of the body or organisation responsible for

- implementation of the plan;
- Details of monitoring programmes;
- How contingencies and/or remedial action will be identified, agreed and implemented so that the development delivers the fully functioning biodiversity objectives; and
- Details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The Habitat Maintenance and Management Plan will be implemented in accordance with the approved details.

Reason: To safeguard and enhance biodiversity and tree management on the site in accordance with policies BNE35, BNE38, BNE39 and BNE43 of the Medway Local Plan 2003.

83 No development shall take place until an Access Management Strategy for the entire site and the off-site mitigation area has been submitted to and approved in writing by the Local Planning Authority, and the development shall be implemented in accordance with the approved strategy. The Access Management Strategy shall include details of:

- (a) Which footpaths within the remaining areas of Chattenden Woods and Lodge Hill SSSI will be surfaced and the materials that will be used;
- (b) The proposed access arrangements, restrictions and controls;
- (c) The role of the Warden(s) and how funding for their long-term employment will be secured;
- (d) How this site will fit within the wider network of Public Rights of Way; and
- (e) The monitoring and feedback mechanisms, which will be employed to ensure the Access Management Strategy, meet its aims and objectives.

Reason: To safeguard and enhance biodiversity and tree management on the site in accordance with policies BNE35, BNE38, BNE39 and BNE43 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

The submitted application seeks outline planning permission with some matters reserved (layout, scale, appearance and landscaping) for the demolition of existing buildings and development of a mixed use settlement comprising of up to 5,000

residential units, up to 36,750 sqm Gross External Area (GEA) of B1 business floorspace, up to 7,350 sqm GEA B2 business floorspace, up to 3,251 sqm GEA convenience retail floorspace (A1), up to 2,070 sqm GEA comparison retail floorspace (A1, A2, A3, A4, A5), secondary school, 3 primary schools, community facility, healthcare facility, assisted living facility, nursing home, garden centre, two hotels, water bodies and associated infrastructure works including access, roads, informal and formal open space, pedestrian, cyclist and public transport infrastructure, utilities, car and cycle parking.

Access would be derived via Dux Court Road to the east of the site and from the A228 (Four Elms Hill) and Upchat Road to the west.

The uses proposed under the terms of the submitted application, along with their relevant floor spaces/areas or number of units, are as follows:

- Food Retail (A1) 3,251sqm GEA
- Non-Food Retail (A1-A5) 2,070sqm GEA
- Garden Centre (Sui Generis) 525sqm GEA on 2.6ha
- Business (B1) 36,750sqm GEA
- Business (B2) 7350sqm GEA
- Hotels (C1) 14,070sqm GEA on 3.41ha
- Residential Institutions (C2) 120 units on 2.31ha
- Residential (C3) 5000 units
- Non Residential Institutions (D1) 26,080 GEA
 - Current assumed breakdown: -
 - Education 23,780 GEA
 - Community Centres 800sqm GEA
 - Healthcare Centre 1,500sqm GEA
- Open Space 93ha (approx)
- Lakes/water (Sui Generis) 9.75ha (approx)
- Servicing Compounds (Sui Generis) 3.81ha (approx)

note: These are all 'up to' figures

The indicative masterplan accompanying the application shows one way in which the site could be developed in accordance with the submitted parameter plans and it identifies the likely pattern of the development for the site in its totality. It also illustrates the possible disposition of uses across the site. The development proposes a range of residential types and tenures across the site, which would comprise of a mixture of flats and dwellinghouses. The residential accommodation on-site would include 25.4% affordable housing (of which 2.4% would be extra care units) and 2.6% first time buyer units. Off-site affordable housing would also be provided through a financial contribution equivalent to the cost of providing 2% of affordable housing.

In February 2014 all of the application documents, which had by that time been submitted, were revised and a replacement suite of documents was submitted. The scale and location of the proposed development is such that a Replacement Environmental Statement accompanies this application. Since February 2014 further additional information has also been submitted.

This planning application is also supported by the following documentation: Replacement Schedules, Replacement Design and Access Statement, Replacement Strategic Design Code, Replacement Site Location Plan, Replacement Parameter Plan 01 - Scale, Replacement Parameter Plan 02 – Movement Network, Replacement Parameter Plan 03 - Green Infrastructure, Parameter Plan 04 – Buffer Zones, Replacement Indicative Masterplan, Replacement Means of Access Plan, Replacement Building Envelope Schedule, Replacement Planning Statement, Replacement Development Needs and Alternatives Report, Replacement Retail Statement, Replacement Social Infrastructure Report, Replacement Economic Strategy, Replacement Construction Statement, Replacement Statement of Community Involvement, Replacement Heritage Statement, Replacement Transport Assessment, Replacement Energy Statement, Replacement Sustainability Report, Replacement Supporting Infrastructure Report and Replacement Combined Geotechnical and Contaminated Land Site Investigation.

The Replacement Parameter Plan 01 for scale identifies the areas of the site that would be built on and the distribution of maximum heights across the development. Each zone is shown to have a minimum of 1-storey with the maximum of 5-storey located at Chattenden and along the centre of the current Lodge Hill Training Camp area. Parameter plan 01 also shows the location of the service compound and the beacon project. The Replacement Building Envelope Schedule then takes each of these 'scale zones' and identifies building uses within them together with the maximum and minimum lengths, widths and heights of various building types at the site. Parameter Plan 02 illustrates the movement network and identifies the access points at Four Elms Hill, Upchat Road and Dux Court Road together with the main routes through the site. Parameter Plans 03 and 04 show the various green infrastructure and buffer zones that would be retained or provided on site including the ancient woodland.

The Replacement Indicative Masterplan submitted with the application builds on the parameters and supporting documentation to show one potential way in which the development could come forward. The majority of the development would be located within the existing Lodge Hill Training Area. A central hub or town centre would be provided in the heart of the development comprising a retail space, health centre, secondary school, hotel and knowledge park. Two smaller hubs at Eastgate and Westgate consisting of retail and primary schools would support the central hub. Development would also take place at Chattenden where a further service hub would be provided also comprising of shops, services, a hotel and knowledge park. Open space would be provided by retaining woodland areas and creating a green grid across the site, which would partly be used as pedestrian and cycle connections.

When it is completed the anticipated number of residents would be approximately 11,500 and it is estimated that the employment uses would create around 5000 jobs on the development site.

The phasing of the development is described in the Replacement Environmental Statement and the Replacement Construction Statement that accompanies the application. The broad approach to the proposed development is of three periods of build out as described below:

- Phase 1: 7 years, Development Years 1-7 (approximately 1,934 dwellings and 31,093sqm GEA mixed use)
- Phase 2: 7 years, Development Years 8-14 (approximately 2,094 dwellings and 52,975sqm GEA mixed use)
- Phase 3: 3 years, Development Years 15-17 (approximately 1,093 dwellings and 6,029sqm GEA mixed use).

The application also includes an off-site mitigation area at Islingham Farm, which is located to the west of the site together with Nightingale Compensation Land at Shoeburyness / Foulness, Essex.

The Replacement Design & Access Statement outlines the vision for the site. This vision was developed alongside the council as part of the previous Core Strategy process. However the applicants have continued to adopt this vision for how they see the development. The vision is as follows: -

Lodge Hill will be a sustainable and integrated community, capitalising on its exceptional setting, complementing and supporting nearby settlements and the Hoo Peninsula as a whole. It will be a distinctive place that connects to the surrounding rich countryside, with a land use pattern that minimises the need to travel. It will be an exemplar for the Thames Gateway in the way that it minimises its impact on the environment and provides for an excellent quality of life for all its residents. It will also, over time, become an important focus for higher value economic activities, taking advantage of its location between urban Medway and the existing and emerging industries at Grain and Kingsnorth. It will be resilient place that is capable of adapting to environmental, social and other changes over the long term.

Site Area/Density

Site area: 324.66 hectares (802.25 acres)

Site density: 15.4 dph (6.23dpa)

It should be noted that this has been calculated on the basis of residential development across the entire site. Significant portions of land within the red line would not be built upon and so the density of the developed area would be much higher. The maximum density in the central portion of the site would be between 70 and 90 dwellings per hectare.

Relevant Planning History

MC/11/0129 Town and Country Planning [Environmental Impact Assessment] [England and Wales] Regulations 1999 - request for a scoping opinion for redevelopment of the Lodge Hill site for a new mixed use settlement. Land uses proposed include residential, employment, hotels, retail, leisure, retirement village, community infrastructure and physical infrastructure, together with associated open space and landscaping. EIA Required, 1 March 2011

Representations

Extensive publicity and consultations have been carried out in relation to the development proposals. Consultation has been undertaken in connection with the originally submitted application documentation as well as in response to the submission of additional, amending and replacement submissions of information.

The application has been advertised in the local press, on site and in surrounding villages as a Departure from Local Plan Policy; Major Development; an application accompanied by an Environmental Impact Assessment; development affecting the setting of Listed Buildings; development affecting the setting of a Scheduled Ancient Monument and development affecting a Public Right of Way.

Consultations have been undertaken with the owners and occupiers of properties within Chattenden and a wide range of statutory and non-statutory consultees.

The responses received in relation to the consultation exercises are summarised below, with the responses being grouped together by type of respondent. Representations made in response to additional or amending information are shown in italic text to differentiate them from the initial response made by the relevant party. Many of the objections raised, particularly in the case of statutory authorities, have been addressed as part of the determination process.

Note: The comments made to the Council in respect of Lodge Hill in the context of the core strategy have not been included in the summary below.

Initial Consultation - (November 2011 on submission of the outline planning application)

83 letters were received raising the following objections:

- Destruction of the nightingale population
- Insufficient mitigation for nightingale population
- Destruction of Chattenden Woods SSSI
- Adverse impact on woodlands
- Noise disturbance from construction
- Increased pressure on public services, including schools, hospitals, transport
- Increased pressure on water and sewerage infrastructure
- Increased demand for gas and electricity
- Increase in traffic causing highway safety problems on Dux Court Road
- Increase in noise
- Impacts on ecology and biodiversity
- Trespass onto neighbouring land by new residents
- Congestion on A228, Upchat Road and Upnor Road
- No provision for religious buildings
- Site is not brownfield
- Loss of heritage
- Destruction of rural character of the area
- Loss of flood plain
- Destruction of natural landscape and loss of views

- Increase in air pollution
- Loss of flora and fauna
- Disruption to local residents

2 letters were received in support of the development.

First Reconsultation – (April 2012 submission of ES addendum - supplementary environmental information)

6 letters were received raising the following objections:

- Adverse impact on local businesses
- Increased traffic
- Increased noise
- Increased air pollution
- Destruction of the nightingale population
- Insufficient mitigation for nightingale population
- Destruction of a SSSI
- Impacts on ecology and biodiversity
- Destruction of rural character of the area
- Increase in traffic causing highway safety problems on Dux Court Road
- Loss of flora and fauna
- Disruption to local residents

Second Reconsultation – (June 2012 submission of supplementary ecological information)

4 letters were received raising the following objections:

- Adverse impacts on ecology and biodiversity
- Destruction of rural character of the area
- Destruction of nightingale population
- Insufficient mitigation for nightingale population
- Destruction of a SSSI
- Adverse impact on quality of the landscape
- Increased pressure on water and sewage infrastructure
- Increased traffic causing pressure on road infrastructure
- Loss of flora and fauna
- Disruption to local residents

1 letter was received in support of the application.

Third Reconsultation – (July 2012 submission of Built Heritage: Addendum to ES)

5 letters were received raising the following objections:

- Destruction of the nightingale population
- Insufficient mitigation for nightingale population

- Destruction of a SSSI
- Loss of flora and fauna
- Increase in traffic causing increased danger on the roads in the area
- Size of the development changes the nature of the area from rural to town
- Increased pressure on water and sewage infrastructure
- Loss of facilities for army and territorial army training
- Destruction of natural landscape and loss of beauty
- Lack of religious buildings and churches
- Lack of religious buildings on school grounds
- Disruption to local residents

Fourth Reconsultation – (October 2012 submission of additional highway information)

81 letters were received raising the following objections: -

- Destruction of the nightingale population
- Insufficient mitigation for nightingale population
- Destruction of a SSSI
- Destruction of natural landscape
- Adverse impact on wildlife, ecology and biodiversity
- Loss of open, green space
- Increase in traffic causing noise and pollution
- Removal of woodland and trees
- Loss of existing buildings on the site
- Construction of 5-storey buildings would be inappropriate visually
- Loss of views across the landscape
- Loss of flora and fauna
- Site is not brownfield
- Disruption to local residents

Fifth Reconsultation – (March 2014 submission of replacement suite of documents)

354 letters were received raising the following objections: -

- Area too densely populated
- Increased traffic, pressure on road infrastructure and pollution
- Loss of flora and fauna
- Adverse impact on wildlife, ecology and biodiversity
- Contrary to the NPPF as site fails to meet tests to protect places of importance for wildlife
- Site is not brownfield
- Adverse impact on the landscape
- Destruction of a SSSI
- Destruction of the nightingale population
- Insufficient mitigation for nightingale population
- Adverse impact on local infrastructure
- Adverse impact on local hospitals and A&E
- Increased pressure on water and sewerage infrastructure

- Increased demand for gas and electricity
- Destruction of countryside
- Increased pressure on the A228
- Loss of views
- Increased pressure on schools and colleges
- Insufficient facilities planned
- Loss of flood plain
- Loss of army barracks
- Disruption to local residents
- Adverse impact on wildlife, ecology and biodiversity
- Loss of woodland
- Increase in air, light and noise pollution
- Loss of agricultural land
- Increased pressure on public transport
- Lack of shopping facilities
- Contrary to policy BNE34 of Medway Towns Plan 2003
- Loss of parking on Dux Court Road at the Bowling and sport centres
- Loss of community open space
- Disruption to local residents
- Existing ongoing development nearby
- Lack of hospital
- Loss of military history/heritage
- Increase pressure on police and fire services
- Amalgamates existing local communities into one large urban area
- Creates a precedent for other SSSI sites to be developed
- Destruction of bats' habitat

2 letters were received in support of the application.

Cllr Watson has written to object to the application raising the following concerns:

- Impact on wildlife, including the nightingales;
- No major changes to the highway network for such a major development;
- Hoo Peninsula should be protected and positively transformed using the natural environment, historically important locations and sites of local heritage;
- The site is a nationally important location for nightingales and designated a SSSI;
- NPPF steers development away from protected sites;
- Site is not brownfield and the Core Strategy inspector concluded much of the fixed structures have now blended into the landscape;
- There are other realistic alternatives to development other than Lodge Hill; and
- Compensation Land should be looked at as a last resort and the alternatives have not been exhausted in the application.

Sixth Reconsultation – (May 2014 submission of wetland bird survey and other ecological, highways and associated information)

22 letters were received raising the following objections: -

- Loss of habitat for nightingales
- Countryside should be protected
- Scale of development too much for the area
- Road network would not cope with the increase in traffic and the proposed road scheme would not be sufficient
- Rat running along local routes
- Loss of a SSSI
- Uncertainty over the success of the nightingale compensation land
- Contrary to the NPPF
- Increase in noise and pollution
- Should redevelop brownfield sites and invest in existing urban areas
- School investment should be in existing schools rather than building new ones
- Loss of space for army training and military heritage

1 letter was received in support of the application.

Seventh Reconsultation – (July 2014 submission of updated invertebrate survey and assessment of likely significant effects on the NCL)

35 letters were received raising the following objections:

- Damage to the SSSI
- Damage to other ecology on the site
- Not possible to create nightingale habitat
- Not a brownfield site
- Overdevelopment of the site
- Loss of greenspace
- Impact on local roads
- Impact on local services
- Should invest in the existing urban area before releasing more land for housing
- Land identified for nightingale compensation land is already needed to compensate for habitat lost as part of sea level rises
- Application is a departure from the development and no weight should be given to previous planning strategies
- Determination of the application would be premature as the councils call-for-sites process has only recently finished
- Increased pressure on Medway Hospital
- Little employment opportunities in the area so residents would have to commute to London
- Loss of military heritage
- Set precedent for development including Thames Estuary Airport
- The scheme does not meet the tests of NPPF P118 in that it does not demonstrate that the scheme outweighs the negative impacts
- Contrary to the provisions of the Wildlife and Countryside Act 1981 (as amended)
- Inadequate level of ecological information submitted

All other matters raised not listed above are non-material.

Responses from Parish Councils

Cliffe and Cliffe Woods Parish Council object to the application and has commented as follows: -

- 5 December 2011
 - Existing highway infrastructure and the implications of the proposals for development;
 - Need to provide infrastructure and community facilities in advance of the development;
 - Need to phase development to match provision of employment; and
 - Need to more clearly identify and demonstrate the effectiveness of environmental protection including the bird population, flora and fauna.
- 4 May 2012
 - Concerns remain regarding traffic improvements and the phasing the development with house, jobs and services.
- 15 November 2012
 - Concerns are raised that planning obligations are being reduced due to the economic climate and new government guidelines.
- 15 April 2014
 - The centralisation of services that would not be accessible by residents in Cliffe and Cliffe Woods as access is primarily from the B2000 and the site accessed via the A228;
 - Increased pressure on the SSSI;
 - Plans are indicative and the positive effects for Medway and the Hoo Peninsula would be subject to the economic situation;
 - Borough wide services under pressure would not be accommodated;
 - Decrease the nightingale population and there are risks associated with the compensation land; and
 - Proposals for highway works are not sufficient which could lead to congestion on local roads.
- 30 May 2014
 - Re-iterate previous objections and raise concerns regarding the feasibility of the nightingale compensation land.
- 19 August 2014
 - Environmental concerns remain and unproven / unsuitable mitigation is proposed;
 - Lack of provision to mitigate the impacts of the development on the local road network; and
 - No direct benefit from the development on the Parish

Frindsbury Extra Parish Council has commented on transport issues in letter

received on 22 December 2011 and raised the following points:

- Increased motor traffic on A289 and B2108;
- Alternative access off of the A289 should be investigated;
- The pedestrian / cycle link between Lodge Hill and Wainscott is supported;
- With regards the options for dealing with rat running at Upnor, option 3 is not supported but either options 1 and 2 are supported;
- No details of major scheme in the application;
- Mitigation measures for Four Elms Roundabout and Sans Pareil roundabout are necessary and supported;
- All highways work should take place at the same time as phasing will not work; and
- Traffic management scheme is needed around Wainscott before development commences to deal with construction traffic.

Hoo St Werburgh Parish Council object to the application and has commented as follows:

- November 2011
 - Brownfield sites should be developed before Greenfield and much of the site was put to animal pasture that remains today;
 - Investment in Hoo would reduce;
 - No evidence to show the whole site needs to be built out;
 - Should bring empty shops and houses back into use;
 - Existing employment sites around the Hoo Peninsula so no need for further economic growth at Lodge Hill;
 - Contrary to policy BNE25 of the Local Plan;
 - No assurances that houses and services would be developed alongside each other;
 - High levels of out-commuting would occur;
 - Two hotels are not needed;
 - Community uses should be built alongside residential development;
 - Dedicated access from A289 would be a better proposition than the current proposals;
 - Scheme would fall short of BNE47 of the Local Plan;
 - Queries how successful public transport and anti rat-running measures will be;
 - Not convince of masterplan for a market town;
 - Conclusions on the landscape impact are questionable;
 - All buildings and structures should be recorded and retained to show military heritage;
 - Concerns regarding the sustainable energy system that would be used; and
 - Rail link would assist with construction traffic.
- 15 April 2014
 - Site is the first SSSI in the UK to be designated for nightingales;
 - Government inspector concluded the site should not be developed due

- to its natural value;
 - Development would destroy nightingale habitat;
 - Development as proposed does not outweigh the impact to the environment;
 - Site is not brownfield; and
 - Offsetting or compensation is not appropriate unless the scheme can overcome the tests in the NPPF.
- 21 August 2014
 - Within the application there is an intention to maximise the use of the whole site but it is questionable as to whether there is a need to exploit a nationally protected site as proposed;
 - Only a small proportion is previously developed and the SSSI designation of the site gives it a high environmental value;
 - Do not agree with the findings that it is reasonable to conclude that the NCL will have no significantly effects on the SPAs; and
 - No certainties that the NCL would be used by nightingales

High Halstow Parish Council object to the application in a letter received on 12 January 2012 on the following grounds:

- Adverse impacts on biodiversity as per comments made by KCC Ecology;
- Traffic impacts on the A228 and M2 / A2 as per comments made by the Highways Agency;
- Design and Access Statement does not state how Crime Prevention measures would be addressed;
- Infrastructure should be delivered in a timely manner and consideration of contingencies if the A228 is blocked; and
- Lack of consideration to S106 requirements.

St James Isle of Grain Parish Council object to the application and has commented as follows:

- 12 November 2012
 - Access should be via A289 to avoid traffic congestion on A228
- 26 January 2012
 - Access should be via A289 as access from Four Elms Hill would be impractical;
 - Level of public transport use anticipated in the application is unrealistic; and
 - Increase in additional vehicle movements on Four Elms roundabout.
- 1 August 2012
 - Members had no objections with regards the change in heritage status of the Ack Ack Station.
- 4 August 2014
 - Access should be via A289 as access from Four Elms Hill would be

- impractical;
- Level of public transport use anticipated in the application is unrealistic; and
- Increase in additional vehicle movements on Four Elms roundabout.

Stoke Parish Council object to the application in letter received on 13 May 2014 on the following grounds: -

- Centralisation of community services on the Hoo Peninsular could reduce services in some areas with a lack of access by public transport and reliance on private cars;
- Nationally and internationally important habitat;
- Loss of nightingale population; and
- Impact on the local road network.

Responses from Statutory Bodies and External Groups

Natural England object to the application and has commented as follows: -

- 16 December 2011
 - Lack of an appropriate management strategy to mitigate disturbance and other urban impacts upon Chattenden Woods SSSI;
 - Lack of an appropriate avoidance and mitigation package for recreational impacts upon a number of statutory nature conservation sites including the South Thames Estuary and Marshes SSSI, Thames Estuary and Marshes SPA and Wetland of International Importance (RAMSAR);
 - Lack of clarity on the direct and indirect impacts that will result from this proposal upon species of bats using the site and how these will be mitigated;
 - Lack of clarity on the direct and indirect impacts of the development on great crested newts and how these would be mitigated;
 - Lack of clarity on the impacts of the development on the important population of nightingale on the site and its vicinity and how significant impacts on this species will be mitigated;
 - In the absence of surveys it is not possible to ascertain the capacity of the receptor site at Islingham Farm; and
 - Consideration of badgers, breeding birds and widespread reptiles should be via the standing advice.
- 15 June 2012
 - The additional information submitted shows that adequate mitigation and avoidance measures can be secured on determination of reserved matters to safeguard against impacts on the Medway Estuary and Marshes Special Protection Area (SOPA) and the Thames Estuary and Marshes Special Protection Area (SPA) and Ramsar Site Tower Hill to Cockham Wood and Northwood Hill SSSI together with European protected sites; and
 - Does not consider that the measures proposed are sufficient to avoid

impacts on the breeding bird assemblage including the population of nightingales. The applicant has investigated additional measures in the form of new habitat provision, which may make the package of measures sufficient to overall safeguard the breeding bird assemblage but further discussion is necessary to clarify the scale and certainty of these additional measures.

- 31 August 2012
 - Welcome the additional invertebrate information provided which is likely to result in a more structurally diverse habitat for invertebrates than what appeared to be proposed previously;
 - The amended Invertebrate Master Plan will need to be fully integrated with all of the species master plans and revised based on the updated surveys.

- 14 November 2012
 - Natural England has no further comments to make in relation to the revised strategic design code, revised scale parameter plan and the revised green infrastructure plan beyond those made in earlier responses.

- 15 April 2014
 - The majority of advice given at the core strategy examination hearing in May 2013 still applies;
 - Paragraph 118 of the NPPF applies and the benefits specific to this site would need to provide a compelling justification;
 - Development of the site would have a very substantial damaging effect on the SSSI making it likely that any residue of the features would be unjustifiable as a SSSI;
 - Last loss of a SSSI on the same scale was the Cardiff Bay Barrage Act of Parliament in 1993;
 - If planning permission was granted it would be dependant upon compensatory habitat, which would have a good change of success if of adequate scale and design but not without risk. The scale of habitat at 264ha is insufficient and the proposals do not adequately reflect the risks associated with its provision. Based on previous work it might be possible to compensate for losses with c650ha but it would be prudent to plan for 990ha. There remain questions over the certainty and suitability of the land at Shoeburyness and uncertainty of the management proposals. There is also uncertainty over whether a suitable site can be secured if Shoeburyness is not available;
 - Grassland would also require compensatory habitat compensation. While the applicants' proposals could deliver grassland of considerable value it is likely to result in a different composition. The existing grassland is not in a favourable condition and so there is no clear baseline against which to assess the change;
 - The letter should be registered as an objection;
 - Great crested newts and eight species of bat were recorded on site that are protected by the Habitats Directive and the local planning authority

- must have regard to these when exercising their functions;
 - Concerns remains over the effect of the development on European protected species due to the thoroughness of the survey and the design of mitigation. If planning permission is granted there will remain significant challenges to avoid or mitigate especially in relation to great crested newt. However these challenges are expected to be surmountable and so are not being put forward as grounds for objection.
- 27 May 2014
 - Letter of 15 April 2014 registers objection to the application and the advice remains that it is not appropriate to rely on the provision of compensatory habitats for nightingales in this case;
 - The wetland bird survey submitted allows for an assessment of the effects of the impacts resulting from the proposed nightingale compensation land upon protected sites;
 - The creation of the NCL is likely to have a significant effect on the SPA and RAMSAR site;
 - The creation of the NCL should be considered a plan or project under the Conservation of Habitats and Species Regulations 2010 and an Appropriate Assessment is required; and
 - Some of the land identified appears to be contrary to the selection criteria.
- 18 August 2014
 - Letter should be read in conjunction with letters of 15 April 2014, 27 May 2014 and 16 June 2014;
 - The updated invertebrate report suggests there is significant invertebrate interest at the site and these will need to be considered alongside the nightingales, unimproved grassland, woodland and protect species;
 - When considering the best means of protecting the nightingale population at Chattenden Woods and Lodge Hill SSSI reliance on compensatory habitat should not be regarded as the preferred option;
 - The assessment of likely effects provides no confirmation that the nightingale compensation land will be provided at Shoeburyness / Foulness, no confirmation as to where within the land this would be located, and no additionally spatially specific bird survey data for Foulness Island;
 - The reliance on the compensation land has significant risks and should not be the preferred option for the site; and
 - Natural England is unable to advise the creating the NCL on Shoeburyness / Foulness estate will not result in a likely significant effect on the adjacent SPA and Ramsar site.

Highways Agency raises no objections to the application subject to conditions. The comments raised are as follows:

- 29 November 2011
 - Transport assessment indicates that the A2/M2 will suffer a material

- impact from the proposed development;
 - Due to errors within the capacity assessments for M2 J1 they should be reviewed and corrected;
 - The assessment indicated the M2 J1 will be overloaded and ramp metering has been suggested. Further information would be needed to support this approach;
 - The TA suggests that M2 J1 westbound diverge would be monitored to see if upgrades are needed but information is needed to show how this will be monitored and funded;
 - Details of the additional trips predicated to be generated at M2 J2 and J3, both on mainline carriageways, slip roads and turning movements; and
 - Holding direction issues for a period of 56 days (until 24 January 2012).
- 27 January 2012
 - Holding direction extended until 20 March 2012
- 20 March 2012
 - Awaiting details of the travel plan from the applicant; and
 - Holding direction extended until 15 May 2012.
- 15 May 2012
 - Response from the application on the comments raised with regards the Transport Assessment is adequate in most respects;
 - The interim travel plan also address some concerns previously raised and other outstanding matters could be dealt with by condition;
 - No mitigation is required at M2 J1 on the basis that it will be 'no worse off' as a result of the development;
 - Junction capacity assessments are required for M2 J2 and J3;
 - Recognise that J3 represents a challenge but any impact should be managed or mitigated;
 - HA requires further information to judge the proposal against the NPPF and so the holding direction is extended until 10 July 2014.
- 10 July 2012
 - Further information is awaited from the applicant / the council; and
 - Holding direction extended until 4 September 2012.
- 31 August 2012
 - The HA has considered the further work done by the applicant and no further action or mitigation is needed for M2 J2.
 - 4 September 2012 – Holding Direction extended until 30 October 2012
- 30 October 2012
 - Holding direction extended until 24 December 2012
- 21 December 2012

- Good progress is being made on the modelling of M2 J3 but in the meantime the holding direction is extended until 18 February 2013.
- 18 February 2013
 - Good progress is being made on the modelling of M2 J3 but in the meantime the holding direction is extended until 15 April 2013.
- 15 April 2013
 - Good progress is being made on the modelling of M2 J3 but in the meantime the holding direction is extended until 10 June 2013.
- 10 June 2013
 - Good progress is being made on the modelling of M2 J3. An update of the programme of working was agreed covering the likes of preliminary design, road safety audit and modelling. In the meantime the holding direction is extended until 5 August 2013.
- 5 August 2013
 - Holding direction is extended until 30 September 2013.
- 30 September 2013
 - Work is continuing with the applicants and others to progress the production of a scheme of mitigation that meets the HA concerns;
 - Holding direction extended until 25 November 2013
- 25 November 2013
 - The HA continue to work with the applicants and others to progress the production of a scheme of mitigation that meets the HA concerns;
 - Holding direction extended until 20 January 2014.
- 20 January 2014
 - Two pieces of work remain that relate to checking whether the KCC alterations to the lining and SCOOT configuration would materially impact on the scheme of mitigation proposed for junction 2, and, discussions needed on the use of a condition for the junction 3 works;
 - Holding direction extended until 17 March 2014.
- 28 March 2014
 - Clear progress has been made on many fronts;
 - Following the publication of DfT C02/13 further work is needed by the applicant regarding M2 J1;
 - Holding direction extended until 23 May 2014.
- 14 May 2014
 - Holding direction removed and directs conditions to be attached to any planning permission, which may be granted.
- 04 August 2014

- No further comments on application

UK Power Networks has raised no objections

Kent Fire & Rescue has commented on the application as follows:

- 24 November 2011
 - The submitted plans do not show sufficient details of the access to the site for fire and rescue service.
- 1 August 2014
 - Has advised that the means of access is considered satisfactory.

Medway Towns Footpath Group object to the application raising the following concerns:

- Application does not take into account bridleways, footpaths and byways on the site
- Impact on nightingales and other wildlife
- Increase in traffic problems
- Development of 5000 homes is unsustainable

Friends of North Kent Marshes object to the application and has commented as follows:

- 12 December 2011
 - Development will have damaging effects on Chattenden Woods SSSI;
 - Destruction of nightingale population who are particularly susceptible to urbanising effects;
 - Off site mitigation would be needed but doubts this would be capable of supporting the same population and it would take 10 – 15 years to develop;
 - Further survey work is needed to understand the flora and fauna on site;
 - Pedestrian and cycle access in the area to Cliffe Woods would need to be upgraded and managed; and
 - Loss of military heritage
- 14 April 2014
 - Loss of the SSSI habitat;
 - Increase in recreational disturbance and cat predation;
 - Loss of protected and non-protect species including bats;
 - Loss of military heritage;
 - Compensation cannot overcome the tests set out in the NPPF;
 - NPPF acknowledges that brownfield land of high environmental value won't receive support for development; and
 - Council should prioritise alternative sites for housing and employment.

Sport England object to the application and has commented as follows:

- 5 May 2012
 - Loss of playing fields at Swinton Avenue and so is contrary to Sport England Policy;
 - Insufficient provision of both indoor and outdoor sport facilities; and
 - Confirms Sport England is not a statutory consultee.
- 8 November 2012
 - Previous comments remain valid
 - Widening of Dux Court Road would lead to encroachment and partial loss of the playing fields at Deangate Ridge Recreation Ground
 - Object to the application and if the council resolve to approve the scheme it will need to be referred to the National Planning Casework Unit.
- 13 May 2014
 - No further comments made
- 31 July 2014
 - No further comments made

Dickens Country Protection Society object to the application raising the following concerns:

- Centralising services would result in some residents travelling further and relying on limited public transport together with more private car use;
- Recreational pressure on the SSSI;
- Benefits to the Hoo Peninsula and Medway Towns would be dependant on the economic situation and so not guaranteed;
- No clear indication on how borough wide services would be accommodated;
- Developing a SSSI is flawed and there are medium to high risks with the nightingale compensation land;
- Transport proposals would not meet the further demands of the development at Grain and Kingsnorth; and
- Increased congestion on local roads.

Kent Ornithological Society object to the application and has commented as follows:

- 16 November 2011
 - Destruction of nightingale habitat;
 - Indirect impacts through recreational and urbanising pressures; and
 - No guarantee that the mitigation will work
- 3 July 2012
 - Development would be very damaging for the future of nightingales in Medway, Kent and Britain
- 15 April 2014

- Loss of nightingale population;
 - No previous examples of successful compensation of nightingales;
 - Proposed methods of habitat creation and management are untried;
 - Compensation land should be closer to the site and not in another county;
 - Compensation land would take sometime to develop and need careful management; and
 - Contrary to the NPPF
- 18 August 2014
 - Previous comments remain unaltered; and
 - Concept of compensatory habitat is highly speculative and unproven.

Open Spaces Society object to the application and has commented as follows:

- 29 November 2011
 - Concerned that the submission of the application has happened in advance of Medway Council's Core Strategy hearings;
 - Development would not enhance the natural environment;
 - The development would be on an Area of Local Landscape Importance and adjacent to a SSSI; and
 - Loss of nightingale habitat
- 8 April 2014
 - Site has been notified as a SSSI and also contains other protected species;
 - Application fails to identify how the compensatory land would be successful;
 - Habitat would be lost on site before compensatory land was functioning;
 - Contrary to the NPPF;
 - Housing consents should be built out in Medway; and
 - Loss of open space and wildlife areas would impact on health of future generations.

Kent Wildfowling and Conservation Association object to the application and has commented as follows:

- 4 March 2012
 - The access management strategy is inadequate;
 - Impact on the SSSI;
 - Recreational pressure on the SSSI;
 - Buffer zones within the site will not be enforceable; and
 - Insufficient information on breeding birds
- 14 April 2012
 - Formula use to predict number of visitors to the protected sites is flawed and so the level of mitigation is inadequate;
 - Recreational pressure;

- S106 contributions should be used for nearby SPAs and not honey-pot sites; and
- Insufficient mitigation for SSSI

Woodland Trust object to the application and has commented as follows:

- 5 April 2012
 - The site contains a number of ancient woodlands, which are irreplaceable;
 - Nearby development may have substantial affects on ancient woodland and so they should be protected by a buffer zone to soften the hard edge of the development;
 - The 20-metre buffer zone proposed is insufficient and 50 metres would be required as a minimum.
- 26 April 2014
 - 5 Ancient Woodlands may be affected by the proposal, all of which now fall in a SSSI;
 - The development would come within 20 metres of Deangate, Wybournes and Round Top Woods and a wider buffer of 100m – 200m is needed to reflect that proposed around Lodge Hill Wood;
 - Placing housing and infrastructure close to ancient woodland increases likely disturbance and invasion by non-native plants;
 - Development would reduce chances for species to move across the landscape; and
 - Energy centre proposed on the northwestern boundary of Deangate Wood would degrade the wood over time.

Frindsbury & Wainscott Community Association object to the application and has commented as follows:

- 5 December 2011
 - Gross overdevelopment of a sensitive ecological site which could be of national importance;
 - Determination of the proposal should wait until after the Core Strategy hearings;
 - The access is more than difficult; and
 - No evidence to suggest the number of houses is needed.
- 8 December 2011
 - Recent Secretary of State decision in Cornwall reinforces the point that a decision should be left until after the Core Strategy;
- 24 May 2014
 - Support the comments made by the Medway Countryside Forum
- 14 August 2014

- Not convinced of the suitability of the nightingale compensation land; and
- No benefit to the people of Medway

Medway Local Access Forum object to the application and has commented as follows:

- 12 December 2011
 - Very little improvement for the public rights of way network;
 - Main path through the site would be a permissive path; which can be removed at any time rather than a bridleway; and
 - Little proposed in terms of linkages to wider areas.
- 16 December 2011
 - Very little proposed to enhance footpaths in the local area
- 17 March 2014
 - Loss of countryside with no regard for the SSSI status; and
 - 5,000 homes are not suitable for an Area of Outstanding Natural Beauty and the development should be scaled down.

Health & Safety Executive (HM Explosives Inspectorate) has raised no objections. It should be noted that Chattenden Storage Company Ltd have applied for an explosive site licence for an area of land within the site boundary.

Environment Agency has raised no objection to the application and has commented as follows:

- 21 December 2011
 - Conditions recommended regarding surface water, floodplain compensation, compensatory habitat and decontamination, and
 - Pleased to see a comprehensive options appraisal for heating incorporating decentralised energy proposals.
- 2 May 2011 & 9 July 2012
 - No further comments
- 17 March 2014
 - Conditions recommended regarding flood risk, groundwater and contaminated land
- 22 May 2014 & 30 July 2014
 - No further comments

Southern Water has raised no objection to the application but commented as follows:

- 29 November 2011
 - Development would lead to an increase in loading at the Whitewall Creek wastewater treatment works and a condition is requested that

- adequate capacity is made available before occupation of the development;
 - Some existing sewers will need upgrading or diversion and the applicant will need a separate approval from Southern Water;
 - SuDs on the site are supported and conditions should be imposed to ensure they are investigated before any proposals to discharge into a sewer; and
 - The water supply within the site will need to be protected / diverted and consent will be needed from Southern Water.
- 26 April 2012, 15 June 2014, 26 June 2014 & 25 July 2014
 - Comments remain unchanged from 29 November 2011
 - 19 March 2014
 - Development would lead to an increase in loading at the Whitewall Creek wastewater treatment works and a condition is requested that adequate capacity is made available before occupation of the development;
 - Some existing sewers will need upgrading or diversion and the applicant will need a separate approval from Southern Water;
 - SuDs on the site are supported and conditions should be imposed to ensure they are investigated before any proposals to discharge into a sewer; and
 - The water supply within the site will need to be protected / diverted and consent will be needed from Southern Water.
 - 22 May 2014 & 12 August 2014
 - Comments remain unchanged from 19 March 2014

Southern Gas Networks do not object to the application but have commented at various times during the application process to highlight to the developer that high-pressure mains are located in vicinity of development.

Health & Safety Executive 'does not advise, on safety grounds, against the granting of planning permission in this case.'

National Grid object to the application and raises the following concerns:

- Development has two Major Accident Hazard Pipelines located within development area as per an easement granted in the past; and
- Development has overhead line across the land supported by an easement.

Diocese of Rochester raises no objection to the application but highlight the following matters:

- Need for a place of worship to be provided on site for future residents;
- The diocese is exploring options for one of the proposed schools being a church school;
- The church would like to purchase a dwelling to allow for a residents ministry;

and

- Consideration should be given to the provision of burial space on site to cater for the ageing population.

Medway Countryside Forum object to the application and has commented as follows:

- 21 November 2011
 - Application should not be determined until after the Core Strategy process has been completed;
 - Loss of an Area of Local Landscape Importance and open protected space;
 - Site is of national importance for nightingales; and
 - No guarantee that any compensation would work.
- 10 May 2012
 - Continue to object to the application for the reasons given in November 2011;
 - Breeding birds masterplan is flawed and mitigation measures cannot be guaranteed. By the time people know if it is working or not it would be too late as the damage would have been done;
 - The phasing of the development does not work as the compensatory habitat must be functioning before the on-site habitat is lost;
 - On-site mitigation measures would be ineffective with such a large population;
 - Access management strategy is also flawed and new residents would cause pressure on neighbouring SSSI and off-site compensation habitat area; and
 - No corrections have been made with regards the survey work that has been undertaken
- 27 June 2012
 - Wish to repeat previous objections
 - The recent map produced by the RSPB shows the importance of the site for nightingales and any notion of trying to mitigate / compensate is absurd; and
 - Mitigation/compensation cannot be guaranteed.
- 28 June 2012 (copy of correspondence relating to Core Strategy)
 - Data produced by RSPB should be given full consideration;
 - Lodge Hill cannot achieve biodiversity gain;
 - Mitigation measures would not be effective;
 - Off-site compensation land would not be guaranteed to work; and
 - Government is not seeking large-scale development in the countryside.
- 24 October 2012
 - Continues to object strongly to the development; and
 - No amendments can overcome this objection.

- 9 April 2014
 - Application should not be processed in advance of an approved Local Plan;
 - Technical work on nightingales which took place as part of the Core Strategy has not been taken into account in the OPA;
 - OPA is not in line with the NPPF and should be refused, development can be avoided on the site and the OPA mixes the 'avoid, mitigate and then compensate' hierarchy into one.
 - PDL does not apply on sites of high environmental value;
 - Compensation land would not be functioning before the habitat was lost;
 - Loss of an Area of Local Landscape Importance and two areas of protected open space;
 - Concerns over deliverability of the NLC and its location;
 - NLC chosen due to MOD ownership rather than nightingale requirements and there are questions over long term guarantees due to operational requirements by MOD;
 - Size of NCL is significantly lower than the technical workshops found;
 - Ultimately would lead to loss of nightingales;
 - Should be emphasising the ecological value of the area; and
 - Traffic impacts.

- 15 May 2014
 - Comments made regarding the concerns raised regarding surveys from other ecological groups; and
 - Surveys should be adequate to ensure all parties know the ecological context of the development and appropriate mitigation.

- 2 June 2014
 - Comments on the comments made by ecology groups on the wetland bird survey;
 - Greater certainty is needed over the location of the compensation land and its impact;
 - Size of the nightingale compensation is insufficient;
 - Concerns remain with regard to survey information; and
 - 2014 nightingale surveys continued to show nightingales present.

- 11 August 2014
 - Lack of certainty over location of compensation land;
 - Lack of information on the impact of the compensation land on protected areas or the view of the local authority in Essex;
 - Essex site is not within the nightingale UK core area or within the area of having a greater probability as discussed during the Core Strategy process;
 - Size of compensation land at 304ha is below the amounts discussed in previous technical meetings; and
 - Time lag means the compensation land would not be functioning at the time of the loss of habitat on site.

Buglife object to the application and has commented as follows:

- 1 February 2012
 - Inadequate and poor quality invertebrate survey work;
 - Inadequate information on Open Mosaic Habitat Previously Developed Land (OMH); and
 - Inadequate and ill-informed mitigation proposals.

- 13 July 2012
 - Maintain objection.

- 15 April 2014
 - Large loss of a SSSI and there is insufficient justification for its loss;
 - Site is of high value for invertebrates;
 - Poor information submitted in the environmental statement and so it is not possible to evaluate the impact of the development on rare and endangered invertebrates;
 - Surveys undertaken at the site were sub-standard;
 - Local authorities must comply with S28G of the Wildlife and Countryside Act 1981; and
 - Application does not meet the tests of the NPPF in that it has not been demonstrated that the development can be avoided.

- 13 August 2014
 - Repeat objections made on 15 April 2014;
 - Inadequate invertebrate information and inadequate assessment of the sites value for regional biodiversity;
 - Survey work undertaken does not follow best practice guidelines; and
 - Misleading analysis of the results and failure to properly apply the mitigation hierarchy.

Kent Wildlife Trust objects to the application and has commented as follows:

- 6 December 2011
 - Poor quality survey work – much of the survey work is of a lower standard than what we have come to expect from outline applications for even much smaller scale development, and information to inform an Appropriate Assessment appears to be completely lacking;
 - Inadequate and inappropriate mitigation – notwithstanding the problems with the survey work, the mitigation proposals fail to mitigate the stated impacts, and lack detail and certainty; and
 - Application fails to conform with relevant legislation and case law and local and National Planning Policy, namely the Habitat Regulations, the EIA Regulations, PPS9 and Local Plan policies BNE35, BNE37 and BNE39.

- 16 May 2012
 - Inadequate reptile surveys and further surveys are needed to assess the

impact of the development and the mitigation required. If planning permission is granted a condition should require surveys of the off-site mitigation area before reserved matters;

- Invertebrate survey work still falls short of best practice and excludes species considered extinct on site and this approach is flawed;
 - Site is nationally important for nightingales and the mitigation proposed is insufficient;
 - Further survey work is needed for Great Crested Newts;
 - Further information is needed on the importance of the site for bats;
 - Habitat compensation plans are flawed;
 - The Environmental Statement contains various errors and inconsistencies including the ways in which greenspace is proposed and calculated;
 - Off-site mitigation area is too small and the land use is in conflict with the aspirations for mitigation;
 - Inadequate time has been allowed for the mitigation area to be created;
 - Access management strategy lacks sufficient detail; and
 - Appropriate assessment has not used the survey data correctly.
- 31 August 2012
 - Invertebrate habitat assessment provides a useful overview of the areas for potential value for invertebrates;
 - Assessment reinforces the view the site has a greater potential for invertebrates;
 - No further work or reconsideration of impact or mitigation has been proposed or considered necessary;
 - Without further information the LPA cannot judge the adequacy of the mitigation and further information should be requested.
 - 15 April 2014
 - Destruction of a SSSI;
 - Application does not demonstrate benefits that Medway might see through the development of the site and alternatives should be assessed through the local plan process;
 - Site is of county importance for invertebrates and the assessment tool used is not appropriate;
 - Reptile survey continues to be inadequate
 - Work undertaken on nightingale compensation land at the Core strategy has been ignored;
 - Creation of nightingale compensation land is high risk; and
 - Re-use of previously development in the NPPF does not apply to the site due to its high environmental value.
 - 15 August 2014
 - Invertebrate report indicates that the site is of national significance which strengthens the case against development;
 - Continues to be uncertainty over where the nightingale compensation land would be located and until this is decided it is not possible to

determine there will be no significant impact upon the features for which the Natura 2000 sites are designated; and

- Significant coverage gap in the survey work, which is not consistent with the Natural England guidance;

English Heritage raises no objection subject to the imposition of various conditions. The following comments have been made:

- 19 December 2011
 - Most of the site will need to be managed as an undesignated heritage asset under PPS5;
 - The indicative masterplan provides for the creation of a new settlement that is reflective of the older military site that it succeeds;
 - Historic structures should be retained or re-used and where demolition is the only option then recording should take place; and
 - Sustainable future is needed for the WWI period anti aircraft site and this should be informed by a conservation management plan.
- 9 July 2012
 - WWI anti aircraft battery now been designated as a scheduled ancient monument and conditions need to reflect this and other designated and non-designated heritage assets.
- 25 March 2012
 - Do not wish to fundamentally change the advice given in 2011;
 - The advice in the NPPF has been appropriately applied to the development;
 - The effect on the heritage assets has been thought through and harm to them or their setting would not be substantial;
 - Any harm would be outweighed by public benefits including securing a sustainable future for the WWI anti aircraft site; and
 - Historic environment must be understood when making habitat improvements at the nightingale compensation land.
- 21 May 2014
 - When more precise details of the nightingale compensation land are put forward it would be appropriate to consider the heritage environment;
 - Given the large amount of land that is potentially available it is probable that if further work was to identify any potential harm to heritage assets this could be avoided by careful selection of the land and the works needed.

Kent Police has reviewed the application from a crime prevention through environmental design perspective and has commented as follows:

- 29 November 2011
 - Objects to the application on the basis that a financial contribution is needed.

- 5 December 2011
 - Design & Access Statement does not demonstrate how crime prevention measures have been considered;
 - Development should follow the guidance in the 'safe places – the planning system and crime prevention' document;
 - It is recommended that the developer adopts principles as outlined under Secured by Design;
 - Highways proposals need to be carefully assessed together with alternative modes of public transport;
 - Vehicle parking should accord with the standards;
 - Publicly accessible space and routes for pedestrians and cyclists should benefit from natural surveillance;
 - Monitored and integrated CCTV should be installed;
 - A robust lighting scheme is needed;
 - Mixed use areas should ensure that the mix of uses is compatible;
 - Site security should be considered during the construction phase; and
 - The development should consider the content of the 'Safer Places: A Counter Terrorism Supplement and Protecting Crowded Place: Design and Technical Issues' document.

- 7 November 2012
 - Strategic Design Codes are relatively comprehensive;
 - Defensible space should be created by means of a set back from the pavement / roadways;
 - Vehicle parking should comply with the parking standards and any parking areas should be overlooked;
 - Rear access paths and alleyways should be avoided; and
 - Option of backing development onto the green grid should be removed.

- 25 March 2014
 - No objections to the principle of the development;
 - Replacement Planning Statement and Replacement Design & Access Statement contains sections on security and design and recognises the potential need for accommodation for the Police; and
 - Would welcome working with the development from a crime prevention through environmental design perspective.

- 28 May 2014
 - No further comments to make but wishes to reiterate the comments made on 29 November 2011 concerning a financial contribution.

- 30 July 2014
 - No further comments to make but wishes to reiterate the comments made on 29 November 2011 concerning a financial contribution.

- 12 August 2014
 - No additional comments to make

RSPB object to the application and have commented as follows:

- 13 December 2011
 - Survey work for birds, invertebrates, reptiles and bats done in support of the application is not robust and should be re-done to agreed standards;
 - The development site currently supports a nationally important population of nightingale, surrounding habitat and SSSI. This population is significant at both a Kent and national level;
 - If nightingale habitat is damaged or destroyed or subject to urbanisation effects that cannot be mitigated, it is very likely that this population will be lost or prejudiced. This is at a time when the UK population is in serious decline;
 - The ES is based on a flawed Breeding Bird Masterplan (ES app 5S) and Access Management Strategy (ES app 5T);
 - There will be significant effect on the nearby SPAs and RAMSAR sites through increased recreational disturbance and this needs to be subject of an appropriate assessment;
 - The mitigation and compensation measures proposed will not mitigate damage to the notified and designated sites, or un-protected scrub habitat; and
 - The site has not yet been allocated under the Core Strategy rendering the OPA premature.

- 11 May 2012
 - Strongly recommend that the results of the 2012 National Nightingale Survey are used as the best baseline data to assess nightingale numbers within and around the application site;
 - Use of these data will inform and therefore enable a proper assessment of the likely impacts of the proposed development, and ensure adequate design of mitigation and compensation measures required is proposed;
 - In addition the required mitigation and compensation measures should be based on a strategic assessment of nightingale habitat and occupancy within and around the application site and further afield;
 - The extent and quality of the compensatory habitat required should be calculated on the basis of direct loss of nightingale habitat within the development footprint, as well as an element to compensate for the indirect impacts on nightingales and their habitat within the zone of influence of the development that cannot be mitigated by other means; and
 - The ability to secure ecologically effective compensatory habitat for nightingale be assessed thoroughly.

- 26 March 2014
 - Chattenden Woods and Lodge Hill SSSI is unique and nationally important, if the development goes ahead it would represent one of the largest losses of SSSI ever, which would be a deeply damaging precedent;
 - The development fails the tests set out by the NPPF to protect wildlife, which has already been confirmed by an independent government

- inspector;
 - The NPPF makes clear that brownfield sites of high environmental value will not receive support for development; and
 - Employment and housing should be prioritised in alternative locations in accordance with the NPPF.
- 15 April 2014
 - The proposal does not comply with the tests and policies set out in the NPPF in relation to development on SSSIs;
 - Lack of certainty and security regarding how the proposed mitigation and compensation measures will be achieved and delivered. The majority of the proposed mitigation and compensation measures that are relied upon by the Applicants are outside of the red line boundary for the OPA and therefore do not form part of the OPA;
 - The OPA incorrectly relies on the classification of a significant proportion of the application site being considered to be 'previously developed land' (PDL);
 - The harm to the SSSI is far greater than predicated by the application as the overall assessment is flawed, the mitigation proposals are inadequate and the development would result in the permanent loss of nationally scarce natural grassland where mitigation are unfeasible and untested;
 - The assessment of visitor impacts on other nationally and internationally important designated sites that have the potential to be affected by increased recreational pressure from the proposal is flawed; and
 - The proposals for compensating for the loss of nightingale habitat are experimental and inadequate due to risk and uncertainty, insufficient size, time lag, doubts over success of habitat establishment and management, and a full appropriate assessment is needed unless it can be demonstrated that the NCL would not have a likely significant effect on the interest features of nearby protected sites.
 - 27 May 2014
 - Only part of the Shoeburyness areas has been surveyed for wintering wetland birds and so the report is of no or limited use if the NCL is finally located in an un-surveyed piece of land;
 - Non-wetland birds and breeding birds were not counted;
 - A single season of data is adequate;
 - The survey effort prejudices the results;
 - There are gaps in the survey periods;
 - Inadequate time of the surveys
 - Aspects of the methodology are unclear;
 - Not all roosts identified or surveyed; and
 - Due to the weaknesses of the report it is of limited value
 - 19 August 2014
 - Letter should be read alongside letters dated 15 April 2014 and 27 May 2014;
 - It is not possible to conclude from the assessment provided, that the

NCL proposals will not have a likely significant effect on the European and Ramsar sites in questions, either alone or in combination with other plans or projects;

- An appropriate assessment is therefore required and the presumption in favour of sustainable development in the NPPF does not apply;
- The shadow assessment fails to demonstrate a lack of likely significant effects on the European and Ramsar sites and their species but as the Lodge Hill application fails to comply with the NPPF consideration of the assessment is irrelevant
- The RSPB has then gone onto comment on the scope of the assessment and the source and interpretation of data; and
- Size of the NCL is not sufficient and its location is not clear.

Kent Bat Group object to the application and have raised the following concerns:

- Population decline of high magnitude;
- Any mitigation will take many years, if ever, to achieve the biomass and diversity on site, which is particularly difficult on agricultural land;
- The report is inadequate in terms of its detail; and
- If the development were to go ahead further surveys and a comprehensive set of conditions securing mitigation and management will be needed.

Kent Reptile & Amphibian Group object to the application raising the following concerns:

- Failure to follow established procedures when undertaking the reptile survey work, resulting in a failure to identify population levels of protected reptile species on and around this site, with any degree of robustness; and
- Failure to draw up sustainable mitigation plans, likely to lead to the long terms eradication of the protected reptile and amphibian populations on and around this site.

Development Plan Policies

The Development plan for the area comprises of the Medway Local Plan 2003 and its saved policies, which were formally extended in 2007. The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework 2012 (NPPF) and a large part of the Local Plan is generally considered to be in compliance. In areas where there is partial conformity weight can still be attached to the Local Plan policies as long as they are read and interpreted in the context of the relevant parts of the NPPF as is detailed in this report.

The Developer Contributions Guide 2014 is a relevant Supplementary Planning Document (SPD). The Planning Policy Guidance (PPG), the Medway Housing Design Standards 2011 and the Medway Landscape Character Assessment 2011 are also

material considerations.

Background and Core Strategy

Lodge Hill was the only strategic allocation in the Medway Core Strategy 2012 (submission draft). The allocation was in relation to a freestanding new settlement. However following the designation of the majority of the site as a Site of Special Scientific Interest (SSSI) the council withdrew this document in November 2013 and so the policies are not being used in the determination of this application. The Council have also previously produced and consulted on the Lodge Hill Development Brief 2011, however this document was also written prior to the site being designated as a SSSI. As such much of the content of the document is now out of date and so it has not been considered in the determination of this planning application.

During the Core Strategy process correspondence was received from various parties and the planning inspector regarding the development including, development needs, ecology impacts and compensation issues. Correspondence was received in letter dated 21 June 2013 where the inspector stated the following:

Paragraph 152 of the Framework advises that significant adverse impacts on any of the dimensions of sustainable development should be avoided by, wherever possible, pursuing alternative options. Development at Lodge Hill would have a significant adverse impact on the SSSI and the Framework's objective of halting the overall decline in biodiversity. For the reasons given above, I am not convinced that there are no reasonable alternatives to the proposed development at Lodge Hill. The Framework only requires mitigation and compensation measures to be considered where adverse impacts are unavoidable. However, in considering the balance to be struck between all the dimensions of sustainable development I am not persuaded that the social and economic benefits that would flow from development on this site would outweigh the harm to the site of national importance for biodiversity.

It should be noted that planning application processes are different from plan-making processes. The NPPF makes a clear distinction between strategic planning and the development management processes. However since the withdrawal of the Core Strategy a replacement suite of documents have now been submitted. These documents include a Development Needs Assessment Report outlining the economic and social aspects of the development, together with matters of housing land supply and alternatives. It also includes a detailed assessment of the proposed development against the 'avoid, mitigate, compensate' hierarchy set out within the NPPF. Furthermore a compensation package has been submitted with regard to ecological matters and particular reference should be made to the nightingale compensation land (NLC). As such consideration of this planning application is being made against a much wider and more detailed suite of information than was available at the Core Strategy hearings.

Planning Appraisal

Departure and Referral

In accordance with Section 38(6) of the Planning & Compulsory Purchase Act 2004

the determination of an application for planning permission must be made in accordance with the Development Plan unless material considerations indicate otherwise. The Council's Development Plan consists of saved policies within the Medway Local Plan 2003. In considering the application, account has to be taken of the available environmental information including the Replacement Environmental Impact Assessment, the National Planning Policy Framework and the Development Plan, the documentation accompanying the application and all material representations made including the views of statutory and non-statutory consultees.

The application site is subject to policy S14 in the Medway Local Plan 2003, which identifies the long term potential for residential, business and educational uses and the need to examine this in the next review of the Local Plan. The site is located outside of the urban boundary of Medway and so falls within the countryside. Furthermore significant elements of the site are also designated as an Area of Local Landscape Importance under policy BNE34 and the parameter plans submitted with the application show some development in these areas. The development is therefore not wholly in accordance with the Development Plan. As such, and given the extent of the potential retail, leisure and office uses and the location of the site in an out of town centre location, a resolution to approve the application would need to be referred to the Secretary of State for Communities and Local Government.

Environmental Statement

In considering the application, account has to be taken of the environmental information including the Replacement Environmental Impact Assessment, the National Planning Policy Framework and the Development Plan, the documentation accompanying the application and all material representations made including the views of statutory and non-statutory consultees.

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 require certain projects to be assessed to establish whether they would have any significant effect on the environment. If so, the Local Planning Authority (LPA) must ensure the applicant carries out an assessment and submits a report that identifies, describes and assesses the effects that the project is likely to have on the environment. An Environmental Impact Assessment (EIA) has been undertaken for this proposal and a Replacement Environmental Statement has been submitted with this application. Furthermore an 'Updated Invertebrate Survey' and 'Assessment of Likely Significant Effects – Proposed Nightingale Compensation Land at Shoeburyness and Foulness' have been submitted as additional information. The consideration of this application takes full account of the contents of the submitted Replacement Environmental Statement and the supplementary Environmental Information.

Policy Background and Key Issues

At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 14 of the NPPF states that *'for decision taking, unless material considerations indicate otherwise, this means:*

- *Approving development proposals that accord with the development plan*

without delay; and

- *Where development plans are absent, silent or relevant policies are out-of-date:*
 - *Granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *Specific policies in this Framework indicate development should be restricted.'*

Paragraph 119 of the NPPF states that the presumption in favour of sustainable development as outlined in paragraph 14 does not apply where development requires an appropriate assessment under the Birds or Habitats Directive. As outlined later in this report the consideration of the proposals under the Habitat Regulations has screened out the need for an appropriate assessment at Lodge Hill and the Nightingale Compensation Land.

The NPPF, however, does not change the statutory status of the Development Plan as a starting point for decision-making. Proposed development that accords with an up-to-date Development Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

The Council's development strategy is set out in policies S1 and S2, which provide context for understanding the Lodge Hill proposal. Policy S1 prioritises re-investment in urban areas with focus on the riverside areas with an integration of land use and transport. Strategic economic development is provided for within the urban area and at Kingsnorth and Grain. Long-term protection is afforded to areas of international, national or other strategic importance for nature conservation, landscape and also for the historic built environment including Chatham Dockyard and associated sites and fortifications. Policy S2 then goes to cover the implementation of policy S1 focusing on environmental quality, design standards, sustainability and a sequential approach to development that are major attractors of people and traffic.

As the site is not located within the urban area consideration should be given to the countryside protection policies. The NPPF advises at Paragraph 55 that *"...to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:*

- *The essential need for a rural worker to live permanently at or near their place of work in the countryside; or*
- *Where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or*
- *Where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or*

- *The exceptional quality or innovative nature of the design of the dwelling."*

The NPPF approach, as set out above, is reflective of the Council's existing countryside restraint policy, as set out in policy BNE25 of the Medway Local Plan 2003, which seeks to ensure development maintains, and wherever possible enhances, the character, amenity and functioning of the countryside and;

- Is proposed on a site allocated for that use; or
- Relates to development essentially demanding a countryside location (such as agriculture, forestry, outdoor or informal recreation); or
- Related to the re-use or adaptation of an existing building that is, and would continue to be, in keeping with its surroundings in accordance with Policy BNE27; or
- Related to a re-use or redevelopment of the existing built-up area of a redundant institutional complex or other developed land in lawful use; or
- Related to the rebuilding of, or modest extension or annex to, a dwelling; or
- Related to a public or institutional use for which the countryside location is justified and which does not result in volumes of traffic that would damage rural amenity.

As site lies outside of the urban area of any town or settlement, as identified in the Medway Local Plan 2003, and is located in the open countryside the site is subject to the above mentioned rural restraint policies, where there are very clear policy constraints in regard to replacement or additional dwellings in the countryside. However policies S1 and S2 of the Local Plan provide supporting text and a reasoned justification for Lodge Hill.

"Beyond the Plan's end-date the Chattenden area will be critical to meeting development requirements. The precise form of the development will be considered in the First Review of the Plan" (para.2.4.2)

Policy S14: Ministry of Defence Estate Chattenden relates directly to the application site.

"The Council will not permit the piecemeal redevelopment of Chattenden Barracks and military training areas during the lifetime of this plan."

The site has long term development potential for business, educational and/or residential use sand this will be considered in the next review of the Medway local plan"

The proposal is for the comprehensive mixed-use redevelopment of the site and therefore meets the main aim of the policy.

There was a clear intention in 2003 to prepare a long-term development strategy, which included large-scale development at Chattenden. However, it is noted that this commitment was made at a time prior to the designation of the Lodge Hill site as an SSSI. This change of circumstances means that there is now an inherent conflict in the application of policies for the Lodge Hill area. In the context of the NPPF this is:

- Planning positively to build a strong economy, meet community social needs including housing which the proposal achieves in large measure; and
- Protecting and enhancing the natural environment where the proposal is to provide a range of measures to mitigate and compensate for the inevitable impacts of developing within the recently designated SSSI.

The NPPF deals with the potential for this type of conflict in paragraph 118. In essence:

- Where proposed development within an SSSI is likely to have an adverse effect on the SSSI it should not normally be permitted. An exception should only be made where the benefits at this site clearly outweigh the impacts that it is likely to have on the features of the site that make it an SSSI and;
- Can the harm by the development on the SSSI be avoided through locating on an alternative site?
- Can the harm by the development on the SSSI be avoided within the site or mitigated or compensated.

It is important therefore to consider the benefits of the proposal and also whether the benefits can be achieved on an alternative site. The submitted 'Developments Needs Assessment Report' considers the "benefits" of the development proposal as "identified social and economic development needs".

Loss of Agricultural Land

The NPPF highlights in paragraph 112 the need to consider the economic and other benefits of the best and most versatile agricultural land and encourages the development of poorer grade land over higher quality land. The agricultural land within the application site is primarily Grade 3 except for 1ha falling into a Grade 1 classification. As such the development would not result in the significant loss of higher grade land and the economic and social elements of the scheme are discussed below.

Development Needs Analysis

The importance of the Lodge Hill proposal has to be assessed in the contexts of the Thames Gateway, North Kent and Medway.

North Kent and Thames Gateway

The NPPF encourages local planning authorities to work collaboratively with other bodies to ensure that strategic priorities across local boundaries are co-ordinated and reflected in individual local plans. In North Kent the Thames Gateway and Kent Partnership help to meet this need. Their 'Plan for Growth 2014 – 20' was published in June 2014 and sets out objectives to meet the areas growth requirements. The Lodge Hill proposal features as an important proposal in this document:

“Lodge Hill, Chattenden. This is the only proposed freestanding new settlement in the Thames Gateway, and occupies former military land on the Hoo Peninsular. The development would provide up to 5,000 new homes and a similar number of new jobs in 44,100m2 mixed commercial space with associated health, education, retail, hotel and other community facilities”

Also the South East LEPs Growth Deal and Strategic Economic Plan 2014, published in March this year is an agreement with Government. Linked with its six-year investment plan, Kent and Medway Economic Partnership makes ten commitments and asks Government to work with it and Natural England with regard to the stalled development of the major new community at Lodge Hill.

The Kent and Medway Economic Partnership Board is chaired by the private sector and is made up of twenty-one members, eleven business representatives, eight local authority leaders and one representative from higher and further education. The board has sought to ensure that there is a balanced representation of businesses and local authorities, reflecting Kent and Medway’s geography and the diversity of its business base.

The role of the KMEP can be summarised as being to: -

- Approve, drive forward and monitor a strategic economic plan for Kent and Medway;
- Consider strategic economic investment priorities through funds such as the Single Local Growth Fund, European structural and investment funds and other public funding sources that may become available;
- Determine and monitor the use of all funding devolved from the South East Local Enterprise Partnership to Kent and Medway;
- Act as the commissioning body for projects and programmes in Kent and Medway funded through the Single Local Growth Fund and the European Structural and Investment Funds;
- Consider and develop responses to new economic opportunities and challenges in Kent and Medway; and
- Ensure a strong voice for Kent and Medway business and government at national and regional level, including through the South East LEP.

Lodge Hill is an important component in meeting the LEP’s housing and economic development targets.

Medway Area

A key economic indicator is Gross Value Added (GVA). GVA per head in Medway remains relatively low compared to Kent and the South East. Medway’s GVA per head in 2011 was £13,946, compared to £17,322 in Kent and £22,369 for the South East. The gap between Medway and Kent GVA per head has increased over the ten years 2001 to 2011, from 16.7% to 24.2%. Medway’s unemployment rate in 2013 was 9.4%, compared to 7.4% in Kent and 5.7% in the South East. The national rate was 8.0%.

In the period 2002 to 2011 the number of jobs in the Medway area declined by 8.6%

(9,000 jobs). This compares with a rise in Kent (3.1%), South East (1.7%) and Great Britain (4.7 %). The percentage of people aged 16-64 with NVQ Level 4 qualifications and higher was 23.5% in 2012, compared to 29.6% in Kent and 36.8% in the South East. In 2011 almost one third of the resident employed population of Medway commuted elsewhere to work. This is higher than neighbouring local authorities and a stark contrast with Ashford 2% and Maidstone 6.3%. The travel to work patterns undermine, sustainability aims adding extensively to the use of fossil fuels. It also has indirect impacts such as leaking retail expenditure making it more difficult to encourage new investment in Medway's town centres.

These indicators demonstrate that Medway is performing poorly in national, regional and local contexts. The GVA analysis also suggests that matters are getting relatively worse as other parts of Kent improve. Medway has made considerable strides towards improving the economic potential of the area in recent years by establishing a strong university and higher education base. However, if the opportunities that this has provided are to be exploited then the area needs to radically improve the nature of its employment land offer in order to meet the Councils aim of attracting higher value industries in accordance with its Economic Development Strategy and the wider priorities of the Thames Gateway.

A considerable number of jobs would be created during the construction process, which according to the phasing the scheme submitted with the Replacement Environmental Statement could last around 17 years. In order to monitor the level of local employment that would result from the development an obligation is recommended to require a local training skills and brokerage strategy to be submitted with regular reporting to the Council.

The NPPF identifies the first dimension of the sustainable development as economic – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and identifying and coordinating development requirements, including the provision of infrastructure.

The proposal includes substantial economic benefits, which are important to Medway and the region as a whole. It also brings much needed service improvements to communities in the Hoo Peninsula. The proposal aims to create approximately 4,730 new jobs (full time equivalent). This is across a range of different industries as shown below:

Sector	Jobs (Full Time Equivalent)
Retail	210
Food and Drink	20
Office and Business	2,980
Workshop / Creative	240
Hotels	100
Nursing / Healthcare	90
Education	320
Other Community	20
Working from Home	750
Total	4,730

A proportion of these jobs are likely to be created simply to support the need/demand created by the increasing population. It is likely that they could be created on equivalent sites of this scale and many would be created across the area if the same level of housing were provided across a number of sites. For example an increase in population will generate a demand for certain service industries, such as for food shopping or for school places.

An important part of the Lodge Hill proposal is to create a new high quality environment, unique in Medway and to promote opportunities for high value industries. The offer is through two business parks: The Deangate Knowledge Park and the Chattenden Knowledge Park. The Deangate Park is of a higher density and with a lower parking ratio than typical edge of settlement business parks. This is deliberate and its distinctiveness is regarded by the applicant as a positive feature of the sustainable proposal. The Chattenden Knowledge Park is more visible from outside of the site and closer to the main road network but it is small in area (2.2 hectares) compared with other Research and Development or scientific operations. However, the mix of the proposed development as a whole including the new town centre, hotel, improved golf course and recreation facilities set in the high quality of landscape/townscape is conducive to attracting higher value industries.

The scale of the development also provides a critical mass, which will be critical to promote the economic development offer as a step change for the Medway area. The Lodge Hill offer should provide a good opportunity to enable Medway to compete with other high quality purpose built business park locations in the wider M2/M25 market area. This creates an opportunity for the applicant and the Council to work with higher education providers to develop the industries that are identified as growth sectors in the Council's Economic Development Strategy and develop the potential of the universities.

The Lodge Hill proposal will create a new place with an environment of its own and this will offer the best opportunity for Medway to attract new higher value industries to the area and maximise the potential of the recently established universities. The capability of the site to attract high value industries and maximise the benefits of Medway's new universities is a compelling reason for allowing the redevelopment of the high value biodiversity site. However, it is necessary to demonstrate that alternative sites cannot meet these needs, which is outlined below.

In considering housing and community benefits there is a need to examine support of strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being. The aim is to meet the needs of the residents of the new settlement and also address current shortfalls of provision across the Hoo Peninsula as a whole. The mixed-use proposal also provides a high quality offer in terms meeting community social needs as shown in the table below:

Need	Provision
Homes	Up to 5,000 new homes, including 25.4% affordable housing on site including 120 extra care units, together

	with first time buyer assisted units, commuted sum and 120 specialist homes for the elderly
Children	Three new primary schools, which could include the extension of Chattenden Primary School with all schools to have pre-school provision for 3 and 4 year olds A secondary school A childrens centre and special education needs facilities.
Health	A health centre up to 6 GPS, dental surgery and physiotherapy etc.
Sports	Sports facilities at the secondary school including sports hall, three multi use games areas, two senior football pitches and hard play areas and also improvements to Deangate Ridge Sports Centre
Public	Public open spaces including formal and informal areas for leisure and recreation

Mixed-use developments have been a key principle of planning policy for sometime. The NPPF recognises that the supply of new homes can sometimes be best achieved through planning for larger scale development such as new settlements or extensions to existing villages and towns that follow the principles of Garden Cities (paragraph 52). This follows the content of PPS1 that also highlighted the mix of uses and quantum as being key to place making and PPS6 that identified the benefits of new freestanding settlements. The governments extant planning policy statement on Eco-towns was published as a supplement to PPS1 in 2009 and with it was guidance on how such towns could be delivered. This guidance states that such development should: -

'have the functional characteristics of a new settlement, that is to be of sufficient size and have the necessary services to establish their own character and identity and so have the critical mass necessary to be capable of self-containment whilst delivering much higher standards of sustainability.'

The Lodge Hill proposal is of this scale that demonstrates considerable sustainability benefits with a good mix of residential development (C3), uses and services, most notably a secondary school, together with considered transport services.

Housing Land Supply

Through the NPPF the Government expects local planning authorities to significantly boost the supply of housing. The starting point is for councils to identify the level of objectively assessed needs for housing in their housing market area. Up until recently the allocation in Medway was for 815 homes to meet local housing needs. This was determined through the South East Plan, and restated in the draft Core Strategy. With the revocation of the South East Plan, this policy basis does not meet the requirements of the NPPF.

The Council is undertaking a comprehensive assessment of housing and economic needs to satisfy the full demands of the new requirements. The timing of this work

ensures that the analysis can include key data on migration and travel to work from the 2011 Census that are scheduled to be released in later in 2014 and in 2015. The complexity and scope of the work and the timing of the data releases indicate that the assessment will be concluded in Spring 2015. The findings will be used to inform the development allocations to be made in the replacement Local Plan.

In the meantime and as an interim measure the Council has adopted a new target level of homes of 1,000 homes per year (Cabinet approval in July 2014) and this provides for a current objectively assessed position statement. This provides a basis for calculating land supply pending the publication of the findings of the comprehensive development needs assessment. This is seen as an important step in addressing the need to comply with Government policy. The Position Statement revises the target level for dwelling completions to 1,000 dwellings per annum. Currently there are 6,663 units with planning permission equating to a 6.6-year supply. As part of the current work being undertaken the phasing and delivery of the schemes with planning permission is being assessed and this will be reflected in the Authority Monitoring Report (AMR) published in December.

Based on the information in the application Lodge Hill would make an important contribution to the overall housing need during the plan period and the 5-year land supply requirement. The scheme is estimate to deliver 1000 homes during years 3 – 4 (based on the applicants own delivery figures). It should also be noted that the provision of housing is necessary to provide the infrastructure requirements necessary to deliver the Lodge Hill employment opportunities.

The Medway Local Plan Policy S6 (Planning Obligations) makes provision for planning conditions and agreements with developers to ensure that new infrastructure, facilities and environmental mitigation and compensation measures (where mitigation is impossible or inadequate on its own) are provided where necessary. Environmental mitigation measures will be made on site where this can reasonably be done but where this is not possible contributions will be required for off-site provision. The applicant is prepared to enter into a comprehensive S106 agreement, which meet requirements as outlined later in this report.

Public Sector Land Disposal

The Government is committed to release public land to deliver new homes by disposing of assets from its major landholding departments. Lodge Hill is a good example of how the policy could be met.

Appraisal of Alternative Sites

Having established the positive economic, social and community benefits of the proposal it is necessary to consider whether the benefits can be achieved by the development of an alternative site or combination of sites. In this respect the applicant has submitted a Development Needs and Alternatives Report (DNAR) examining other potential sites based on groups of sites that were submitted to the Council as part of the Strategic Housing Land Availability Survey 2010. The groups of sites fall in to distinct areas, which the applicant has then assessed to see whether the locations can be expanded to a comparable size to the Lodge Hill proposal.

Independently, in late 2013, the Council undertook its own alternative sites assessment, as part of work for the Core Strategy Examination, which focused on previous SLAA sites and also provided for the possibility of those sites being extended. More recently as part of the preparation for the emerging Local Plan a further “call for sites” exercise was undertaken. This has introduced a limited number of significant variations on the earlier evidence.

Submissions have been made proposing substantial areas of housing land at:

- Extended Hoo - Land to north and south of Main Road, east of Hoo and a mixed use area at Chattenden north of A228
- East of Rainham – Land to the north and south of the A2 around Moor Street and Meresborough
- The Darland area at the northern part of the Capstone Valley together with Gibraltar Farm to the south (it should be noted that the response to the call for sites for land to the south of Capstone Valley Country Park is very limited);
- Brompton Farm Road
- Hogmarsh Valley
- Cliffe and Cliffe Woods
- North Rainham – Land to the south of Lower Rainham Road, which includes a mixed use area

Applicants Alternative Site Options

Broad location as described in the DNAR	SHLAA Large Sites	Quantum of Employment Floorspace in Original Proposal
Expanded Hoo	Over 10 dispersed sites – Hoo, Cliffe Woods & High Halstow	Negligible in SLAA
Capstone Urban Extension	783 (residential), 784 to 786 (mixed commercial)	c. 25 ha
Land North of Rainham	Over 10 sites between A2 and Lower Rainham Road	Negligible in SLAA
Land East of Rainham	4 sites North and South of Moor Street c 20ha (mixed)	
Rochester Airfield and Surrounds	Sites 773 and 840, combined with wider Rochester Airfield area	c. 10ha (additional to baseline floorspace)

Land North of Brompton Farm Road	2 sites	Negligible in SLAA
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The applicant's assessment is structured around the following questions:

1. Is the site in the M2 Access sub-area?
2. Could the site/s provide a minimum of 40,000sqm medium to high-density employment floorspace?
3. What would be the likely types of commercial use (if any) that the site could support?
4. Could it effect a transformation in respect of Medway's economic status and market participation and secure inward investment?
5. Are there significant infrastructure or environmental barriers to development of the site/s? This includes high-level estimates of transport infrastructure costs. As a guide it is estimated that the costs for off-site highways works are likely to be in the range of £15 to £25 million for Lodge Hill.
6. Could the site/s deliver c. 5,000 homes?
7. Could the site/s deliver community infrastructure, and in particular secondary school provision to support its needs, alongside housing and employment uses?
8. Could the site/s be planned/delivered in a coherent way, integrating uses to maximise sustainability and additional benefits?

Summary of Applicants Assessment of Alternative Site Options

Broad Location Options	M2 Access and Business Space Capacity	Transformational Potential	Residential & Community Facilities Capacity	Integration & Deliverability
Lodge Hill (325 hectares)	Excellent motorway access via A289. Minimum 44,200sqm of business space with capacity for additional.	Capacity as new 'standalone' location to develop new brand, integrated with high quality other uses.	Capacity for up to 5,000 homes and planned range of community facilities, integrated with wider network on Hoo Peninsular.	Planned as an integrated whole. Under single ownership. Identified and costed infrastructure requirements, and very good 'base' road access. The applicant has

				committed to progress reserved matters within months of the grant of the planning permission.
Extended Hoo (248 hectares)	Excellent motorway access via A289. No large-scale commercial proposed. Possible business sites but stand alone and unlikely to be delivered.	Incremental development.	Capacity for significantly fewer than 5,000 homes on identified sites. Potential physical capacity around A289. Provision of appropriate infrastructure difficult on dispersed sites adjacent to already very large school.	Range of sites and site ownerships separated by major road infrastructure. Range of transport and utilities investment required.
Capstone Valley (438 hectares)	Adjacent to M2 but significant physical and capacity constraints on access from Greenfield sites to network. Significant physical capacity for business space.	Potential to provide 'new product' although likely, given location, to be motorway business park/distribution than relating to main Medway Towns and knowledge base.	Capacity for fewer than 5,000 homes on identified sites. Potential physical capacity on Greenfield sites adjacent to Country Park. Would need to provide most provision on site – significant separation from existing	Range of sites and site ownerships. Likely physical separation between residential and commercial elements. Very significant range of transport and utilities investment required.

			communities.	
North Rainham (210 hectares)	Part of site adjacent to A289 and access to Medway Tunnel / M2. Not promoted for B Class use, but sites to west with B class capacity albeit less than 40,000sqm.	Commercial sites would be adjacent to current Medway employment business therefore unlikely to provide transformation change in perception.	Capacity for fewer than 5,000 homes on identified sites. Potential physical capacity on Greenfield sites adjacent to Country Park and Flood Plain. Some adjacent community provision but major capacity constraints.	Range of sites and site ownerships. Likely physical separation between residential and commercial elements. Very significant transport investment required including 'dualing' of existing road on third party land.
East Rainham (259 hectares)	Poor M2 access, constrained by single lane part of A2. This would also constrain any B Class offer.	Effectively extension of existing 'edge' of Medway, limiting ability to create new 'perception'.	Capacity for fewer than 5,000 homes on identified sites. Potential physical capacity on Greenfield sites. Some adjacent community provision but major capacity constraints.	Range of sites and site ownerships. Very significant transport investment required including 'dualing' of existing road on third party land.
Rochester Airfield	Excellent M2 access, good business base.	Provides high quality floorspace, although already providing for existing 'need'.	No residential capacity.	Subject to a masterplan but no residential capacity.
North of Brompton Farm	Good M2 location but requires	Given location potential to create new offer/image.	Residential capacity below 4,000	Located in metropolitan green belt.

Road (172 hectares)	major investment to secure physical access. Potential business space capacity although constrained site so in part at expense of residential, and not promoted for this use.		if business space delivered. Scale of development reduced ability to provide efficient mitigation (e.g. secondary school) on site.	Range of sites and ownerships. Crosses Medway and Gravesham boundary, majority in Gravesham. Not in Gravesham Local Plan. Very significant transport investment required.
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As part of the consideration of the application the Council has reviewed the submission and commented as follows on the alternative site options:

Alternative Site Option	Description
Option 1 Lodge Hill (325 ha)	The planning application site.
Option 2: Hoo and Expanded Hoo (249 hectares) and additional: 75ha (housing) North of Hoo; and 50ha (housing) South of Hoo	<p>This option reflects the fact that a number of landowners/developers proposed sites for development on the edge of each of the settlements referred to below.</p> <p>It would involve the further expansion at Hoo St. Werburgh to the west and at the nearby villages of High Halstow to the east and Cliffe Woods to the south. It would result in coalescence between the existing settlement at Chattenden and Hoo. It is based on the assumption that Hoo would provide a much greater range of urban services with the three settlements together forming a village cluster.</p> <p>Access would be from the A228 to Hoo, the B2000 to Cliffe Woods and Christmas Lane to High Halstow. There are no practical alternatives to these.</p> <p>A new employment area is shown next to the A228 and a new centre for Hoo to the</p>

	<p>west of the current settlement. Due to its relative remoteness a secondary centre is also shown as part of the southward extension to Cliffe Woods.</p> <p>The recent SLAA attracted proposals to extend Hoo further than originally considered in the Core Strategy including sites to the North and also to the South. Both proposals are essentially housing schemes and do little to consider the potential of extending the village as a sustainable settlement, although the northern site points to the possibility of mixed uses to the west of the Ratcliffe Highway.</p> <p>Less than 1km from Medway Estuary and Marshes Ramsar/SPA. Less than 2km from Thames Estuary and Marshes SPA. Less than 1km from 4 SSSI's, Chattenden Woods and Lodge Hill, Dalham Farm, Northwood Hill/High Halstow and Tower Hill to Cockham Wood.</p>
<p>Option 3: Capstone Valley (266 ha)</p>	<p>Proposals for a major urban extension into the Capstone Valley between Hempstead and Lordswood have been put forward by landowners/developers on a number of occasions in recent years. In relation to the Core Strategy clusters of sites were put forward in response to the Strategic Housing Land Availability Assessment, although these were more limited than previous proposals as part of the previous call for sites. The recent call for sites adds to the Darland area at the Eastern part of the Capstone Valley. It is noted that the response to the call for sites to the South of Capstone Valley Country Park is very limited;</p> <p>It should be noted that the administrative boundary with Maidstone Borough cuts across the southern part of the valley and proposals have also been advanced with that authority.</p> <p>The difficulties of achieving satisfactory access to such a large development in this location and the fact that the existing</p>

	<p>Hempstead Valley Shopping Centre is off-centre suggests that two centres would be necessary and with a main employment area being close to Junction 4.</p>
<p>Option 4: East Rainham (255 ha)</p>	<p>This option would involve development between the existing urban boundary and the administrative boundary with Swale Borough. It envisages the majority of any development area being to the south of the A.2 but with some development, around Moor Street, to the north.</p> <p>It partly reflects submissions from developers/landowners received in response to the call for sites associated with the SLAA but also land around Siloam Farm that was put forward previously.</p> <p>Access to this area is currently restricted to the A2, Mierscourt Road and a number of very narrow rural lanes. There is a longstanding problem at the Medway Services to the south where a service access is used as an alternative for accessing the M2 at Junction 4.</p> <p>Given these factors it is envisaged that any development would be concentrated close to the A2, notwithstanding that it has restricted capacity, particularly to the west. It is further assumed that the northern portion of any development would be drawn to Rainham for shopping and other services but that limitations here would also require the creation of a new centre within the development.</p> <p>Approximately 85% of the land is classified Grade 1 agricultural land.</p>
<p>Option 5: North Rainham (195ha)</p>	<p>This option envisages the release of land between the current urban boundary and the B2004 Lower Rainham Road. It would potentially extend from the Gillingham Link Road (A289) in the west to the</p>

	<p>administrative boundary with Swale in the east.</p> <p>As with the Capstone and East of Rainham options it reflects 'call for sites' submissions from developers/landowners and representations to previous development plan documents, including the Medway Local Plan and the Kent & Medway Structure Plan.</p> <p>Access to the south is severely restricted by single track crossings of the North Kent Rail Line and a single east west link – the B2004.</p> <p>The western part of the site is closest to a dual carriageway and so is envisaged as an employment focus. A new town centre is shown more centrally within the site.</p> <p>Approximately 80% of the land is classified Grade 1 agricultural land.</p>
<p>Option 6: Land North of Brompton Farm Road (174 hectares)</p>	<p>This option would extend across the administrative boundary between Medway and Gravesham, extending from Three Crutches (adjacent to M2 Junction 1) to Stonehorse Lane. It would be contained by the A289 Wainscott By-Pass to the north and existing development and the A2 to the south.</p> <p>Apart from straddling the administrative boundary (66 Hectares in Medway and 108 hectares in Gravesham) it is situated wholly within the Metropolitan Green Belt.</p> <p>It is put forward in this form having regard to the Duty to Cooperate with the associated potential for developments to be planned across boundaries.</p> <p>Two sections of the sites were put forward as part of the SLAA call for sites process.</p>

Option 7: Hogmarsh Valley (66 hectares)	<p>This is smaller than other options at 66 hectares. It adjoins the expanding urban area at Wainscott and extends northwards from Berwick Way to Upchat Road. A further area of mixed uses has been proposed to the south as part of the recent call for sites.</p> <p>It slopes down from west to east and a significant portion of the site is situated in the flood plain.</p>
Option 8: Dispersed Site (SLAA)	<p>It is not possible to geographically define this option, as an almost endless combination of sites would be feasible by selecting parts of each or some of the previous options described.</p>

Below is an assessment outlining which alternative site options meet the economic and social needs of the area.

	Strong Economy	Housing and Community Needs
Lodge Hill		

	<p>Well located to help realise Medway and Thames Gateway growth objectives.</p> <p>Strategically well placed in relation to dual carriageway network, to benefit from Lower Thames Crossing proposal and HS1 services via Strood.</p> <p>Attractive and standalone nature of the site presents potential to attract investment in its own right as well as complementing economic development more generally in Medway.</p> <p>Complementary to Chatham Town Centre and independent identity will be attractive to investors.</p> <p>Readily accessible from Medway campus in particular and high quality environment could attract satellite operations or spinoff commercial activities.</p> <p>Specific contact established with the universities.</p>	<p>Clear vision for a new settlement.</p> <p>Up to 5,000 new homes, including the equivalent of 30% affordable on a mixture of on and off site.</p> <p>Three new primary schools, one of which may be provided by an extension of Chattenden Primary School.</p> <p>A children's centre.</p> <p>A secondary school.</p> <p>A health centre for up to 6 General Practitioners, a dental surgery, physiotherapy etc.</p> <p>Sports facilities at the secondary school including sports hall, three multi games uses areas, two senior football pitches and hard play areas and also improvements to Deangate Ridge Sports Centre.</p> <p>Public open spaces including formal and informal areas for leisure and recreation.</p> <p>The proposal aims to meet the needs of new residents of Lodge Hill and also address the current</p>
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		<p>shortfalls of provision across the Hoo Peninsula as a whole.</p>
<p>Hoo and Extended Hoo</p>	<p>Well located to help realise Medway and Thames Gateway growth objectives.</p> <p>As a split site option it is inherently less accessible than Lodge Hill, with only Hoo benefiting from direct access to a dual carriageway.</p> <p>Accessibility broadly as for Lodge Hill but much more difficult to promote as a prestige opportunity that would attract university interest due to the separation of sites and accessibility.</p> <p>No economic functions identified by proponents and no obvious unique selling point. Better located to complement Grain and Kingsnorth employment sites than east of Medway options.</p>	<p>No vision - may be opportunities to improve existing facilities within Hoo but there is no promoter or any comprehensive approach.</p> <p>Deliverability is a matter of concern.</p> <p>Compared with the Lodge Hill proposal this falls a long way short of offering a sustainable settlement.</p>

<p>Capstone Valley Extended</p>	<p>Urban extension to existing main urban area but congested connections to Chatham Town Centre and therefore limited benefit to regeneration.</p> <p>If direct access to M2 is possible potential to become a high profile employment location but difficult to access mainline rail services effectively.</p> <p>If access is not feasible would be hard to promote as an economic development location at any level due to difficulties integrating with existing highway system. Poor physical relationship with universities.</p>	<p>Scope to improve access to job opportunities and new community facilities from neighbouring target communities in Luton & Wayfield. However, no coherent vision or any clear view on how or what can be delivered.</p> <p>Compared with the Lodge Hill proposal this falls a long way short of offering a sustainable settlement.</p>
<p>East of Rainham</p>	<p>Extension of the Medway urban area but not well connected to Chatham Town Centre. Difficult to access dual carriageway and motorway system and remote from a main town centre. Difficult to see therefore how it could be promoted as a way to fundamentally change economic development.</p>	<p>No vision</p> <p>Remote from neighbourhoods who would benefit from improved services.</p> <p>There is no promoter or any comprehensive approach.</p> <p>Compared with the Lodge Hill proposal it falls a long way short of offering a sustainable settlement.</p>

North Rainham	<p>Extension of the Medway urban area but currently poor connectivity to Chatham Town Centre. Better located to Medway campus than east Rainham but fewer commercial attributes than Lodge Hill. Land at western end adjacent to dual carriageway but land available less than with other strategic options limiting the potential to promote as a game changing location. Only marginally better than East of Rainham in respect of HS1 services.</p>	<p>No vision</p> <p>Adjacent to Twydall and accessible from North Gillingham (target neighbourhoods) but restricted size likely to limit potential benefits.</p> <p>There is no comprehensive approach.</p> <p>Compared with the Lodge Hill proposal the falls a long way short of offering a sustainable settlement.</p>
Land North of Brompton Farm Road	<p>Relatively distant from Chatham Town Centre and main regeneration sites with a potential closer relationship with Gravesend.</p> <p>Better located to complement Grain and Kingsnorth employment sites than east of Medway options.</p>	<p>No vision - Remote from majority of target neighbourhoods.</p>
Hogmarsh Valley	<p>Good access to Chatham Town Centre and Universities. Strategically well placed to benefit from Lower Thames crossing proposal and HS1 services via Strood. However restricted size suggests would</p>	<p>No vision</p> <p>Limited scale means it would certainly not be possible to offer the step change that a new and</p>

	<p>be very difficult to promote as a way to influence the image of the area and anyway very close to Medway City Estate.</p> <p>Better located to complement Grain and Kingsnorth employment sites than east of Medway options.</p>	<p>sustainable settlement would deliver. Unlikely to benefit target neighbourhoods.</p>
<p>Dispersed Sites</p>	<p>The employment use by its very nature requires a large single site and in order to provide capital investment in its infrastructure it is likely to require a substantial residential offer as part of the proposal. No alternatives have been advanced by any party.</p> <p>It would certainly not be possible to offer the step change that a new and sustainable settlement will provide and is required to support the desired economic development aims.</p>	<p>There is no evidence that this is viable. It would certainly not be possible to offer the step change that a new and sustainable settlement would deliver. Unlikely to benefit target neighbourhoods.</p>

In terms of meeting Medway's aims of developing a strong economy and creating major community improvements the Lodge Hill site offers significant advantages over the other known sites. The advantages include:

1. The proposal offers a clear vision of a sustainable settlement supported by evidence to demonstrate its deliverability; and
2. The proposal provides much better economic, social and community benefits than any of the alternative options; and
3. The scale of housing is important in assisting Medway boost significantly the supply of housing; and
4. A good location including better road access to Chatham and also the M2 than the eastern sites, this will help to realise Medway and Thames Gateway growth objectives; and
5. The scale of the proposal enables the provision of good public transport links to rail and to Chatham Town Centre; and
6. It is better related to the universities than most of the other sites; and

7. The scale of the development as a whole will enable early investment in the necessary infrastructure and early delivery of housing and employment opportunities; and

8. The development is of sufficient scale and quality to promote a new image and the step change in economic development that Medway aims to achieve; and

9. The proposal provides major benefits to rural communities on the Peninsula.

Summary

The Lodge Hill proposal provides very substantial economic benefits to the area. It aims to create around 5,000 new jobs and more importantly create a new environment for high value industries to develop. This will be unique in Medway helping to reduce out commuting and improved GVA and skills. Its scale and deliverability is important to achieving Medway and Thames Gateway growth objectives offering a complementary offer to Ebbsfleet.

The proposal also plays a vital role in meeting Medway's housing supply complementing the higher density housing in town centre and waterfront locations and addressing a need for improved community services on the Hoo Peninsula.

There is no evidence to support any alternative proposal for a new sustainable development. The alternative options are little more than amalgams of possible housing sites rather than coherent sustainable developments. There are no credible alternative proposals of the scale of Lodge Hill and no comparable proposals developed to a point where their deliverability can be tested.

The Applicant and the Council have independently examined ways in which alternative options might be brought forward but as has been shown they do not compare favourably with Lodge Hill from an economic, social or community perspective. They do not meet the regeneration aims of the Medway area or for the wider Thames Gateway area. For the reasons described above it is clear that there are no options that can deliver a credible and comparable offer to Lodge Hill.

Assessment of Alternatives – Replacement Environmental Statement

The Environmental Impact Assessment (EIA) regulations 2011 require that an Environmental Statement need only include 'an outline of the main alternatives studied by the applicant or appellant and an indication of the main reasons for his choice, taking account the environmental effects'. The consideration of alternative sites is therefore necessary in terms of the assessment of this outline planning application. However the regulations do not therefore require an exhaustive and in depth examination of all possibilities.

Case law, such as *Trusthouse Forte Hotels Ltd v Secretary of State for the Environment [1987] (53p&C.R. 293)* is helpful in establishing in this case the relevance of the availability and suitability of an alternative location for the proposed development and this case has been cited in recent Secretary of State decisions in

Cornwall and Nottinghamshire.

The Inspector in the Cornwall case states the following:

“Mr. Justice Simon Brown (as he was then) said in the Trusthouse Forte Hotel Ltd v Secretary of State for the Environment... the following principles apply when determining whether the consideration of alternatives is a material consideration to which the decision maker must have regard in a development control decision:

(1) The starting point is that land may be developed in any way, which is acceptable for planning purposes. The fact that that other land exists on which the development would be even more acceptable would not justify the refusal of planning permission; and

(2) However, where there are clear planning objections to development on a particular site it may be relevant and necessary to consider whether there is a more appropriate site elsewhere. This is particularly so when the development is bound to have adverse effects and the argument in support of the application is that the need for the development outweighs any planning disadvantages; and

(3) The approach of Lord Justice Oliver in Greater London Council v Secretary of State for the Environment (1986) 52 P. &C.R. 158 is helpful. He said the consideration of alternatives will generally be appropriate in cases having the following characteristics: “first of all, the presence of a clear public convenience, or advantage, in the proposal under consideration; secondly, the existence of inevitable adverse effects or disadvantages to the public or to some section of the public in the proposal; thirdly, the existence of an alternative site for the same project which would not have those effects, or would not have them to the same extent; and fourthly, a situation in which there can only be one permission granted for such development or at least only a very limited number of permissions”; and

(4) There may be cases where, even although they contain the characteristics referred to above, nevertheless it could be properly be regarded as unnecessary to go into questions of comparability. This would be so particularly if the environmental impact was relatively slight and the planning objections were not especially strong.”

The degree to which potential merits or demerits of alternative sites for the proposed development at Lodge Hill is a material consideration to the determination of this planning application is dependent on, broadly speaking, the economic and social infrastructure need (discussed in the previous section), the significance of any adverse effects and the likelihood of another site being available which would not have such adverse effects. The Replacement Environmental Statement acknowledges that the proposed development at Lodge Hill could result in some adverse effects. It is therefore necessary to consider whether there is an alternative site which would not have similar, other, or lesser, adverse effects.

The selection of sites involved a high-level study on publicly available web-based data sources and observations from aerial photographs. The study allowed for the identification of constraints and opportunities influencing the siting of the proposed development. To facilitate the comparison among the alternative site locations, a set of criteria was developed against each EIA topic. The criteria questions were based on

the NPPF and the Medway Strategic Land Availability Assessment 2013. The criteria for assessment are set out in the table below.

EIA Criteria	Selected Criterion	Justification
Ecology	Is the site/s within 1km of European designated sites? Is the site within / adjacent to site boundary of national designated site (NNR, SSSI, LNR)?	NPPF (paragraph 14 and 118)
Cultural Heritage	Is the site/s located in a Conservation Area and/or near designated heritage assets?	NPPF (paragraph 115)
Air Quality	Is the site/s in or near to an AQMA?	NPPF (paragraph 124)
Noise and Vibration	Are there any residential properties, schools, hospitals boundary adjacent to/within the site/s boundary?	NPPF (paragraph 123)
Water quality, Drainage and Flood Risk	Is the site/s located in Flood Zone 2 and/or 3?	NPPF (paragraph 14)
Geology and Contaminated Land	Is the site/s located on previously developed land?	NPPF (paragraph 17)
Transport and Access	Is the site/s located in an accessible location?	NPPF (paragraph 24)
Landscape and Visual	Is the site/s located in an AONB or within an Area of Local Landscape Interest?	NPPF (paragraph 115)
Community and Socio Economic	Could the site/s provide a minimum of 40,000 sqm medium to high-density employment floorspace? Could the site/s provide residential floorspace to meet the objectively assessed housing needs?	The Medway Strategic Land Availability Assessment (SLAA) - an individual site or group of sites would need to contribute over 10,000 sqm of employment floorspace in order to make any significant contribution to meeting development need, and would need to be closer to 40,000 sqm to

		<p>meet the objectively identified need.</p> <p>The site would also need to be able to deliver up to 5,000 homes. The provision of community infrastructure will be dependent on the amount of housing provision. There is therefore benefit in concentrating provision in a location that could be planned / delivered in a coherent way, integrating uses to maximise sustainability and additional benefits, and crucially which is viable and deliverable. In addition to an assessment of the quantum of employment and housing development that could be accommodated, there is the need to consider the quality and sustainability of the development created through the interaction of uses, however as this cannot be quantitatively assessed, this is considered in the qualitative discussion rather than in the main assessment below.</p>
<p>Waste management</p>	<p>Not considered.</p>	<p>It is anticipated that the amount of waste generated from the construction and operation of a potential development will not be determined by the</p>

		location of the site. (Professional judgement)
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As no design is available for the other alternative sites, the possible measures to mitigate or compensate for any impact cannot be considered. The applicants assessment is based on the assumption that all of the sites have a similar capacity to mitigate or compensate for any impact.

The alternative sites considered in the Replacement Environmental Statement are:

- Extended Hoo 249ha
- Capstone Valley 266ha
- North of Rainham 195ha
- East of Rainham 255ha
- North of Brompton Farm 174ha

Summary of the Findings

The applicant's assessment and summary of findings places the Lodge Hill site above all others firmly on the basis of its ability to deliver the Council's identified housing and employment need. There are a number of reasons the other sites are not suitable as set out in the Replacement Environmental Statement, but the main issues relate to the limited capacity of the alternative sites to deliver housing and/or employment as most of the sites have the potential to provide either residential or employment rather than a mix of both. Where there is the potential for a mix of housing and employment the sites would not be able to deliver the critical mass required to support key infrastructure. There are also significant access constraints in relation to at least three of the alternative sites, which would require significant transport investment.

Lodge Hill is the only site on previously developed land whereas the high level assessment shows that good quality agricultural land (Grade 1 and Grade 2) would be lost if any of the following sites were to be taken forward:

- Extended Hoo
- North of Rainham
- East of Rainham
- Land North of Brompton Farm

Conclusion on Consideration of Alternatives in the RES

The purpose of the assessment of alternatives is to test and validate the applicant's choice of site and to ensure that adequate consideration has been given to alternative sites in terms of environmental, economic, social and availability/deliverability criteria and to enable a conclusion to be reached as to whether there may be more appropriate alternatives.

The NPPF based criteria used for the assessment of the alternative sites is considered appropriate and allows for a reasonable comparison to be made of the potential

alternative sites. It is accepted that the Lodge Hill site is the only site that has the capacity to deliver the proposed development through which the Medway employment and housing needs can reasonably be met, and can be met in a sustainable format with effective access and infrastructure. It is therefore accepted that with the proposed SSSI mitigation and compensation measures as discussed below the site at Lodge Hill is the most appropriate for delivering the identified needs of Medway.

Taking the above matters into consideration with regard the review of development needs and alternative sites in the DNAR and Replacement Environmental Statement it is considered that the proposal meets the 'avoid' test as outlined in paragraph 118 of the NPPF. Consideration should therefore be given to the mitigation and compensation options for the site.

Ecology and Biodiversity

The application site covers approximately 325ha of land of which approximately 236ha is now designated as the Chattenden Woods and Lodge Hill Site of Special Scientific Interest (SSSI). The areas of the SSSI, which are located within the application boundary, consist of four main areas of ancient woodlands (totalling approximately 49ha), Rough Shaw (approximately 18ha), part of Chattenden Woods (approximately 3ha) and other habitats (totalling approximately 166ha). Approximately 115ha of Chattenden Woods and Lodge Hill SSSI is located outside of the application boundary, comprising the remaining areas of Chattenden Woods. The application site is also located close to internationally important sites. The Thames Estuary and Marshes and Medway Estuary and Marshes are international and European designated sites (RAMSAR and SPA) for their bird habitats. Most of these areas are located 2km from the site but the closest points are within 1.5km (Thames Estuary and Marshes) and 1.8km (Medway Estuary and Marshes). Local SSSIs are also located at Dalham Farm (0.65km from the site), Nothward Hill (1.2 km from the site) and Tower Hill to Cockham Wood (0.6 km from the site).

Under the Wildlife & Countryside Act 1981 section 28G requires Local Planning Authorities to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which a SSSI is of special interest when exercising its functions. Furthermore the Natural Environmental and Rural Communities Act 2006 in S40 requires every public authority, when exercising its functions, to have regard so far as is consistent with the proper exercise of those functions to the purpose of conserving biodiversity.

Policy BNE35 of the Medway Local Plan 2003 advises that development that would materially harm, directly or indirectly, the scientific or wildlife interest of, in this instance, a SSSI will not be permitted unless the development is connected with, or necessary to, the management of the site's wildlife interest. Development for which there is an overriding need will exceptionally be permitted if no reasonable alternative site is (or is likely to be) available. The overriding need will be judged against the national and/or international ecological importance of the affected nature conservation designation. In such exceptional circumstances, the detrimental impact upon the scientific or wildlife interest should be minimised and appropriate compensatory measures will be required. Furthermore, Policies BNE37 and BNE39 seek to protect important wildlife habitat and protected species and/or their habitat, whilst Policy

BNE38 seeks to make provision for wildlife habitats as part of a network of wildlife corridors or stepping-stones. These policies are broadly inline with the NPPF.

Paragraph 118 of the NPPF states that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- Proposed development on land within or outside a Site of Special Scientific Interest (SSSI) likely to have an adverse effect on a SSSI (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSI;
- Development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;
- Opportunities to incorporate biodiversity in and around development should be encouraged;
- Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss;
- The following wildlife sites should be given the same protection as European Sites:
 - Potential Special Protection Areas and possible Special Areas of Conservation;
 - Listed or proposed Ramsar sites, and
 - Sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

To establish the potential impact of the development on ecology and biodiversity in and around the application site and therefore consider the proposal against the development plan and NPPF it is firstly necessary to establish the baseline conditions.

Baseline Conditions

A desk study and surveys were undertaken to establish the baseline conditions. The desk study area was defined as the area encompassed within the application site boundary and all land within 2km of the perimeter of the site. The survey area for the extended Phase 1 habitat survey and further surveys comprised the application site, with the exception of the woodland National Vegetation Classification (NVC), breeding bird survey and dormice nest tube survey, which extended to include Chattenden Woods. Also the great crested newt (GCN) surveys included ponds that could be accessed within 50 metres of the application site boundary.

The Replacement Environmental Statement provides the most up-to-date information with regard to the methodologies and results of the desk study and surveys. The submission also includes pen portraits, which set out the qualifications and experience of all field surveyors. Further information has also been submitted in the Updated Invertebrate Survey. An assessment is given below as to whether the surveys undertaken to establish the baseline conditions are considered adequate to make an informed judgement of the impacts. This includes for whether the survey information is up-to-date, whether it follows best practice and if not, does this significantly affect the assessment of impacts, whether the surveys adequately support the impact assessment and recommendations and whether the recommendations/proposed mitigation/compensation likely to comply with legal protection of the species or species group.

The following table outlines a summary of the review of the survey reports submitted with the application.

Survey	Commentary / Assessment
Water Vole	All accessible water bodies were surveyed in 2010. This makes the surveys 3 years old at the time of the submission of the application. However, a survey of habitats in 2012 showed little change in habitats condition and as such the age of the survey is considered acceptable. The methodology of the survey has been clarified and agreed. No evidence of the presence of water vole has been found.
Badger	<p>Survey work is up to date (2013) and undertaken mostly within the peak season (February to April). Limitations of access to Rough Shaw (section E) of the site are recognised and discussed in the report. During the surveys 13 setts were identified.</p> <p>A programme of mitigation is proposed as one main sett and a number of outlier setts would be closed as a result of the development. It is recognised that sett closure would need to take place under a licence from Natural England. The exact compensation for lost setts is not clear and it would be expected that the main sett would need to be replaced with an artificial sett. A condition is therefore recommended requiring details of a mitigation scheme prior to commencement of development.</p>
Dormouse	Survey work is 2 years old (2011 – nest tubes), although nut searches were undertaken in 2009. Despite this and considering the limited change in habitat since 2011 it is considered that the survey timing is acceptable and in accordance with BS42020. The surveys followed survey guidelines in terms of

	<p>methods and effort. Nest material belonging to an unidentified species has been found in a number of tubes, and although the type of material used is atypical for dormice it has been judged that this is not evidence of dormice.</p> <p>There are no records for dormice within 2km based on the desk study in 2008. The National Biodiversity Network (NBN) Gateway shows just one location for dormouse on the Hoo Peninsula at Northwood Hill Nature Reserve.</p> <p>No evidence of the presence of dormouse has been found. Given the age of the survey data and the presence of good quality habitat a condition is recommended to require further surveys before the any development takes place and if appropriate details of a mitigation scheme should be submitted for approval.</p>
<p>Terrestrial Invertebrates</p>	<p>The Replacement Environmental Statement (RES) considers the 2013 survey data. Older historical surveys (1989 and 1995 are noted and described in the invertebrate masterplan). Further survey work was submitted in July 2014. The additional survey despite its limited extent has been undertaken by recognised experts and has provided some valuable additional information significantly increasing the number of invertebrate species recorded, including 29 species of conservation concern. These are made up of UK Biodiversity Action Plan priority species or species of Principal importance of the conservation of biodiversity in England, Red Data Book species, nationally scarce species and Kent BAP species.</p> <p>The surveys have identified areas of particular importance (such as the magazine compound) and discuss the relative value of the site for Aculeate Hymenoptera, Spiders, Bugs and Butterflies. The report highlights particular site features of value to invertebrates and concludes that overall the site remains of county value for invertebrates, despite the presence of an F1 assemblage of early successional habitats that the reports states “could be of national importance”.</p> <p>This conclusion appears to be based on the generally lower value of the majority of the site and assemblages according to the 2013 surveys and a reasoned adjustment to the assessment of the</p>

	<p>nationally important (F1) assemblage. However, given the additional data from the survey in July, taking account of the limited survey extent and methods, the significant increase in species recorded and the fact that 29 species of conservation concern are now known to be present it is considered on a precautionary basis that the invertebrate fauna is of greater value than at a county level – potentially of regional value.</p> <p>The survey has also highlighted the importance of microhabitats within the site and how this can influence the overall species list for the site invertebrate fauna of equivalent to diversity and value to the existing site. The additional design details set out in Appendix 4 of the additional information (July 2014) should be incorporated into the design of mitigation measures and a condition is recommended to control this. In addition to inform the design of new habitats and to monitor colonisation of new habitats a programme of on-going invertebrate survey should be instigated as the development proceeds.</p> <p>The additional survey data has provided sufficient additional confidence in the invertebrate baseline and the understanding of the importance of the site for invertebrates to assess the likely impacts and to inform mitigation design.</p>
Reptiles	<p>Surveys were undertaken in 2010 and 2013. Survey effort varied from one survey to another with 5 visits in 2010 and 9 in 2013. Seven of the 2013 surveys were in October, which is late in the year. In addition some visits were undertaken in sub-optimal weather conditions. Temperature conditions for each survey period are not provided. The survey is considered adequate for determining the assemblage of reptiles on site and their likely distribution, but lacking in terms of providing a robust assessment of likely population size. As such it is considered that a precautionary approach to estimating population size should be adopted based on the data from 2010. It is recognised that further update surveys are proposed to inform the detail of a translocation methodology including a survey of the receptor area. The surveys recorded juveniles of all four species and as such it is considered likely that all are breeding on site. It is unclear if specific breeding and hibernation sites have been identified and it is considered this will be important as part of planning a translocation exercise.</p>

	<p>A condition is recommended requiring further survey work to obtain details of population and specific breeding and hibernation sites and details of translocation methodology and a survey of the receptor site.</p>
<p>Great Crested Newt and other Amphibians</p>	<p>Surveys followed guidelines in that they were conducted during optimal survey season. Three techniques used (favouring bottle trapping and torching) for each pond. Exceptions were ponds too shallow to bottle trap. Some discrepancies occur. For example ponds 24 and 25 were only visited 4 times rather than 6 and the density of bottle traps in some ponds appears to be less than that in the guidelines. However, overall the survey is considered adequate, as the deficiencies are unlikely to affect the overall survey other than in the estimate of overall population size. An overall assessment of the great crested newt population is of a medium metapopulation size. A condition is recommended requiring further surveys to be undertaken to establish population figures. A condition is also recommended to ensure further details such as pond design and habitat management are also agreed.</p>
<p>Wintering birds</p>	<p>Surveys were undertaken in 2008/2009, but this is recognised as being out of date but is justified by the lack of change on site (2012) since the surveys were undertaken. 44 species were recorded in total, most of which are common in Britain. It is accepted that the operational impacts on wintering birds was scoped out of the assessment on the basis that such impact are not likely to be significant once the embedded mitigation is taken into account. Compensation for habitat loss is set out in the Breeding Bird Masterplan and a condition is recommended to secure this.</p>
<p>Breeding birds (excluding nightingale)</p>	<p>The survey method was agreed with Natural England and standard techniques were applied. Further clarification regarding the surveys has been submitted during the course of the application, which includes the details of the experience of surveyors, details of timings of surveys and nocturnal surveys. Some other issues arise with the application of survey methods including some surveys being less than 10 days apart. The surveys in 2013 started later than 2009. In total 77 species were recorded most of which are common in Britain and in habitats found on the development site. However, overall the surveys are considered</p>

	adequate. Compensation for habitat loss is set out in the breeding birds masterplan and a condition is recommended to secure this.
Grassland NVC and botany	<p>Survey was undertaken at a sub-optimal time of year, and for a number of fields after the grass had recently been cut. The limitation is recognised in the report, which acknowledges that a number of less frequent plants or plants that flower earlier in the year may have been missed. Standard survey methods have been used and the age of the data is acceptable.</p> <p>Overall the survey is considered adequate as a description of the vegetation community types, but there is a risk that some species may not have been recorded. A condition is recommended to secure updated surveys, which would inform detailed compensation proposals and translocation methods.</p>
Woodland NVC and Botany	Survey was undertaken at a sub-optimal time of year, but this limitation is recognised and reference has been made back to data from the 2009 report that was undertaken at an optimal time of year. Standard survey methods have been used and the age of the data is acceptable. Overall the survey is considered adequate as a description of the vegetation community types, but there is a risk that some species may not have been recorded.
Bats	<p>Surveys undertaken in 2009, 2011 and 2013. The pre-survey assessment of trees and buildings is thorough and in 2011 surveys were undertaken in May, June and July, which are optimal survey periods. The surveys in 2013 follow the guidelines in terms of survey effort for roost surveys, however, are partially compromised by the late start to the survey with most work being undertaken in late September and early October which is a sub-optimal time of year for roost surveys and does not include the optimal period for activity between May and August. The shortcomings are recognised and addressed in part by reference to the 2011 survey data. However, this does raise some questions in relation to the presence and absence of bats in buildings and the assessment of the roost status. Many are assessed as transitional roosts, but late surveys when maternity roosts have dispersed or started to disperse may appear to be indicative of transitional roosts.</p> <p>Activity surveys in 2013 were also undertaken late in</p>

	the season, but these data are supported by the data from 2011. As such it is considered that the understanding of overall assemblage of bats and activity across the site is adequate. Given the transitional nature of roosts and the extent of potential roosts update surveys would be required in advance of the phased development to confirm roosts and their status for licensing purposes. A condition is therefore required for further surveys to be undertaken to inform revised mitigation proposals.
Habitat – Phase 1 and desk study and botany	The survey is up to date as it was revised in 2012. The survey followed the standard methodology. The desk study is from 2008, but it is considered that most recent records for the site would be those generated by the applicant. In addition it is clear from the invertebrate report that there is a range of other data not held by the consultees. The national rare true fox sedge has been recorded. This is a significant find.

Having established the baseline conditions, the Replacement Environmental Statement provides an assessment of the relative value of the ecological receptors (designated sites, habitats and species). The valuation of designated sites follows the process of valuation undertaken during designation and the valuations presented in the Replacement Environmental Statement are considered to be reliable. Habitats and species are not so obviously related to an established valuation system and valuation is based on a range of considerations. The valuations made in the Replacement Environmental Statement with regard to habitats conclude local, district or county importance and these are considered acceptable.

Tall ruderal vegetation and ephemeral short perennial vegetation are evaluated as being of importance in the zone of influence and negligible respectively. No consideration was given to the mosaic of these habitats and grassland and scrub on previously developed land and whether this constitutes a priority habitat. In response to this, the applicant provided additional information demonstrating that the habitat did not meet the four criteria simultaneously of being on previously developed land, being of a minimum of 0.25ha, have a mixture of ephemeral short perennial and other early successional vegetation types and have non-vegetated loose substrate to qualify as Open Mosaic Habitat on Previously Developed Land.

An overview on the species evaluation as outlined in the Replacement Environmental Statement and associated assessments is outlined in the table below.

Species	Assessed Nature Conservation Value in RES	Assessment
Plant Species	Local	Dyers Greenweed (<i>Genista tinctoria</i>) and Pepper saxifrage (<i>Silaum silaus</i>) are not listed in

		<p>the rare plants register for the county of Kent. However, both species have a strong association with unimproved grassland, in particular Silaum silaus, which is a plant of neutral grassland Local is considered an appropriate valuation for Dyers greenweed, but pepper saxifrage is considered to be of District importance. True fox sedge (<i>Carex vulpina</i>) is nationally rare and is listed as rare in Kent and as such it is considered to be of national importance.</p>
Terrestrial Invertebrates	County (as assessed in updated invertebrate survey)	<p>The site supports 29 species of conservation concern. As the survey was carried out in July and the limited extent of survey methods on a precautionary basis the invertebrate fauna is considered of greater value than county level, possibly regional level.</p>
Amphibian (inc Great Crested Newt)	County	<p>The known local distribution on the Hoo peninsula and the size of the metapopulation indicates this is a site of county importance for amphibians and GCN in particular.</p>
Reptile	County	<p>The presence of all 4 common species of reptile on a site represents a good reptile assemblage and according to the 2010 data at least one species is present in very good if not exceptional numbers. It is recognised as a key Reptile site and as such it is considered that the reptile assemblage is at least of County importance.</p>
Wintering Birds	Local	<p>The species found are</p>

		common and widespread in Kent and UK so these are of local importance.
Breeding Birds	County	The surveys found 22 species of bird, which are of conservation concern in the UK so these are considered of county importance.
Nightingale	National	The site supports a nationally important population of breeding birds (at least 1%) during the spring/summer months.
Bats	County	The bat assemblage is not particularly rich, but a number of transitory roosts of common and widespread species have been recorded. Although all British bat species are protected the absence of significant roosting sites and the typical assemblage of bats using the site would suggest a District to County value. A County valuation is considered to be precautionary, but appropriate given the late timing of some surveys in 2013.
Badger	Local	The badger is a common and widespread species that is protected primarily for reasons of animal welfare and so a local valuation is considered appropriate.
Dormouse	Negligible	No evidence of use on site was recorded and so negligible is appropriate.
Water Vole	Negligible	No evidence of use on site was recorded and so negligible is appropriate.

Following the valuation of the habitats and species the impact on the development is

considered and mitigation proposals are included within the Replacement Environmental Statement. The mitigation hierarchy is a key pillar of planning policy on biodiversity as set out above in Paragraph 118 of the NPPF. It seeks to first of all avoid adverse impacts on valuable receptors and then to minimise impacts through mitigation and lastly to provide compensation for residual impacts.

The proposed development layout would result in the loss of grassland and scrub habitat of national importance for nightingales and MG5 grassland as well as a number of ponds and other habitats associated with the site. Not all the nightingale territories would be lost but the reduction in territories would result in the site no longer meeting the selection threshold for this species as a SSSI. All of the MG5 grassland with the exception of Rough Shaw would be lost. This would represent a permanent loss of some elements of the special interest of the SSSI. The SSSI is unlikely to continue to qualify as a site supporting more than 1% of the national breeding population of nightingales. MG5 grassland would remain as an interest feature as Rough Shaw would be retained. It is possible that areas of translocated SSSI grassland may continue to qualify for designation. All woodland components of the SSSI would be retained as discussed later in this report in the trees section.

Avoidance is not considered here and an explanation of why the development cannot be located elsewhere and why fields 1, 2 and 3 cannot be retained in situ are set out in the Replacement Planning Statement and Development Needs Assessment Report.

A range of habitat is being retained as part of the proposed development and new habitat would be created within the development site boundary. Further off-site compensation measures are proposed in the off-site mitigation area immediately adjacent to the west of the application site at Islingham Farm. The type and location of retained and future habitat within site and in the off-site mitigation area is represented in Drawing 5-4 and the areas of habitat loss, replacement and gain are summarised in appendix 5BB of the Replacement Environmental Statement. A Replacement Access Strategy has been submitted which outlines an approach to the managed access to the SSSI areas outside of the site, ancient woodlands, Rough Shaw, Chattenden Woods and the off-site mitigation area. This document outlines the objectives to deal with access by future residents and impacts with regards domestic pets. The on-site green infrastructure, management, education and use of wardens would ensure appropriate management and a condition is recommended to agree a detailed strategy, based upon the approach outlined, before development takes place. Finally off-site compensation land is proposed at Shoeburyness / Foulness principally for nightingales but which will benefit other species.

Grassland Compensation

Grassland communities (MG5) that have been identified by Natural England as comprising part of the special interest of the SSSI, other than at Rogh Shaw, would be largely lost as a result of the proposed development. Appendix 7 of the Replacement Environmental Statement (February 2014) appendix 5C sets out compensation proposals for grassland communities associated with Fields 1 to 9 that were subject to NVC grassland survey. Fields 1 to 3 (SSSI grassland) comprise 11.6ha. Fields 4 to 9 comprise 16 ha of agriculturally unimproved neutral grassland of county importance.

Within the off-site mitigation land it is calculated that there is 23ha available for grassland translocation and creation. This includes an area of 16ha of species-poor semi improved grassland proposed for grassland compensation only and a further 7.2 ha of new grassland within a habitat mosaic. On site approximately 10ha is available for the translocation and creation of neutral grassland (4.5ha within the Chattenden Woods Buffer Zone and an additional 5.5ha associated with the creation of habitat mosaics. In total the Replacement Environmental Statement therefore concludes that there is 33ha on and off site available for neutral grassland translocation and creation.

Appendix 5C of the Replacement Environmental Statement (February 2014) also provides information on soil types and discusses methods of seeding and translocating grassland habitat. Whilst there is sufficient area to accommodate neutral grassland compensation through habitat translocation and creation, further detail is required on where habitat in fields 1, 2 and 3 would be translocated. The nearest potential receptor area is within the Chattenden Woods buffer zone. This area has similar slope aspects and soil characteristics to the three fields and as such provides the best chance of a successful translocation being completed. This area is also contiguous with Rough Shaw creating a joint management unit for future management. This area however is in close proximity to future development and is likely to be subject to increased visitor pressure and disturbance from new residents. However, good management should address these issues. The area within the Chattenden Woods buffer zone may not be large enough to accommodate all of the 11.6 ha within the SSSI fields. The grassland communities in fields 4 to 9 should be largely translocated as they support a county valuable assemblage of plant species and translocation would conserve the genetic provenance as also enable invertebrates to be translocated. Creation of species-rich grassland by seeding should therefore be kept to a minimum and only be used once translocation options have been exhausted. A detailed set of proposals would need to be brought forward and a condition is recommended to secure this.

There is a great deal of experience and expertise in translocation of neutral grassland. In addition there appears to be suitable receptor sites in close proximity to the donor grasslands with similar soil, slope, aspect and drainage characteristics. Given this and the 'robust' character of the grasslands on site (i.e. they are atypical communities that do not support a high abundance of forbs and are in unfavourable condition) it is considered that there is a good chance translocation would be relatively successful as a compensation technique. The aim of translocation should be to ensure the continued survival of an MG5 grassland community (typical or atypical) and there is also an opportunity to improve the condition of the grassland.

Species Compensation (excluding Nightingale)

The proposed compensation and mitigation measures for species (excluding nightingale) are described and represented variously throughout the Replacement Environmental Statement and supporting documentation. Key references include: Chapter 5 of the Replacement Environmental Statement, Drawing 5-4, Appendices 5M, N, O, P and Q. Information is also included in the updated invertebrate survey.

An assessment on the proposed compensation and mitigation package for each species (excluding nightingale) is provided in the table below.

Species	Assessment on Proposed Compensation/Mitigation Measures
Badger	It is estimated that 84% of habitat for badgers would be retained or replaced. This is considered sufficient to continue to support the badger population. Mitigation includes provision of badger tunnels to connect the proposed green infrastructure, which would reduce potential mortality on roads, but would have to be carefully designed with fencing to steer badgers to tunnels entrances and a condition is recommended to agree these details.
Terrestrial Invertebrates	Mitigation and compensation has been based on retention of habitats where possible and the provision of new habitat where habitat is lost. It is considered that this approach is appropriate and that the package of measures should be sufficient to ensure the majority of invertebrate populations would be retained together with the assemblage value. Accordingly a condition is recommended to secure these measures.
Reptiles	Mitigation and compensation has been based on retention of habitats where possible and the provision of new habitat where habitat is lost. It is considered that this approach is appropriate. Detailed translocation and receptor site management would need to be developed. In particular specific focus on hibernation and breeding sites would be required to increase the chances of a successful translocation. Again, a condition is recommended to secure this information.
Great Crested Newt (GCN) and other Amphibians	An equivalent area of terrestrial habitat would be created and two new ponds for each pond that would be lost are proposed. This is considered sufficient but as with other proposals the detail of the proposed compensation would need to be refined. For example connectivity may be an issue that requires some close attention and tunnels maybe required where ponds are isolated by roadways. Pond design would need to consider other amphibians as well GCN. In addition GCN are present on the off-site mitigation area and careful consideration would be required for the implementation of habitat enhancement and conditions are recommended to secure this.
Wintering Birds	No specific compensation is proposed but the proposed habitat creation would benefit and address

	potential impact on wintering birds.
Breeding Birds (excluding nightingale)	Within the site more habitat would be lost than replaced (future residential gardens are not taken into account in the loss and gain table) but habitat would be created in the off site mitigation area. Further information on the distribution and location of habitats would be provided through condition.
Bats	Compensation for loss of transitional roosts is proposed in the form of bat barns and the provision of bat boxes. New buildings would also provide new roosting opportunities. Habitat losses would be compensated through the creation of new habitat within the site and on the off-site mitigation land. Whilst there would be a reduction in overall habitat, foraging habitats of high importance including scrub, woodland and wetland would be retained and managed. The foraging habitats associated with new gardens have not been taken into account, which would also provide further foraging habitat. It is considered that there should not be a loss of roosting opportunities and that sufficient foraging habitat would be retained to support local bat populations. A condition is also recommended to secure these detailed designs of bat mitigation measures.

Nightingale Compensation

The proposed nightingale compensation is detailed in Chapter 5 of the Replacement Environmental Statement and appendices 5U, V, W and X. This strategy sets out a clear objective to compensate for the loss of a SSSI on the compensation land rather than seeking to maintain the overall number of breeding pairs across two sites. This provides a clear rationale for the Nightingale Compensation Land (NCL) proposals. As such the NCL needs to provide an appropriate level of habitat creation to hold at least 1% of the UK population. The target is based on the British Trust of Ornithology (BTO) 2012 population estimate, and uses the upper end, so is considered to be appropriately precautionary aiming to create habitat capable of supporting at least 66 territories. The MOD landholding at Shoeburyness/Foulness is identified as a 'strong potential' location for NCL.

The overall approach of the proposals is based on the concept of a compensation 'unit'. A unit is defined as the area of suitable habitat needed to support at least 1 pair of nightingale. This is key to the identification of the extent of habitat that would need to be created. The figure of 2ha/territory has been selected, which is based on an exploration of the survey data for Lodge Hill and a review of empirical data from a range of other sites. This includes radio-tracking studies and population density data from a total of 8 other sites. It is considered that this approach is proportionate, and based on a review of a good selection of actual data on known sites.

In addition to the number of units required, the potential risks associated with compensation have been explored. This is covered in detail in document 5V and summarised in 5U. The main three residual risks are associated with the time lag between the compensation being available versus loss of the site, the required quality of the compensation habitats not being achieved and finally the risk that nightingale might not colonise it (for a variety of reasons). These appear clearly expressed and explored, so the ways these risks have been mitigated for are thorough. It is recognised that there could be a delay in colonisation by nightingales and that for a period the overall number of breeding pairs may slip below the 1% threshold used for SSSI selection. If a population of 1% does colonise the NCL then the residual breeding pairs at the retained areas of Chattenden Woods is likely to result in a net gain. The compensation site would be designed and managed so that it should hold 1%.

Habitat creation in the compensation site is based on the principle that woodland/coppice has been shown to be of lesser importance to nightingale than scrub. This does tie-in with recent research data. Management of the scrub habitat using rotational coppicing could result in as much as 20% of the scrub being unsuitable at any one time. As such routine flailing is proposed as the preferred management method. This method would ensure that the majority of the scrub habitat in each unit is suitable at any one time. However, to take account of the risk that some scrub habitat may be unsuitable during flailing 10% more habitat has been allowed for within the provision of NCL area. It should be noted that nightingales will utilise habitat from April - October at most.

As well as management and the requisite 'units', the total area of compensation habitat takes into account 'up lift' for time lag, quality and colonisation. In other words, the total area is increased on the basis that the more there is, the lower the risk of these factors reducing success. This is logical and the assumptions are considered reasonable. The Shoeburyness/Foulness landholding sits between established populations, so a large enough area of good/developing habitat should be found by passing birds. It is also notable that the site currently is used by small number of Nightingale, which is likely to increase the chances of attracting other passing birds as suitable habitat increases. It is considered that it is a reasonable assumption that birds would colonise it over time, as opposed to immediately. Scrub establishment would include planting, so it should be quicker than regeneration alone. In addition detailed soil analysis and gathering of data on site growing conditions increases the confidence that scrub can be established within the timeframe proposed.

Whilst it cannot be guaranteed that the proposed compensation measures would provide suitable nesting habitat for a large number of nightingales, it is considered that the proposed compensation for Nightingale has a good chance of success. Taking the 'worst case scenario' approach it is agreed that the upper range figure of 304ha of NCL would need to be secured, together with the precise location, more detailed designs and management requirements, programmes of work and monitoring and triggers for remedial action. These elements would be included in any S106 together with appropriate triggers to ensure that development at Lodge Hill cannot proceed until the NCL has been secured and the habitat creation has been implemented. It should be noted that planning permission for the creation of the NCL may be necessary for certain engineering operations and earthworks however officers have met with the

Head of Planning at Rochford District Council and no fundamental concerns were highlighted with regard to the acceptability of any future proposal. .

Whilst it is accepted that a compensation package can be delivered subject to a S106 agreement and conditions, it is necessary to consider the potential impact the provision of the proposed NCL may have on its surroundings. The proposed NCL lies adjacent to the Croach and Roach Estuaries Site of Special Scientific Interest (SSSI), which form part of the Foulness (Mid-Essex Coast Phase 5) Special Protection Area (SPA) and Wetland of International Importance under the Ramsar Convention (Ramsar Site).

The replacement Environmental Statement assesses the various potential impacts of the NCL. The Wetland Bird Survey report for land at Shoeburyness, Essex is a sample assessment which allows for an assessment of the likely effects of the impacts resulting from the proposed NCL upon the aforementioned designated sites. The Wetland Bird Survey confirms that the specific parcels of land proposed for nightingale compensatory habitat provision are used by significant numbers of birds associated with the SPA and Ramsar Site. For example, there were peak counts of dark bellied Brent geese of 3312 on Potton Island and 1600 at Wakering Stair along with 550 golden plover on Potton Island and 500 on Rushley Island. This would indicate that large parts of the proposed NCL function to support the adjacent SPA and Ramsar Site. Turning this land into a scrub/grassland mosaic would make it unsuitable for the waterfowl for which the SPA and Ramsar site is classified and so there is a need to consider any potential impact.

Habitat Regulations Assessment

The Conservation of Habitats and Species Regulations 2010 (as amended) (the Habitats Regulations) require that all plans and projects in England and Wales be subject to assessment and consideration of their potential impacts on European sites before they are either adopted or given planning permission. The Habitats Regulations transpose the requirements of the European Directive (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna (the Habitats Directive), which aims to protect habitats and species of European nature conservation importance.

Article 6(3) of the European Habitats Directive requires an appropriate assessment where a plan or project is likely to have a significant negative effect on any:

- Special Protection Area - a European designation which protects birds
- Special Area of Conservation – a European designation which protects habitats
- Ramsar site – a European designation which protects wetlands

Jointly, these are called 'European sites'. A project or plan will require appropriate assessment if the project/plan is likely to have a significant impact on the 'site integrity' of a European site: the reason why the site was designated.

Article 6(4) of the European Habitats Directive discusses alternative solutions, the test of "imperative reasons of overriding public interest" (IROPI) and compensatory measures.

“6.4 If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected...”

There are up to four stages in the habitat regulations assessment process:

- 1) Screening: to determine whether the project/plan, ‘in combination’ with other projects or plans, is likely to have a significant adverse impact on a European site.
- 2) Appropriate Assessment: where a project or plan is likely to give rise to significant effects to determine, in more detail, the impact on the integrity of the European site of the project/plan, or ‘in combination’ with other projects or plans, with respect to the site’s structure, function and conservation objectives. Where there are adverse impacts, assess the potential mitigation of those impacts. Where there are not impacts, then the project/plan can proceed as it is.
- 3) Assessment of alternative solutions: where the project/plan is likely to have an adverse effect (or risk of this) on the integrity of a European site, examine alternative ways of achieving the project/plan objectives that avoid adverse impacts on the integrity of the European site.
- 4) Assessment where no alternative solutions remain and where adverse impacts remain: Assess compensatory measures where, in light of an assessment of imperative reasons of overriding public interest (IROPI) it is deemed that the project/plan should proceed.

This process is commonly referred to as Habitats Regulations Assessment (HRA). The relationship of the HRA process and the NPPF is set out in Paragraph 119 of the NPPF where it makes clear that the presumption in favour of sustainable development (set out in Paragraph 14 of the NPPF) does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined. The process in relation to this application is set out below.

In this regard, the Habitats Regulations require Medway Council as the ‘competent authority’ to make an assessment of the implications for European sites (in view of their conservation objectives), before granting any planning permission for the development proposed at Lodge Hill and the creation of the NCL which is effectively part of the Lodge Hill project. The conservation objectives for the European sites as well as the Council’s assessment of the implications for the Medway Estuary and Marshes SPA/ Ramsar and Thames Estuary and Marshes SPA/ Ramsar are set out below.

Medway Estuary and Marshes SPA/ Ramsar

With regard to the individual species and/or assemblage of species for which the site has been classified (the Qualifying Features’ listed below);

Avoid the deterioration of the habitats of the qualifying features, and the significant disturbance of the qualifying features, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive.

Subject to natural change, to maintain or restore:

- The extent and distribution of the habitats of the qualifying features;
- The structure and function of the habitats of the qualifying features;
- The supporting processes on which the habitats of the qualifying features rely;
- The populations of the qualifying features; and
- The distribution of the qualifying features within the site.

Qualifying Features:

- A046a *Branta bernicla bernicla*; Dark-bellied brent goose (Non breeding)
- A048 *Tadorna tadorna*; Common shelduck (Non-breeding)
- A054 *Anas acuta*; Northern pintail (Non-breeding)
- A132 *Recurvirostra avosetta*; Pied avocet (Breeding)
- A132 *Recurvirostra avosetta*; Pied avocet (Non-breeding)
- A137 *Charadrius hiaticula*; Ringed plover (Non-breeding)
- A141 *Pluvialis squatarola*; Grey plover (Non-breeding)
- A143 *Calidris canutus*; Red knot (Non-breeding)
- A149 *Calidris alpina alpina*; Dunlin (Non-breeding)
- A162 *Tringa totanus*; Common redshank (Non-breeding)
- A195 *Sterna albifrons*; Little tern (Breeding)
- Waterbird assemblage
- Breeding bird assemblage

Additional Qualifying Features Identified by the 2001 UK SPA Review:

- A156 *Limosa limosa islandica*; Black-tailed godwit (Non-breeding)

Thames Estuary and Marshes SPA/ Ramsar

With regard to the individual species and/or assemblage of species for which the site has been classified (the Qualifying Features' listed below);

Avoid the deterioration of the habitats of the qualifying features, and the significant disturbance of the qualifying features, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive.

Subject to natural change, to maintain or restore:

- The extent and distribution of the habitats of the qualifying features;
- The structure and function of the habitats of the qualifying features;
- The supporting processes on which the habitats of the qualifying features rely;
- The populations of the qualifying features;
- The distribution of the qualifying features within the site.

Qualifying Features:

- A082 *Circus cyaneus*; Hen harrier (Non-breeding)
- A132 *Recurvirostra avosetta*; Pied avocet (Non-breeding)
- A137 *Charadrius hiaticula*; Ringed plover (Non-breeding)
- A141 *Pluvialis squatarola*; Grey plover (Non-breeding)
- A143 *Calidris canutus*; Red knot (Non-breeding)
- A149 *Calidris alpina alpina*; Dunlin (Non-breeding)
- A156 *Limosa limosa islandica*; Black-tailed godwit (Non-breeding)
- A162 *Tringa totanus*; Common redshank (Non-breeding)
- Waterbird assemblage

HRA for Lodge Hill

Under the Habitat Regulations, the person applying for planning permission must provide such information as the 'competent authority' may reasonably require for the purposes of the assessment. In the case of this application the applicant has provided sufficient information as the Council may require for the purposes of the HRA within Appendix 5Y (Information for Appropriate Assessment) of the Replacement Environmental Statement (February 2012). A summary of this information is provided below.

The Information for Appropriate Assessment (IAA) provides an assessment of the potential effects of proposed development at Lodge Hill on European sites. The IAA assessed that the proposed development at Lodge Hill would not have any direct effect on the Medway Estuary and Marshes SPA/ Ramsar or the Thames Estuary and Marshes SPA/ Ramsar as it would not result in any loss of European designated land. However, indirect effects were considered possible through a potential increase in the recreational use of these European sites from the increase in population as a result of the proposed development.

It assessed that the proposed development is likely to result in an increase in the number of visitors and dogs at the European sites but that this increase is unlikely to be significant (increase of 2% - 6% people per day). It proposed that people are far more likely to visit nearby sites (within 1.5km by foot and up to 8.4km by car) with good facilities, which are already well used by people.

The IAA suggests that any decrease in bird numbers at the relevant European sites is unlikely to be due to disturbance from humans as the NKEPG Bird Disturbance Study and available WeBs data show that there is no correlation between the numbers of people and the numbers of birds at a particular site. Based on this the IAA concluded that development at Lodge Hill is highly unlikely to have an adverse effect on the integrity of the Medway and Marshes SPA/Ramsar and the Thames Estuary and Marshes SPA/Ramsar. Despite this conclusion, the IAA sets out a number of mitigation measures, to ensure that any potential minor effects of proposed development are eliminated or minimised. These measures are set out below:

- Mitigation measures within the Lodge Hill Site that are strategic, accessible, multifunctional, sustainable, balanced and well managed, new residents of the proposed development would be encouraged to use this on site open space rather than to visit the SPAs.
- Provision of areas that provide significant opportunities for formal and informal recreational activities. This would include approximately 41ha of district parks, approximately 10ha of local parks and 14ha of small pocket parks and linear parks. This gives an overall area of approximately 65ha of accessible open space for parks within the proposed development.
- Provision of three accessible walking loops on site. The proposed routes would allow travel through the linear valley park, the landscape ribs and along the Countryside Park. Education and information about walking routes would be promoted and the walking loops would provide flexibility in terms of walking distances: loop 1 would be 1.8km in length, loop 2 would be 2.7km and loop 3 would be 3.8km. They would also be well equipped with dog bins.
- Create a buffer area around the existing Chattenden Wood and Lodge Hill SSSI and the development. This buffer area, which would comprise the countryside park, would be a mosaic of species-rich and coarse grassland with tall ruderal vegetation margins that is managed to provide the most benefit to wildlife. However, the central area of the buffer strip would provide opportunities for quiet enjoyment, such as walking.
- The funding of “honey-pot” sites, which encourage managed public access along the North Kent coastline, to be secured through a S106 agreement.
- As part of the development, wardens would be employed, or financial contributions would be provided to an appropriate organisation that employ the wardens, to police against activities that have the highest disturbance to birds within the SPAs and Ramsar sites.
- The Lead Developer would contribute towards increased signage, in appropriate areas, around the SPA/Ramsar sites to educate visitors on the importance of the area and activities that should not be undertaken and why. The residents of Lodge Hill would also be educated through leaflets provided when they move to the area.
- The Lead Developer would also undertake update visitor surveys of the SPA/Ramsar sites in the forthcoming years so to check that the estimates made within this report for the increased number of visitors, sites visited and activities undertaken are accurate. If through the update surveys the estimates were found to be significantly different, the reassessment of the impact would be discussed.
- A review and confirmation of the predicted impacts at each reserved matter application should be undertaken using information gathered from the update visitor surveys and to confirm the development is still highly unlikely to have a significant adverse effect on the integrity of the SPA/Ramsar sites.

Taking the mitigation measures into account, the IAA Report concluded that the proposed development at Lodge Hill would not in itself have an adverse effect on the integrity of the Medway Estuary and Marshes SPA/ Ramsar and the Thames Estuary and Marshes SPA/Ramsar. It was also concluded that there would be no adverse effect on the integrity of the European sites in-combination with other plans, programmes and projects providing they also include appropriate mitigation within their design.

The IAA addresses concerns set out by Natural England in response to the Outline Planning Application (OPA) through providing an assessment of the number of visitors that would visit European sites as a result of the development and the amount, type and significance of disturbance that would result. It also sets out the measures to be put in place to manage recreational impacts. Natural England responded to the supplementary information, which includes the IAA, and were satisfied that adequate mitigation and avoidance measures can be secured on determination of reserved matters to safeguard against impacts on European sites and protected species. Following the submission of the replacement suite of documents in February 2014, Natural England have not raised any objections with regard to the development proposals at Lodge Hill with regards the relevant impact on the European sites.

The Council is satisfied that, based on the findings of the IAA (March 2012), responses from Natural England (the statutory body for HRA) and the conservation objectives of European sites, together with the securing of mitigation measure set out in Appendix 5Y (Information for Appropriate Assessment) of the Replacement Environmental Statement (February 2014) as discussed above, it is assessed that the development proposed in this application would not have adverse effects on the integrity of the Medway Estuary and Marshes SPA/ Ramsar and the Thames Estuary and Marshes SPA/ Ramsar. Accordingly, there are no likely significant effects and there is no requirement for formal appropriate assessment. Appropriate conditions and S106 obligations are recommended. The Council considers that the requirements of the Habitats Regulations have been met with regard to the potential impact of the development at the Lodge Hill site and this consideration will help to inform the Council's decision with regard to the outline planning application for Lodge Hill.

HRA for Nightingale Compensation Land

Natural England regard the proposed creation of scrub habitat at Shoeburyness/Foulness for nightingales to be considered as a plan or project under Regulation 61 of The Conservation of Habitats and Species Regulations 2010 (as amended). As set out above, if it is accepted that the proposed habitat creation is a plan or project, and is likely to have a significant effect upon the SPA and Ramsar site, then it follows that the council would be required by the Habitat Regulations to complete an assessment before permitting or undertaking the proposed habitat creation. Natural England have previously stated that they are the view that if the creation of the nightingale compensation land itself requires planning permission, they expect the competent authority to be Rochford District Council. As the NCL forms part of the Lodge Hill project, Medway Council consider it necessary and appropriate to screen the NCL proposals for an appropriate assessment.

Natural England is currently unable to advise that the NCL is unlikely to result in a significant effect on the SPA and Ramsar Site.

The applicant includes criteria for suitable areas of land within the outline of the NCL as set out in Replacement Environmental Statement and as clarified by the Appendix attached to the letter from Thomson Ecology to CBRE dated 30 May 2014. The selection criteria and commitments are clearly set out below.

The Nightingale Compensation Land (NCL) would be 304ha in total extent and would be located within the core range of the nightingale in England. It would avoid:

1. Land above 60m above sea level (see paragraph 2.1.6 of Annex 5V of the Replacement Environmental Statement, February 2014);
2. Land that is classified as Grade I or Grade II Agricultural land (see paragraph 2.1.6 of Annex 5V of the Replacement Environmental Statement, February 2014);
3. Urban areas and land within 400m of an urban area (see paragraph 2.1.6 of Annex 5V of the Replacement Environmental Statement, February 2014);
4. Land in Higher Level Stewardship (HLS) schemes including organic HLS) (see paragraph 2.1.6 of Annex 5V of the Replacement Environmental Statement, February 2014), where nightingale habitat creation would conflict with the objectives of such schemes (see paragraph 1.1.15 of Annex 5W of the Replacement Environmental Statement, February 2014);
5. Land with any statutory nature conservation designation (see paragraph 2.1.6 of Annex 5V of the Replacement Environmental Statement, February 2014);
6. Land classed as a habitat of principal importance (or Priority Habitat) (see paragraph 2.1.6 of Annex 5V of the Replacement Environmental Statement, February 2014);
7. Land potentially subject to managed realignment as set out in Essex and South Suffolk Shoreline Management Plan 2 (October, 2012) (see paragraph 3.2.13 of Annex 5W of the Replacement Environmental Statement, February 2014); and
8. Areas used by and supporting significant and internationally or nationally important populations of over-wintering wetland birds (see paragraph 5.1.10 of Annex 5V of the Replacement Environmental Statement, February 2014).

In addition to Criterion 8, a further commitment in respect of NCL provision at Shoeburyness/Foulness is that planting and management in any NCL areas close to the SAC and SPA would take place in the autumn, thereby avoiding the most important feeding and breeding periods of the year for birds utilising the adjacent SAC and SPA (see paragraph 4.3.16 of Annex 5W of the Replacement Environmental Statement. In areas further away from the SAC and SPA, planting and management would take place in the autumn, some of the winter and early spring thereby avoiding potential impacts on nesting birds (see paragraph 5.1.10 of Annex 5V of the Replacement Environmental Statement, (February 2014).

The applicant has provided detailed information within the Assessment of Likely Significant Effects report dated July 2014 (ALSE) which addresses how the NCL can be provided at Shoeburyness / Foulness without giving rise to likely significant effects and which applies the location Criteria as set out above and in particular details the application of Criterion 8. Furthermore the applicant has also confirmed (in accordance with Criterion 8) the avoidance of buffer areas to protect the identified important feeding and roosting areas for qualifying bird species and nesting bird species (which are considered to be sensitive areas), and to protect these areas from disturbance during the creation and management of the proposed NCL.

In terms of deliverability, the Shoeburyness/Foulness area is approximately 4,234ha in size. Applying Criteria 1 to 7 results in, for example, the exclusion of Potton Island (Criteria 5 and 6) and Rushley Island (Criterion 7) and provides an area of suitable land of between 705ha and 1085ha within which the NCL could be located, subject

only to the limited further effect of Criterion 8 (see below) and assuming that all land currently in Higher Level Stewardship (HLS) is not suitable for NCL. The upper figure is based on including areas which Natural England have currently (provisionally) mapped as an undefined priority habitat type but which is mainly arable land and which does not appear to accord to any priority habitat type.

The wetland bird survey at the Shoeburyness sample area has shown that the majority of the wetland birds found within the potential NCL, in particular Brent geese, are associated with designated sites and the improved or semi-improved grassland areas which are classified by Natural England as the priority habitat of coastal and floodplain grazing marsh. This means that in applying Criteria 5 and 6, Criterion 8 is also likely to be largely met. Whilst there are significant records of wintering wetland birds within arable farmland (not a designated or priority habitat), these were either consistent but restricted in area (for example golden plover at Rushley Island, which is in any event excluded from NCL under Criteria 7) or sporadic and restricted in area (for example Brent Geese at Wakering Stairs). It is also clear from the survey work that there are large areas of arable farmland without records of significant populations of wintering wetland birds.

It is notable that the new management underway for SSSI unit 18 would bring 256ha of land back into favourable condition for wintering birds and so this land, as avoided for NCL in any event by virtue of the Criteria would be additionally available to support qualifying species. Furthermore the applicant has also confirmed that the 200m disturbance buffer would wrap around SSSI unit 8 and on a precautionary basis calculations have also been carried out to buffer around SSSI unit 9 that penetrates the site. The effect of these buffers would be to reduce the land available for NCL from 858ha to 735ha.

Given the total area available for the NCL (based on Criteria 1 to 7), the area which is required for NCL, and the results of the wintering bird survey from the sample area, it is highly probable that the 304ha NCL can be located on land which avoids any areas which are used by significant populations of over-wintering wetland birds, thereby meeting Criterion 8. Accordingly, there is a high degree of confidence that the 304ha of NCL required could be provided at Shoeburyness/Foulness without any likely significant effect that could undermine the conservation objectives of the adjacent European sites. As part of the process of defining the final location of the NCL further survey work would be undertaken and if any of the current habitat required for NCL was shown to support the population of Brent geese (or any other qualifying species) then appropriate mitigation would be provided as set out in paragraph 4.3.14 of Appendix 5W of the Replacement Environmental Statement. This would be secured through the S106 agreement. These mitigation measures would ensure that if any of the land required in creating the NCL habitat in either one or two connected large areas would result in the displacement or disturbance of qualifying wintering bird species from important feeding habitat then replacement feeding habitat (wet grassland) would be secured of the same size and in suitable locations. The applicant has confirmed that there is between 982ha and 1,383ha of land available for this mitigation to be created and so it is highly feasible given that no more than 304ha of NCL is required.

On the basis of applying the criteria set out in the Replacement Environmental

Statement (February 2014), which results in the exclusion of land designated as a European site or and land supporting a European site, and the information provided in the ALSE, the Council is satisfied that the creation of NCL at the Shoeburyness/Foulness site can be achieved without likely significant effect on the relevant sites and therefore an appropriate assessment is not required.

Overall Summary of Ecology Issues and Obligations

In accordance with paragraph 118 of the NPPF once the 'avoid' test has been met (as discussed earlier in this report) consideration should be given to 'mitigate' and 'compensate'. The assessment above outlines the ecological value and biodiversity of the application site and various mitigation and compensation techniques proposed by the applicant. Mitigation within the site boundary is possible for certain aspects, such as MG5 grassland, and off-site mitigation has been proposed on adjacent land. Due to the scale of the development compensation is proposed with regards nightingale habitat.

The recommended conditions would require frameworks to be submitted covering the site and off-site mitigation areas for species and habitats (including woodland areas) together with specific action plans submitted for each sub-phase. The framework would allow the information submitted in the Replacement Environmental Statement to be developed further with the action plans providing an updated strategy for each sub-phase as these come forward. Due to the length of the development programme it is important to schedule in appropriate reviews and updated surveys and mitigation proposals and the series of conditions would allow for this. The obligations in the S106 would secure the nightingale compensation land and appropriate management together with any necessary mitigation. Furthermore the applicant has agreed a financial contribution for wardens and mitigation for adjacent SPA/RAMSAR sites and local 'honey pot' sites.

On the basis of the above and the series of obligations recommended it is considered that an appropriate mitigation package would be secured and when viewed against the development needs discussed above accords with aforementioned development plan policy and NPPF requirements. However in accordance with the Wildlife & Countryside Act 1981 any resolution to approve the application, contrary to the advice given by Natural England, would be subject to a referral to the Secretary of State.

Previously Developed Land

The applicant has submitted a document outlining the extent of previously developed land (PDL) on the site entitled 'PDL Review, Review of Previously Developed Land at Lodge Hill, PRP Architects, February 2014', which can be found at Appendix 7 of the Replacement Planning Statement. It provides a detailed account of past uses and the present condition of the site in order to enable a judgment to be made on the extent to which the proposal represents use of previously developed land. This is important as it is a Core Planning Principle of the NPPF to, "*encourage the effective use of land by re-using land that has been previously developed (brownfield Land), provided that it is not of high environmental value.*"

An appreciation of the extent of the PDL helps to inform the broader planning

judgment between the three dimensions of sustainable development.

Previously developed land is defined in Annex 2: Glossary of the NPPF as:

“Land, which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.”

The Applicants' statement follows a detailed review of the site and its history. This has been tested through an iterative process with council officers including a number of site visits. The statement concludes that the OPA site as a whole comprises as a minimum, 60% PDL or 197 hectares of a total of 325 hectares or 80% of the developable area. This is considered to be a reasonable estimate. It should also be noted that 36% of the developable area would also be retained as open space.

Paragraph 111 of the NPPF encourages the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. In this instance the majority of the site is designated a SSSI and so the environmental impacts must be considered over the level of PDL.

Retail and Hotel Development

The proposed development seeks consent for up to 3,251sqm of convenience retail floorspace (Class A1 food retail) and up to 2,070sqm of comparison retail floorspace (non food) falling within classes A1 (shops), A2 (financial & professional services), A3 (restaurants and cafes), A4 (drinking establishments), and A5 (hot food takeaways). A Replacement Retail Statement supports the application and this assessment is based on a worse case scenario where the total 'A' class floorspace of 5,321 sqm gross external area (GEA) would be in retail use (Class A1). However in practice some of the floorspace would be in non-retail use to ensure a vital and vibrant new settlement. The assessment has converted the gross floorspace to net for analysis using 2,438sqm net convenience (3,251sqm GEA) and 1,552sqm net comparison (2,070sqm GEA).

Policy Background

The submitted Replacement Retail Statement appropriately summarises the policies of the Medway Local Plan 2003. The key retail policies support Medway's centres, with Chatham identified as the city centre for Medway with five district centres also identified at Gillingham, Strood, Rainham, Rochester and Hempstead Valley Shopping Centre. There is an emphasis in the Local Plan on the provision of major new comparison goods floorspace in the core area of Chatham. The Local Plan comments that the absence of large, flat sites makes it difficult to accommodate a large replacement foodstore. It adds that a small to medium sized store could

complement any comparison goods scheme at Richard Street, a site identified in Policy R1. However, policy R3 seeks to encourage the redevelopment of the existing Tesco store and the multi-storey car park at The Brook/High Street for retail and other town centre uses. Policy R4 supports the development of a foodstore of up to 6,000sqm at Commercial Road, Strood and policies R5 and R6 support proposals for 2,000sqm gross foodstores at High Street/Skinner Street in Gillingham and at Orchard Precinct in Rainham. Policy R9 deals with retail provision in new residential developments, supporting small scale local shopping facilities appropriate to meet the daily needs of residents, workers and visitors in association with major residential development. The policy lists a number of locations although this does not include Lodge Hill due to the status of the site when the plan was adopted.

Other town centre uses come within the ambit of policy R11 that states that offices, leisure and entertainment use, cultural and educational facilities will be expected to locate within town centres. The policy requires a sequential approach to site selection, accessibility by a choice of transport modes and assessment of impact on vitality and viability. Policy R13 sets out criteria against which out of centre retail developments will be assessed, including a sequential approach to site selection, local plan strategy, accessibility and impact. Policy R18 permits hot food take-aways, restaurants, cafe bars and public houses outside town centres subject to criteria. Policy ED13 supports hotel development in or on the edge of town centres, within the Rochester Riverside Regeneration Area and at Chatham Maritime. Hotels in other locations will be permitted if they would positively contribute to the regeneration and renewal of a larger site or area within the defined urban boundary.

The NPPF advises that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date development plan. Authorities should “require” applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. The NPPF also applies an impact test with a default threshold of 2,500sqm. This should include assessment of:

- The impact of the proposal on existing, committed and planned public investment in a centre or centres in the catchment of the proposal; and
- The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

Where an application fails the sequential test or is likely to have significant adverse impact on one or more of the policy factors set out in the NPPF, it should be refused.

In March 2009 Nathaniel Lichfield and Partners completed a Retail Needs Study (RNS). The work included an assessment of Chatham centre and the five district centres. The RNS concluded that in qualitative terms there was no obvious location deficiency in foodstore provision in the Medway area. The quantitative analysis indicated that over and above current commitments there was potential for between

4,249sqm and 5,607sqm large food store floorspace at 2016. The RNS recommends that a strategy should be adopted to focus on the reoccupation of vacant floorspace in Chatham centre and the delivery of major new development to provide at least 30,000sqm of additional space. The RNS identified opportunities for small-scale additional convenience shopping facilities in the district centres.

The RNS found that most of Medway's residents are located in close proximity to a large foodstore and that there is reasonable foodstore provision in most of the main centres. It also concluded that there was a good range of commercial leisure, entertainment and cultural facilities but an under provision of A3 and A5 uses in most of the main centres. The document recommends that the development strategy should seek to enhance Chatham city centre's position in the shopping hierarchy by improving comparison shopping facilities. It noted the higher number of vacant shops in Chatham than the national average and suggested that these units could help accommodate some of the additional floorspace requirements and a critical mass of 30,000sqm of additional comparison goods floorspace should be provided in Chatham town centre. Whilst the RNS makes no mention of Lodge Hill, the applicant has highlighted in the submission that the identified capacity is in excess of that required to support the proposals at Lodge Hill.

Sequential Assessment

The NPPF at paragraph 24 states that local planning authorities should "require" applications for main town centre uses to be located in town centres, and then apply a sequential approach. Due to the nature of the proposal as a new settlement the appropriateness of a sequential assessment should be balanced against the overarching objective of what is proposed at Lodge Hill. The Replacement Retail Statement states that there are no sequentially preferable sites identified at the nearest district centre of Strood in the Local Plan and takes the view that even if such sites were identified the location of Strood they would not meet the needs of Lodge Hill residents or those of the Hoo peninsula.

The applicant asserts a retail need based on the needs of residents of the new settlement at Lodge Hill and existing residents of the Hoo peninsula. They also contend that there is a qualitative deficiency in existing retail provision on the Hoo peninsula. They argue that the capacity identified in the RNS supports the proposed development and state that there are no identified sequentially preferable sites in Strood. However, the RNS does identify 4 potential development sites in Strood. The priority site adjacent to Tesco is part of a larger site, including the existing Tesco unit, which has planning permission granted in August 2012 for a new Tesco store of 9,390sqm GEA with library and residential development. It is clear that the Lodge Hill proposals, which have been in the public domain for a considerable time, have not deterred Tesco from pursuing development of their site and adjoining land. The other three sites all require land assembly and entail loss of existing employment. The RNS commentary on each of them states that the availability for development is uncertain. This in itself would seem to rule them out in terms of the sequential test. More importantly, none could be said to be capable of meeting the needs of the proposed new settlement. As such it is considered that there are no sequentially preferable sites for the proposed development.

Retail Need

Whilst applicants are no longer required by national planning guidance to undertake a retail need assessment, it is important for applicants to have a clear understanding of 'need' to inform both the parameters of sequential assessment and to evaluate the implications of the impact assessment.

Whilst the final floorspace mix would ultimately be informed by retailer demand, the proposed retail element is likely to come forward as a standalone foodstore, separate comparison units and an element of convenience floorspace within each of the hubs. The Replacement Indicative Masterplan shows the foodstore located to the south of the market square and within the central hub. It is considered that this would be the most appropriate location for the foodstore and critical to the proper functioning of a new settlement.

In paragraph 1.20 of the Replacement Retail Statement, the applicants state that the proposed retail provision is expected to draw from a predominantly localised catchment, although for the purpose of their assessment they have assumed a drive-time catchment area of some 15 minutes. A catchment area of 15 minutes does seem quite extensive for retailing which is supposedly there to serve the local needs of the new settlement. A catchment area of 10 minutes would be more appropriate. The starting point for consideration of retail need is the RNS report as provides a useful indication as to the level of expenditure available within Medway, the current provision of retail floorspace and an indication of shopping patterns and the locations where the trade is leaking to. The submitted Replacement Retail Statement relies on this assessment but also considers the additional retail expenditure from new residents and workers as part of the proposal.

According to the RNS, the household survey showed that Medway's retention of convenience expenditure in the core catchment area (zones 1 to 5) is high. The potential to claw back expenditure leakage from the core catchment area is therefore limited. Based on this assumption, the assessment estimates that there would be a surplus expenditure of approximately £65.1m at 2016, which could support between 4,249sqm net and 5,607sqm net of large food store sales floorspace and between 2,550sqm net and 3,364sqm net of small food store sales floorspace (depending on the population scenario adopted).

The assessments floorspace figures assume that 80% of the expenditure surplus would be accommodated within large food stores (at least 1,000sqm net) with a new floorspace average sales density of £12,000 per sqm net (the national average for the four main operators, i.e. Asda, Morrisons, Sainsbury and Tesco). It is further assumed that the remaining 20% would be accommodated in smaller stores/shops with a new floorspace average sales density of £5,000 per sqm net. These capacity figures take account of the commitments that were in place at the time of the study (Aldi at Strood and the extension to Tesco at Courteney Road, Gillingham, both of which have now been built out).

As a Council wide study, the RNS necessarily covered a wide geographical area. In contrast the submission has adopted a more localised study area to reflect the more localised catchment of the proposed retail uses at Lodge Hill and the retail needs

assessment is limited to the wards of Strood Rural and the Peninsula. The submission uses much of the data in the 2009 study, updating only the additional planning permissions granted since the 2009 study was completed, for example the Sainsburys at Medway City Estate. The main focus of the Replacement Retail Statement needs assessment is on convenience goods rather than comparison goods. In view of the comparatively limited amount of comparison goods floorspace proposed by the application (i.e. 1,552 sq m net) this is reasonable.

In terms of the population forecasts, the submission has focussed on the wards of Strood Rural and the Peninsula and that in addition to the capacity identified in the RNS, further capacity would arise as a consequence of new residents and workers at Lodge Hill. It should be noted that no explicit allowance of expenditure capacity has been made regarding workers at Lodge Hill, as some of the workers would also live at Lodge Hill and not making any explicit provision avoids the potential issue of double counting expenditure.

The Replacement Retail Statement has also made some assumptions regarding the split between 'main' and 'top up' convenience goods expenditure and the proportion of each that is likely to be retained within the new settlement by residents. The proportion of expenditure retained would clearly be dictated to a large extent by the size and quality of the food store. The assumptions that have been made in this regard are reasonable having regard to the size of the proposed store. The implication being that the balance of new convenience goods expenditure is available to be spent within existing food stores in the area. Having regard to the size of the development and in recognition of the need to provide retail facilities onsite to encourage residents to shop locally, it is considered that the size of foodstore proposed seems reasonable. In order to create a good mix of uses for residents of the development a condition is recommended to control the split in the retail provision and ensure that not too much falls within any one particular use class.

Retail Impact

In order to derive the net area for the retail components the Replacement Retail Statement applies a net to gross ratio of 75%. This is high for the foodstore element, but represents a robust basis for the purposes of impact testing. Additionally, for the purposes of modelling impact the statement assumes that all the retail will be for Class A1 (shops) uses. In practice, it is reasonable to assume that not all the above floorspace would be developed for Class A1 uses, as it is important that for developments of this type a mix of Class A uses (including cafes, bars, restaurants, sandwich shops, take aways, estate agents, hair and beauty salons) are provided in order to create a vital and viable centre. Nonetheless the working assumption employed by the applicant represents a robust basis for retail impact testing, as it equates to a 'worst case' scenario. The comparison goods, which at 1,533 sqm net in the context of the likely growth in population and comparison goods capacity is, unlikely to give rise to impact concerns on existing centres.

The NPPF applies an impact test with a default threshold of 2,500sqm. As detailed in paragraph 26 of the NPPF, this should include an assessment of:

- The impact of the proposal on existing, committed and planned public and

private investment in a centre or centres in the catchment of the proposal; and

- The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

Paragraph 27 of the NPPF goes on to state that where an application is likely to have significant adverse impact on one or more of the above factors (i.e. those detailed in paragraph 26), it should be refused.

The Strood Town Centre Masterplan was adopted in December 2009 and has eight key objectives to guide development in the town. These include improving the appearance of the town centre and strengthening the retail circuit through improved connections between key anchor stores and the High Street and encouraging more linked trips by pedestrians. The proposed retailing at Lodge Hill would be unlikely to adversely affect the likelihood of these improvements taking place in Strood.

In terms of private investment, the notable consents in Strood relate to the approved replacement Tesco store on Cuxton Road and the Sainsburys consent at Medway City Estate. The proposed foodstore at Lodge Hill is unlikely to prejudice the likelihood of these consents being built out. This is largely because knowledge of the Lodge Hill development has been in the public domain for a considerable time and does not appear to have deterred both applicants from pursuing development of these sites. The retail proposals at Lodge Hill would also not jeopardise the plans set out in the Chatham Centre and Waterfront Development Framework (2004), nor those in the Chatham Pentagon Centre Development Brief (2005), in the Chatham Centre and Waterfront Development Brief (2008) and at Corporation Street in Rochester.

Consideration also needs to be given to the impact of the proposal on town centre vitality and viability, including local consumer choice in the area. In terms of Strood, the retail statement concludes that the centre is reasonably vital and viable and that Lodge Hill proposals would be unlikely to adversely impact on improvements as detailed in the Strood's Masterplan. Having regard to the Strood's district centre status and the results of the retail needs assessment these conclusions are reasonable.

It should also be noted that the proposed development at Lodge Hill includes new residents (approximately 11,345 in total) and new workers (estimated to be 2,576 in total). Clearly, these new residents and workers will be unlikely to spend all their annual retail expenditure within Lodge Hill settlement, so the balance of this expenditure would be available to be spent in the wider surrounding area.

The Replacement Retail Statement also analyses trade diversion from different centres. The methodology used is appropriate and widely used in such assessments. The focus of the impact assessment is on convenience goods rather than comparison goods. In view of the comparatively limited amount of comparison goods floorspace proposed by the application (i.e. 1,552 sq m net) this seems reasonable.

The Replacement Retail Statement has also considered the impact of the proposals on smaller centres including Hoo. There are difficulties in estimating the turnover of smaller centres where household interview survey data tends to be less robust. The applicants have included Hoo within the 'other centres' category under the Rochester/Strood zone and estimate that collectively these stores achieved a convenience goods turnover of £11.5m in 2011. Large stores, like the one proposed at Lodge Hill, tend to compete with other broadly similar sized stores, and therefore the impact on smaller stores such as those in Hoo would be limited, as the latter tend to perform a different function. It has been estimated by the applicant that the impact on the turnover of these 'other centres' would be 2% and this is considered reasonable. The bulk of the impact is likely to fall on the freestanding stores in the catchment area. Collectively the applicant estimates that £12.4m of the Lodge Hill store's convenience goods turnover would be diverted from these stores. As these stores are not within any defined centres they do not afford any protection under planning policy.

Hotel Provision

Policy ED13 of the Local Plan deals with hotel development in Medway. In broad terms the policy highlights the requirement for development in town centres in the first instance and also looks at some key regeneration sites. It therefore follows the broad basis of the NPPF and the sequential test as discussed above. However policy ED13 (v) states that hotel facilities would also be permitted where 'they would positively contribute to the regeneration and renewal of a larger site or area within the defined urban boundary.' Whilst the application site is outside of the urban boundary on the proposals map the scheme would constitute a significant development with business / employment floorspace and the potential to act as a base for rural tourist activities on the Hoo peninsular. In order to support these aspects of Lodge Hill and allow it to act as a sustainable location associated hotel development is considered appropriate.

Summary

The Replacement Retail Statement that has been submitted with the planning application shows that there is sufficient capacity and need in the local market for the retail floorspace proposed. The main foodstore and smaller comparison retail units would largely serve the population of Lodge Hill and so it is unlikely that there would be detrimental effects on the town centres across Medway. However it would also provide services for the Hoo Peninsula making the area less reliant on longer journeys and ultimately assisting with the sustainability of the area. The level of provision and its broad distribution on the Replacement Indicative Masterplan would ensure that residents would be in good walking distance of shops and services. Accordingly no objections are raised with regards policies R1, R2, R4, R5, R6, R9, R11, R13, R18, ED13 of the Medway Local Plan 2003 and the aforementioned paragraphs of the NPPF. However, in accordance with Circular 02/2009 the application should be referred to the Secretary of State due to the quantum of retail floorspace outside a defined centre.

Affordable Housing

Policy H3 of the Medway Local Plan 2003 deals with affordable housing. The Guide to Developer Contributions 2014 states that at least 25% affordable housing should be

provided. Paragraph 50 of the NPPF however, acknowledges that to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing and where there is an identified affordable housing need, set policies for meeting this demand onsite, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objectives of creating mixed and balanced communities.

The application proposes 25.4% affordable housing, of which 120 units or 2.4% would be extra care units. A further 2.6% would be provided as first time buyer units that would be provided on site and a sum equivalent to the cost of providing 2% of affordable housing would be provided for off-site affordable provision. The indicative mix of units is to provide larger family style dwellings across the development to counter-balance the largely flatted developments being promoted along the riverside regeneration sites. The mix of units that would be affordable would be a mix that is reflective of the overall mix.

The affordable housing would be secured through the S106 and on this basis the scheme accords with policy H3 of the Medway Local Plan 2003 and the Guide to Developer Contributions 2014.

Design, Layout and Landscaping

Policy S4 of the Local Plan states '*a high quality of built environment will be sought from new development, with landscape mitigation where appropriate. Development should respond appropriately to its context, reflecting a distinct local character.*' Policy BNE1 of the Local Plan then goes on to outline the general principles for built development highlighting the need for the design of a development to be '*appropriate in relation to the character, appearance and functioning of the built and natural environment.*' These policies are considered to conform to the section 7 of the NPPF (paragraphs 56 – 65) that deal with good design.

The documents submitted with this outline planning application are numerous however approval is sought for a Replacement Strategic Design Code document (RSDC) and a series of Replacement Parameter Plans. The accompanying illustrative details show how the development could fit on the site based upon the principles laid out in these documents. This outline application intentionally provides a set of high-level documents that are broad enough in scope to offer flexibility to vary the designs and layout that might come forward in subsequent years. Given the inevitable long-term timescale for the delivery of the scheme this wish for flexibility is understandable. Those documents being considered at this stage would form a framework by which further documents and details could be submitted during the course of the development programme. This further information would either be submitted during subsequent reserved matters applications or through discharge of condition.

Due to the scale of the proposed development and the construction programme over a 17-year period for a scheme of this size a dedicated design review panel has been formed to assess the scheme regularly during its development. The application was reported to the Lodge Hill Design Panel during its consideration and following this

review a number of amendments took place, which involved the submission of additional parameter plans and revisions to the original Strategic Design Code. The NPPF (paragraph 62), supports design reviews and the Lodge Hill Panel will be a valuable tool for critiquing future reserved matters applications and ensuring the original vision for the settlement is not lost.

Replacement Parameter Plans and Building Envelope Schedule

A series of Replacement Parameter Plans have been submitted with the application together with a replacement building envelope schedule, which shows scale of the buildings (this also shows the broad location of development), the movement network, green infrastructure and the buffer zones.

The scale of the development is shown as being a minimum of 1-storey and maximum of 5-storey. The larger scale buildings would be provided through the centre of the site and at Chattenden. This would provide higher density core areas. The majority of the 5-storey buildings would be provided within the area of the current Lodge Hill Training Area where the land is lower. The edges of the development would have lower scale buildings generally 2-storey that would sit more appropriately on the higher ground.

The alternate of the Replacement Scale Parameter Plan is the Replacement Green Infrastructure Plan, which shows the areas of the site that would not be built on and how key landscaped areas would be retained or created as part of the scheme. The application boundary includes areas of Ancient Woodland, which would be retained, and buffers created around them. The buffers are also illustrated on a separate parameter plan for buffer zones. A significant portion of open space would be provided towards the northern boundary running alongside the ridge. A series of shelterbelts would then connect this space to the central linear park running east to west through the central part of the main area. This high level plan does not indicate how each section of green infrastructure could be used however it does identify important sections of woodland that would be retained together while providing a overarching landscape framework for the site. This approach would support the wider green infrastructure benefits providing a 'knitting into' the Hoo peninsula's landscape, movement and ecology corridors and support the objectives of paragraph 117 of the NPPF.

The Replacement Movement Network Parameter Plan identifies the vehicle access points as being at Dux Court Road, Upchat Road and off of Four Elms Hill. Further pedestrian and cycle access is show at Dux Court Road. Access is being considered as part of this application and is discussed in detail later in this report. However this replacement parameter plan also establishes the key connections within the site linking these external access points by road running along the western boundary and further routes leading east / west through the centre of the current Lodge Hill Training Area. This plan also identifies the existing vehicle, pedestrian and cycle routes together with connections to nearby public rights of way.

Replacement Strategic Design Code (RSDC)

The RSDC has been structured into two main sections covering the movement network and character zones. The movement network covers primary, secondary and

tertiary streets together with the car-free network and landscape principles. This network is consistent with the replacement parameter plan showing the movement across the site. The access to the site would be via Dux Court Road, Upchat Bridge and Four Elms Hill. Within the site a number of primary routes would connect these access points. Secondary routes would lead off of the primary routes with tertiary routes serving the residential areas. Within each road tier different character types have been established, for example within the primary network there is 'primary residential', 'primary rural' and 'primary mixed use'. Each road type has been addressed to show the width of the road and associated verge, tree planting and parking. Generally there is an east / west orientation of primary and secondary streets aligned with site contours, thus reducing maximum gradients and so aiding pedestrian movement across the site.

The primary residential road type has been amended during the course of the application to ensure a separation distance of between 24 – 35 metres and the levels of privacy and associated BRE tests would provide residents with good levels of amenity. The secondary boulevard street type has been developed to represent the location of the historic 'stop line' across the Hoo Peninsular reflecting the heritage of the site. The tertiary streets have been divided into two types allowing for the provision of both front gardens and street planting and on street parking in areas of greater density. Overall the mix of street types and the associated hierarchy would provide a good framework to the site whilst also giving flexibility to the character and appearance of a particular street or area.

The RSDC also outlines the car free network and a plan shows pedestrian routes, cycleway and bridleways across the site. Sustainable travel is an important aspect of the Lodge Hill development and the provision of the network of routes outlined would aid people's travel across the site and beyond.

The landscape principles within the RSDC accord with the Replacement Parameter Plans for green infrastructure and identifying the buffer zone across the northern boundary. Overall the landscape framework forms an important part of the development providing a setting for the built form and specifically the countryside park close to the northern ridge and the central linear park would be positive contributions to the area. The document has been revised during the course of the application to increase the minimum width of the linear park of 50 metres to ensure that this feature would act a key landscape and movement corridor in the development.

A variety of character zones are discussed and these broadly relate to the commercial, community and retail hubs together with the residential areas. The commercial hubs would be located at Chattenden, Eastgate, and Westgate and in the central area and so providing a main central hub or 'town centre' and a series of satellite hubs, located across the site to provide local services.

The central hub is shown as being the main heart of the development with a mix of uses and local services including the health care provision and secondary school. The overall idea of a mixed-use town centre hub is strongly supported. The central hub concept, with its twin anchors of health centre and supermarket, would provide a heart to the town. The town centre concept plan also shows the centre as being either side of the valley park at a pinch point. The central valley park would be a key pedestrian /

cycle movement corridor and so the relationship with the town centre would promote sustainable living. However this is a key point within the town and the design approach and detailing will need further consideration in subsequent design briefs and reserved matters applications.

Chattenden is a pre-existing village with its own character and so the proposed development within this area and the associated Chattenden hub needs to reflect and complement the existing built form. The provision of a hub in Chattenden is supported and the scope of this hub with associated hotel and Business Park would be of a greater size than Eastgate and Westgate. This approach is supported due to the distance of Chattenden from the Central Hub and location close to the A228, which would be attractive for businesses. Furthermore the existing community at Chattenden has limited services and so the proposal offers the opportunity for an enhanced provision for the existing residents.

The concept of residential character zones of varying density is supported, as is the nomenclature of urban core and garden suburb. The architectural style gradient and the residential character would be crucial to the architectural success of Lodge Hill as a whole. It must transcend the standard developers' 'housing product' and certainly in the higher density areas more bespoke typologies will be needed.

Overall the RSDC provides a good framework for the development of the site and a condition is recommended to ensure that future design briefs for each sub phase of the development would be submitted and agreed prior to the submission of the relevant reserved matters application. The design briefs would have to accord with the RSDC as their 'parent document'.

Replacement Illustrative Masterplan

A replacement illustrative masterplan has been submitted with the application and forms the basis of the Replacement Environmental Statement. This masterplan shows one potential solution for delivering the quantum of development proposed within the site. The masterplan follows the principles proposed in the Replacement Parameter Plans and RSDC.

The layout is a strong grid that is generated primarily by the alignment of various military installations, specifically magazines and their connecting roads, shelterbelts, stop line, and the valley bottom road. The big opportunity is the valley bottom (the topographical focal point of the site), complete with its watercourse. This is a distinctive feature, which has both a natural character and a linear military character. It is rightly designated as the 'central park' and as a nature reserve in the Replacement Indicative Masterplan. During the course of the application revisions have been made to the submission to increase the width of this park to at least 50 metres and so its potential would be fully realised. A central notion of the concept has been shelterbelts / green fingers dividing the built area into cells partly based on the historic features of magazines and roads. As used in the current masterplan they have the potential to set up visual links between the built up area and the surrounding countryside and to provide green routes to the surrounding countryside. In this way the development can become truly distinctive. In addition, the separation of the development into four parts, each focused around a local or the central hub, helps break down what would

otherwise be a fairly unrelenting development. Pocket parks are also to be created on the sites of the former Lodge Hill magazines along the valley bottom reflecting the footprint of the magazines.

The application documents show the maximum density range as being between 70 – 90 dwellings per hectare. This density would lead to the demand for apartments of four to five storeys in height. The urban environment created would not just be confined to the central and local hubs, but would extend all along the northern primary route, and along the developed half of the southern primary route. The primary routes would, as a result, have an assertive character.

The basic building block of the development is the perimeter block. This is understandable given the underlying military grid. The dimensions of each perimeter block as depicted on the Replacement Indicative Masterplan are approximately 60 metres by a maximum of 120 metres. Future reserved matters applications would explore the design detailing of these areas to ensure sufficient open space; parking and amenity standards are met. It would be appropriate to require developers to provide their own design briefs for each sub phase of the development prior to the submission of the reserved matters application and a condition is recommended to control this. Design competitions may well be appropriate for landmark buildings and civic spaces, which can be discussed with the developer at the appropriate time.

Summary

The Replacement Indicative Masterplan raises some concerns with regard to the potential scale of parts of the development. However, the Replacement Parameter Plans allow for considerable variation even within the overall quantum of development proposed. Other environmental issues that may arise as a result of the scale and hence quantum of development can also be examined and dealt with via reserved matters. A series of conditions are recommended that would ensure landscape frameworks and design briefs would come forward at the appropriate stages of development. Accordingly, based on the broad parameters that are being considered as part of this application no objection is raised with regard to policies S4, BNE1 and BNE6 of the Medway Local Plan 2003, subject to the imposition of a series of conditions.

Landscape & Visual Impact

The Replacement Environmental Statement includes an assessment of the landscape and visual impact of the development looking at the national and local policy position. The methodology used has been developed based on the guidelines in a series of publications and an assessment has been made with reference to the Medway Landscape Character Assessment 2011 (MLCA). The 19 viewpoint locations were agreed prior to submission show a good range and angles from which the development should be assessed and include areas of low, medium and high sensitivity. The submission provides data on zones of theoretical visibility (ZTV), agreed viewpoint locations, scale analysis and adjusted ZTV data. The visual and landscape effects from each viewpoint are considered with regard to the construction impacts and permanent operations impact. The permanent impacts clearly warrant greater consideration than those temporary impacts caused during the construction

process.

In terms of the existing situation; the landscape to the north of the site makes a positive contribution to the character of the area with undulating arable farmland. To the south the landscape is more complex with the A228 dissecting the area. Further farmland with a noticeable woodland backdrop can be found to the west. The application site contains a number of landscape features including the prominent ridge towards the northern edge and extensive portions of woodland. The applicant has concluded that the overall landscape sensitivity of the site is medium to high and this conclusion is considered appropriate.

The Local Plan designates the area as an Area of Local Landscape Importance under policy BNE34, where it is identified as being within the 'Chattenden Ridge' area. Policy BNE34 states that development will only be permitted if it does not materially harm the landscape character and function of the area or the economic and social benefits outweigh the priority to conserve the landscape. The site is identified as being an important landscape feature forming the backbone of the Hoo Peninsular; an attractive setting to rural settlements and form an attractive screen to the RSME training areas. The NPPF highlights the need to have an assessment based landscape tool and so this policy should be read alongside the MLCA, which has identified the majority of the site as falling within the 'Chattenden Ridge' character area. This document outlines the characteristics of the site together with issues and guidelines for the area. The document was drafted in 2011 as part of the evidence base for the previous Core Strategy and so it has been written with Lodge Hill in mind. However it does conclude that the majority of the development would be located in a bowl and would be reasonably well screened, identifying the western edge closest to High Halstow as being a sensitive area.

In terms of landscape character the typography of the area would limit the potential impact on the surrounding character, as most of the development would be located within a valley. The Replacement Parameter Plans submitted with the application show the development being located away from Chattenden Ridge to the north, as this is an important local feature. This open space would provide a landscape buffer to the ridge and amenity area for residents. Furthermore the area of retained Ancient Woodland would in part screen some of the proposed development. As outlined in the Replacement Green Infrastructure Parameter Plan significant areas of on-site landscaping are proposed, which follows the guidelines in the MLCA to provide multi-purpose green space. During the construction phase of the development there would be impacts on the landscape however these would only be temporary. The final development would inevitably change the general character of the site but the typography and landscape planting would result in an acceptable level of permanent impact.

In terms of visual amenity, the most sensitive edge of the development is at the Eastern Pastures. This area is openly visible from High Halstow and backs onto open countryside. It forms a sensitive edge of the development and therefore requires careful consideration to ensure visual and landscape effects on surrounding countryside are managed effectively. A design brief for this area would be developed when the sub-phase comes forward. In the meantime the replacement parameter plan for scale shows the northern section of this area with low density housing of 1-2 storey

and the replacement parameter plan for green infrastructure shows approximately 15 metres of planting along the public right of way boundary. This combination of planting and density would minimise the visual impact in this area.

The Replacement Environmental Statement also considers the landscape visual impact of the mitigation and compensation land. The conclusion on both of these aspects from the applicant is that impact would be low and in part temporary due to earthworks taking place during the implementation period. The extent of the earthworks that are required to take place are not at this stage known, however it is likely that they would involve operations similar to that involved in agriculture and so they would not cause a significant effect on landscape and visual amenity.

Overall the impact of the development on the landscape would be acceptable. Certain visual improvements would occur on existing former barracks areas, for example at Chattenden, and the majority of the development would take place within the valley. Areas of sensitivity, such as the eastern pastures, would be mitigated through planting. As detailed in the development needs assessment section earlier in this report there are significant economic and social benefits associated with the proposal and on this basis the landscape planting the scheme is considered in compliance with policy BNE34 of the Medway Local Plan 2003 and no objections are raised with regards the impact on the landscape character and the provisions of policies S4, BNE1 and BNE6 of the Medway Local Plan 2003 and the Medway Landscape Character Assessment 2011.

Trees

Policy BNE43 of the Medway Local Plan 2003 deals with trees on development sites and highlights the need to *'seek to retain trees, woodlands, hedgerows and other landscape features that are a valuable contribution to local character.'* This is reflected in paragraph 118 of the NPPF which states that *'planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss'*. The application site consists of various wooded areas including areas of Ancient Woodland, which are a part of the SSSI designation on the site.

The submitted Replacement Design and Access Statement recognises the protected Ancient Woodland at this site as being arguably the most distinctive natural feature of Lodge Hill, mentioning that they have not been softened or extended, keeping their rural character intact. The ancient woodlands would be retained as part of the development assisting in providing an attractive setting for the scheme. The proposal involves scrub planting around the edges as a buffer. However there are no details of species to be planted and so there is a danger that the establishment of planted dense scrub around their edges could alter their characteristics and so a series of conditions with regards landscaping are recommended. The conditions allow a strategic, phase and sub-phase assessment.

The Replacement Design & Access Statement recognises that layout, orientation, scale and form of development has an important impact on the daylight and sunlight

received by each building. The scale of the masterplan means that it is not possible to undertake detailed studies, and future reserved matters applications would be required to prove these needs have been met. The Replacement Design and Access Statement (indicative masterplan) identifies category A and category B trees in large groups or woodland areas rather than individual trees. The tree survey referred to in the Replacement Environmental Statement Volume 1 – Main Text, omits the reference to it being undertaken in accordance with the guidelines contained in British Standard 5837:2005, but the survey was undertaken in accordance with a document that has now been withdrawn but was relevant at the time of the original submission. The revised standard builds on the advice contained in the old document, but also introduces changes such as recommendations that take account of current practice regarding planning for the management, protection and planting of trees in the vicinity of structures, and for the protection of structures near trees. Whilst the tree survey submitted with this outline application provides an outline of the existing condition of trees on site a condition is recommended to ensure updated information is submitted when each sub-phase comes forward. The condition would ensure that individual trees and groups of trees within or adjacent to pockets of development (“housing cells”) and trees in woodlands adjacent to pockets of development (“housing cells”) or where other works associated with development are proposed, should be re-surveyed and considered in accordance with the current version of British Standard 5837.

Standing Advice for Ancient Woods and Veteran Trees

Natural England and the Forestry Commission have issued standing advice for Ancient Woods and Veteran Trees. It provides advice which local planning authorities are advised to use in determining planning applications on or affecting ancient woodland and veteran trees. When consulted on proposals, Natural England and the Forestry Commission will refer planning authorities to this advice, although they may also provide a more detailed bespoke response in certain circumstances. In line with article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended), referral by a statutory consultee to current standing advice constitutes a substantive response to a consultation on a planning application and must be taken into account by the local planning authority in the determination of the application, in the same way as a letter received by the consultee.

The new document is very helpful and recognises the effects from development of adjacent land as has been recently discussed. These include:

- Fragmentation and loss of ecological connections with surrounding woodland/ veteran trees and the wider natural landscape.
- Effects on the root protection area of individual trees.
- Reduction in the area of other semi-natural habitats adjoining ancient woodland.
- Increased exposure to pollutants from the surrounding area.
- Increased deposition of dust, particularly from quarries, resulting in physical and/or chemical effects.
- Impacts on local hydrology through drainage or water table levels changing.
- Increased public use near veteran trees such that safety works leading to possible damage to the tree may be needed.
- Change to the landscape context for ancient woods and veteran trees.

- Change to light pollution at night (if development includes street lighting).
- Fly tipping, garden encroachment and increased predation from cats.

All of the above issues are relevant at this site and more detailed applications can ensure that the development is kept a suitable distance from ancient woodland. The buffers around the woodlands should be a minimum of 15 metres and these should not include private gardens. Taking account of the possible impacts that these buffers might have on the amenities of new residents (and vice versa) and the fact that these buffers should be allowed to develop into semi-natural habitat such as scrub they may need to be significantly wider than 15 metres. However the conditions recommended relating to a habitat management framework which includes woodland habitat for the entire site and plans for specific sub phases will allow for more detailed consideration at the appropriate time.

Summary

The development would avoid ancient woodland, which is a key component of the SSSI. The value of this habitat in an ecological sense is discussed further in the ecology and biodiversity section. However subject to a series of conditions relating to landscape, ecology and tree surveys no objections are raised with regards policy BNE43 of the Medway Local Plan 2003.

Open Space and Recreation

The NPPF states in paragraph 73 that '*access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities*'. In accordance with the NPPF, policy L4 of the Medway Local Plan 2003 relates to the provision of open space in new residential development. It states that, where there is proven deficiency, residential development proposals shall make open space provision within an agreed timescale. For residential development likely to be occupied by 100 people or more, the proposals should include well-located open space for formal recreation on-site at a standard of 1.7 hectares per 1000 people and open space for children's play and casual recreation on-site at a standard equivalent to 0.7 hectares per 1000 population. Provision of some or all of the formal open space off-site or the improvement or extension of an existing off-site facility will be permitted where the Council is satisfied that this would be a better alternative.

The development would result in the loss of former playing fields, most notably to the south of Swinton Avenue, however these have not been used for in excess of 5 years. Due to this time period Sport England are not statutory consultees on this application but they have commented as detailed earlier in this report. The NPPF states in paragraph 74 that existing open space or sports area should not be built on unless they would be replaced by equivalent or better provision in terms of quantity and quality. The loss of this space should therefore be compared to the significant provision of open space as part of the development.

The application proposes substantial on-site open space provision as detailed in the Replacement Social Infrastructure Report, which would in some circumstances be co-located with schools. The green infrastructure parameter plan, submitted with the

application, shows the main areas of open space and large sections along the northern boundary and through the central linear park. The proposals are for 2.2ha of playing pitch provision and 1.08ha of tennis courts and multi use games areas. A further 0.3ha of playing pitch and 0.1ha of multi use games areas would also be provided if the third primary school were to be delivered. The on-site provision would fall short of this amount and so in accordance with the policy an off-site contribution has also been secured. Indoor Sports facilities have also been proposed with 1 four court sports hall and 2 two court sports hall and a further 1 two court sports hall within the potential third primary school. This provision would be of benefit to future residents and the wider Hoo Peninsula.

The specific locations of open space and recreation provision would be determined as reserved matters applications come forward however within the parameters that are currently being considered it would be possible to provide well-located open space. Conditions are recommended to ensure that sufficient open space of all types is provided across the site and relevant equipped play areas are delivered alongside residential development. Furthermore the off-site contribution has also been secured for improvements to Deangate Ridge Sports Centre located on the eastern side of Dux Court Road which is very close to the boundary of the site and so easily accessible by future residents but also due to the loss of playing fields as part of the Dux Court Road access.

Sport England has raised concerns with the level of provision of open space and indoor sport provision, primarily due to its location within school grounds. Whilst it is acknowledged that the co-locating of facilities would reduce the potential of some use during school hours it results in a more effective and sustainable provision with flexible accommodation catering for different users. However such space should be used to its maximum potential and as such a condition is recommended for a management and access strategy for these areas is agreed. Furthermore the loss of playing fields as part of the Dux Court Road access relates to a very small portion of land and it is considered that the financial contribution secured for this area would allow for investment, reconfiguration and upgrade of the site. Sport England have confirmed that they consider themselves a statutory consultee and so any resolution to approve would be subject to a referral to secretary of state, however, subject to the imposition of appropriate conditions no objections are raised with regards open space and recreation and the provisions of policy L4 of the Medway Local Plan 2003 and the aforementioned section of the NPPF. Discussions between Sport England and officers are ongoing.

Inclusive Development

Policy BNE7 of the Medway Local Plan 2003 relates to the issue of inclusive societies and access for all. Policy T22 of the Local Plan then highlights the need to cater for people with disabilities. An important part of delivering this commitment is a breaking down of unnecessary physical barriers and exclusions imposed on disabled people by poor design of buildings and places. The NPPF, in paragraph 69, promotes safe and accessible environments containing clear and legible pedestrian routes and states that this should be an integral part of the development process. This is especially so in relation to major schemes such as Lodge Hill which require a broad approach to inclusive design, addressing movement through public areas as well as the design of

buildings. The Replacement Design & Access Statement submitted with the application explains how the movement network would provide for an inclusive environment through the main street network and green infrastructure. This would be examined further at reserved matters stage when issues of layout and design are considered. As such it is considered that the scheme accords with policies BNE7 and T22 of the Medway Local Plan 2003.

Crime Prevention in Design

Policy BNE8 of the Medway Local Plan 2003 relates to Security and Personal Safety. It is essential that all sections of the community, especially those who may be vulnerable to crime should feel safe and secure. It is an integral part of the design process to achieve this and developments should seek to design out crime and this is recognised in the NPPF in section 8. It is the intention of the applicants for the development to be designed with crime reduction/prevention measures. This is a matter for the detailed design stage and a condition is recommended to ensure that reserved matters applications are accompanied by supporting justification. As such it is considered that the proposal is in accordance with Policy BNE8 of the Medway Local Plan 2003.

Sustainability and Energy

The NPPF states there should be a presumption in favour of sustainable development, which at its heart is the simple idea of ensuring a better quality of life for everyone, now and for future generations. As this is an outline planning application many of the issues relating to the sustainability of building design and energy efficiency would be considered at a later detailed stage. However the application documents go to some length to explain how the scheme would constitute sustainable development in the Replacement Sustainability Report and the Replacement Energy Statement.

BREEAM Communities 2011 has been used by the applicant as a framework to inform the design and assess the sustainable credentials of the indicative masterplan. The BREEAM Communities incorporates the features for both the Code for Sustainable Homes and the needs of commercial buildings. As such it is seen as a more holistic tool to demonstrate and assess the wider sustainability issues. The assessment covers the following areas: -

- Climate and Energy
- Resources
- Place Shaping
- Transport and Movement
- Community
- Ecology and Biodiversity
- Business and Economy
- Buildings

The applicants' assessment dates from 2011, which is when the indicative masterplan was produced, and whilst an update to the framework was published in 2012 the Replacement Sustainability Report is based on the 2011 framework. The assessment submitted illustrates how the development could achieve an 'excellent' level. A

condition is recommended that all reserved matters applications for a sub-phase should be accompanied by an assessment against this toolkit to demonstrate that the excellent level can be achieved.

The Code for Sustainable Homes assesses the performance of new homes in nine separate areas such as Energy and Carbon Dioxide Emissions; Water; Materials and Surface Water run-off. In general terms, the Code for Sustainable Homes aims to reduce Energy Use and Emissions, Water, Waste and Pollution. It seeks to reduce the consumption of materials that are used in construction, and replace those that are used with more environmentally friendly options. It aims to reduce surface water run-off through better management of the land required for development. The BREEAM assessment for non-residential buildings follows similar criteria. The submission explains that all residential properties would achieve a minimum Code for Sustainable Homes Level 4 and all non-residential buildings would be built to achieve BREEAM 'excellent'. Accordingly conditions are recommended to ensure that reserved matters applications are accompanied by pre-design stage assessments with final certificates provided before occupation.

The Replacement Energy Statement describes the energy efficiency design and low and zero carbon technology options for the development. The details that have been submitted in the preliminary energy assessment show that it would be possible to reduce carbon emissions by around 15.5% by adopting both energy demand and energy efficiency measures. After a reduction in the energy demand, the applicant has looked at low carbon and renewable energy solutions. The applicants' preferred option is a district heating network powered by gas-fired combined heat and power, biomass boiler and back up boilers in combination with low carbon and renewable energy technologies such as solar photovoltaics, ground source and air heat pumps. By applying this approach it could be possible to achieve around 60% reduction in the regulated carbon emissions. The final design of the technologies used would be ascertained during the design stage and reserved matters applications and conditions are recommended to ensure that energy statements and appropriate information supports these submissions.

Accordingly with the imposition of the suggested conditions, the development would be in accordance with policies BNE4 and CF11 of the Medway Local Plan 2003.

Community and Social Infrastructure

A Replacement Social Infrastructure report has been submitted with the planning application, which looks at education, health and social care, and other community facilities both existing in the local area and proposed as part of the development. The NPPF in paragraphs 70 and 72 highlight the need to provide for such facilities to enhance the sustainability of communities and residential developments together with widening the choice of education. This approach is reflected in Local Plan policies. Policy CF2 of the Local Plan states that new community facilities would be permitted subject to the size and scale being appropriate to the site and that they are accessible by a variety of transport means. Primary healthcare is dealt with under policy CF4 of the Local Plan, which identifies the need to provide new facilities where there is a deficiency (or need) subject to considerations of parking and amenity. Whilst Lodge Hill is not a site identified for school provision in the Local Plan the preamble to policy

CF6 does acknowledge that additional housing provision would add to pressure on schools which could be met by new sites.

The population of Lodge Hill is expected to be around 11,500 people with 3,290 children. On initial occupancy it is expected that the development would have a significant bias towards children and young people due to the high proportions of family housing but over time the population structure would reflect the wider Medway area. In order to ensure that Lodge Hill would be a sustainable community the applicants propose to build on the current level of provision by improving existing facilities and offer new facilities.

Healthcare

The population of the site is expected to generate the need for 6 general practitioners (GPs) and the submission documents allow for a building of up to 1,500m² to provide for secondary services should the healthcare provider want to use the site as a 'primary healthcare hub' for the area. This would cater for future residents whilst also expanding healthcare options for the existing population on the Hoo peninsula. To ensure that early residents of the development could have access to on-site facilities the S106 includes an obligation to provide a temporary healthcare facility before permanent provision is built. Due to the changes in healthcare provision nationally and the timescales for the development the section 106 would allow for a fall-back option of the applicant providing a financial contribution if on-site services are not required at the appropriate time.

Education

Primary and secondary schools close to the site are either at or near to capacity so any increase in population would require additional school places to be provided. The primary school provision would consist of 2FE (form entry) across three sites providing 420 pupil places, there would also be the potential for two of these sites to accommodate additional capacity up to 3FE or 630 pupil places depending on monitoring of population and school places over the course of the development. The provision of these places could involve the extension of the existing Chattenden Primary School located close to the site boundary or a new school in the Chattenden area. Which option (extension or new school) is considered most suitable would be ascertained through a feasibility study required as part of the S106 agreement but either option would support the integration of the new development with the existing community. To ensure that early residents of the development have the required primary school places a S106 contribution has been agreed with the applicant to expand provision at Chattenden Primary School. The primary schools would have associated nursery places to cater for pre-school children together with a special educational needs centre and family and children's centre. At secondary school level the applicants propose a school of up to 8FE together with sixth form. The development would result in a need for 6FE, which would be provided through 5FE on site and 1FE at Hundred of Hoo (together with a sixth form). The application seeks consent for a larger school in order to provide flexibility if demand exists at that time, this flexibility would provide potential benefits for the wider Hoo Peninsula. The final siting, design and size of the school would be determined through reserved matters applications and monitoring. Again, in order to cater for the initial residents of the

development a financial contribution has been agreed with the developer to fund the 1FE at Hundred of Hoo School. Overall the proposal would ensure that there is a broad provision of educational services on site.

Other Community Facilities

The application also includes for the provision of community hubs at Chattenden and in the Central Hub. This community provision would be multi-use buildings able to be used a community centre, youths clubs, faith provision and a library. Appropriate conditions are recommended to agree the details and timing of the provision of this accommodation. Representations have also been made from the emergency services and so conditions are also recommended that ensure that any ambulance space or police facility, if required at the time when the central hub comes forward, are delivered in accordance with approved details.

Summary

The proposal includes for a range of facilities required to support the future residents of the development. The amount, mix and broad locations of the provision would ensure residents have good access to such services. Accordingly the application is considered to accord with the aforementioned elements of the NPPF and policies CF2 and CF4 of the Medway Local Plan 2003.

Waste Management

One of the significant issues facing the country is the growing amount of waste and how to manage it. A new approach and a change towards how waste is dealt with will be required. Priority should be given to reduction, re-use, recycling and recovery of value before disposal is considered. The Replacement Environmental Statement deals with waste management looking at both construction and operational issues.

During the construction period it is likely that most of the waste would be generated from construction and excavation processes rather than demolition of buildings. A preliminary site waste management plan has been submitted with the application illustrating how this stage of the development would be dealt with. A condition is recommended to secure a final site waste management plan on a sub-phase basis before development commences to be in accordance with the preliminary version.

During the operational stage of the development waste would primarily be generated from the residential dwellings. The planning policy guidance (PPG) identifies the need to consider the visual amenity of an area, which can be damaged by unsightly bins, highlighting the need to ensure that each dwelling is carefully planned to ensure there is enough discreetly designed and accessible storage space for all of the different types of bin used in the area. As this application is for outline planning permission, no details showing the exact arrangements of refuse storage are given. These details would be considered at detailed stage but to ensure the refuse storage arrangements are designed into the scheme including details for waste separation, rather than appearing as an afterthought, it is recommended that a condition be attached to any forthcoming planning permission to ensure this is taken into account. A condition is also recommended to secure a bring site within the central hub to maximise the

potential access for residents to waste and recycling facilities. In addition to this and in accordance with the developer contributions guide, a financial contribution towards waste management.

Accordingly, with the inclusion of the suggested conditions and the agreed contribution, the proposal would be in accordance with the PPG and policies S2 and BNE8 of the Medway Local Plan 2003.

Cultural Heritage, Historic Environment & Archaeology

The site's pre-military heritage is primarily concerned with the presence of buried archaeological remains from the prehistoric period to the 1870s. There have been a number of archaeological surveys and investigations undertaken to date, which have included an Archaeological Desk-based Assessment, Walkover Survey, Archaeological Deposit Modelling, Geophysical Survey and Archaeological Trial Trenching. The Geophysical Survey and Archaeological Trial Trenching were focussed on those parts of the site, which were not in military use at the time and as such did not cover the entirety of the proposed development area.

The various archaeological surveys undertaken to date have identified that the site has a general archaeological potential from the prehistoric period onwards. In particular the site is recognised as having a good, but probably localised, potential for the later Prehistoric, Roman, late medieval and post-medieval periods. The archaeological evaluation trenching that has been undertaken to date has identified evidence for prehistoric land division and agricultural activity in the northern part of the site, as well as evidence for medieval activity in the southwestern corner of the former Lodge Hill enclosure. A quantity of Roman building material, perhaps suggesting the presence of a nearby Roman building, was also recorded within the Lodge Hill enclosure and a Roman cremation cemetery was identified within the Lodge Hill enclosure during investigations in 1907.

The site has been in various military uses from the 1870s onwards, initially for barracks provision and munitions storage at Chattenden Barracks and Magazine. The site was substantially expanded from 1899 - 1912 when the Lodge Hill enclosure was laid out for munitions storage and manufacture. The site was further expanded during the First World War and remains from this period include listed sentry posts and what is understood to be the first anti-aircraft gun emplacement in Britain. In the inter-war period there was further expansion of the facility and during the Second World War additional land-defences, including pillboxes and a defensive stop-line were erected. The post war period saw a decline in manufacturing and munitions storage and the site was redeveloped for training purposes.

Policy BNE21 of the Medway Local Plan 2003 highlights the need for field evaluation and identifies a preference to preserve important archaeological sites in situ. In circumstances whereby development would damage such sites and programme of investigation should be secured.

Section 6.5.1.1 of the Replacement Environmental Statement suggests that the archaeological impact of the development on deposits pre-dating 1870 could be mitigated through programmes of archaeological investigation, recording,

post-excavation assessment and publication. This section of the Replacement Environmental Statement also notes that there is some scope for the preservation in situ of archaeological remains. This approach is accepted and accordingly a condition is recommended to agree an appropriate programme, in accordance with Policy BNE21 of the Local Plan.

A Replacement Heritage Statement has been submitted with the planning application, which includes details of the designated heritage assets at the site. Policy BNE18 identifies the need to protect the setting of listed buildings and Policy BNE20 deals with scheduled ancient monuments whereby development would not be permitted if they damaged or destroyed such sites or were detrimental to their setting. These designated heritage assets are the Grade II listed concrete sentry posts and the scheduled WWI period anti aircraft site. The proposals have been developed with these assets in mind and the development would not cause substantial harm to the asset or its setting in terms of paragraph 132 or 133 of the NPPF. Paragraph 134 highlights the need to give "great weight" to the conservation of designated heritage assets and that public benefits can include securing them optimum viable use. The replacement Heritage Statement assesses the significance of the non-designated heritage assets together with identifying the location and setting or character areas of the designated and non-designated heritage assets. The proposals do not envisage an active re-use of the WWI anti aircraft site but a sustainable future should be secured. It is a highly significant asset with credentials as the oldest surviving purpose built anti aircraft site in the world. Its condition is deteriorating such that unless early conservation actions are carried out it may deteriorate to such an extent that it would need to be included on a future English Heritage register of at risk assets. This outline planning application provides an opportunity to secure the future of this scheduled ancient monument as a site that could be enjoyed by both residents and visitors as part of retained green space. The only aspect of the historic significance of the site that English Heritage are still assessing relates to the WWII stop line that adjoins the site and which today takes the form of a number of pillboxes, which could become designated heritage assets. The flexibility in the parameter plans within these outline proposals could in such circumstances adequately respond to such an outcome.

The NPPF at paragraph 135 also provides advice about non-designated heritage assets and there are many of these at the site. English Heritage has assessed the site for statutory designations and this resulted in only a small number of these but this should not be taken to mean that the non-designated buildings and structures have no historic significance. The site has considerable significance and its historic character should be used to inform future reserved matters applications in accordance with all of the advice contained in paragraph 126 of the NPPF. Not all heritage assets at the site would be retained and where the detail of a planning application is decided in favour of replacement not retention for a new purpose, recording will be relevant as per paragraph 141 of the NPPF so as to advance understanding of the significance of the site as a whole and for its components. This is relevant to the very evident importance of the site for its military role as an ordnance facility but also potentially for its pre-military history that might be reflected in buried archaeological remains. Of particular merit is the magazine area towards the western side of the site, which due to its boundary wall enclosure has a special character. Future reserved matters would have to consider this area carefully providing a bespoke design solution. As such conditions are recommended to secure the recording of elements of historic

significance and to ensure a design brief is developed for the magazine area. The submission documents also suggests the use of heritage trails and interpretation at the site, which is also supported and recommended be secured by condition.

The proposals include the provision of off site compensatory habitat and the application therefore also needs to consider the potential to harm the historic environment. Issues for the historic environment arising from habitat replacement and enhancement would arise on the opposite side of the Thames estuary in Essex where actions are proposed for MOD lands at Foulness and Shoeburyness. The historic significance of Foulness/Shoeburyness as another location for past military activity should be acknowledged, assessed and taken into account. It is fortunate that Shoeburyness and Foulness ranges have been the subject of some investigation by English Heritage and others. There is a range of heritage assets present there.

In addition to the designated assets identified in the planning application there have been some recent new designations of a Cold War period boom and the atomic weapons research establishment explosive storage area as scheduled ancient monuments. A stretch of replica Atlantic wall on the south side of Foulness Island is also possibly under consideration for designation. In addition there are other undesignated features of archaeological interest beyond those recommended for designation, which would be potentially impacted by proposed works. These include extant historic landscape features including ditches and sea banks relating to piecemeal land reclamation since the medieval period, a number of Roman red hill/salt working sites and several examples of preserved timbers, either sea defences or wreck sites. There is also potential for previously unidentified assets to be present, which may be impacted by the proposals.

The Replacement Environmental Statement makes reference to the size of the compensation land and the extent of land at Shoeburyness / Foulness which could be suitable. Essentially the land identified in the submission as compensation land is significantly greater than the amount required to mitigate the impact of the development. As outlined earlier in this report 304ha of land would be secured as part of any future S106 and English Heritage are satisfied that it would be possible to identify such land without causing harm to heritage assets. That said, further detailed proposals for the compensation land would need to include a consideration of designated and undesignated features.

Accordingly the application is considered acceptable with regard to the cultural and historic environment including designated and non-designated heritage assets and archaeology. The scheme therefore accords with the provisions of policies BNE18, BNE20 and BNE21 of the Medway Local Plan 2003 and the aforementioned paragraphs of the NPPF and S66 of the Planning (Listed Building and Conservation) Act 1990.

Amenity Considerations

Policy BNE2 of the Medway Local Plan 2003 deals with amenity highlights the need to secure of the amenities of future occupiers and existing residents that are nearby or adjacent to a development. The policy highlights the considerations as including

privacy, daylight, sunlight, noise, vibration, and traffic generation. Policy BNE24 of the Local Plan then goes on to deal with air quality and requires an assessment to be provided with planning applications that are likely to result in airborne emissions and explains that development would not be permitted when it results in unacceptable effects.

The development would largely be a stand-alone scheme, however the development at Chattenden would be delivered alongside existing residential dwellings and consideration needs to be given to the relationship between the old and the new elements. However as the application is in outline form with only access being considered at this stage the layout, design and size of properties is not being examined and this would be looked at in subsequent reserved matters applications. Chattenden is shown as being the location of residential development together with business and retail and from the information submitted it would be possible to arrange these in way so as to not cause detrimental impact to the amenity of existing residents. The development would result in an increase in the number of vehicles using Chattenden Lane however the new off slip from Four Elms Hill and the Dux Court Road entrance would provide easier entry points for residents and visitors. As such Chattenden Lane should not attract a level of vehicular traffic to cause a detrimental impact to residential amenity. A condition is recommended to secure a traffic management strategy that would monitor, report and where necessary mitigate traffic levels and speeds along this route.

Future residential elements of the scheme would also be assessed to ensure the location of such properties including those near to the town centre or other hubs would be afforded good levels of amenity. Subsequent reserved matters applications would also be assessed in accordance with the Medway Housing Design Standards relevant at that time.

Noise and Vibration

A noise and vibration assessment has been undertaken in support the application and forms part of the Replacement Environmental Statement. This assessment considers the suitability of the site for residential development and considers both construction and operational noise impacts associated with the proposed development and essentially creates a baseline position for the current situation.

The operational impacts would arise from increased road traffic and from fixed plant and similar installations to be constructed on site. Permanent noise impacts are likely to arise from an increase in road traffic on site and on the local road network. Daytime noise contours have been produced to indicate road traffic noise impacts associated with the proposed development in 2026 and these indicate that there would be no significant impacts on neighbouring receptors.

Permanent noise impacts are also likely to arise from the energy centres and other installations that would be required to service the site. A condition is recommended to ensure the details of the energy centre, with particular reference to noise; air quality and odour are approved. The noise element should be an assessment in accordance with standard BS4142 to demonstrate that the noise from the energy centre is 10dB below the background levels. Noise mitigation could include quieter items of plant,

acoustic treatment of the building and sound attenuators. A condition is also recommended that covers the passage of sound between residential properties in accordance with the same standard.

Construction noise impacts are temporary in nature, lasting for the duration of construction works. Whilst the level of impact would vary significantly depending on which portion of the site was being built out, certain elements have the potential to impact existing communities. Mitigation of these impacts would be controlled through a Code of Construction Practice (CoCP) as outlined in the Replacement Environmental Statement, which would deal with various matters across the whole site. A further condition is then recommended that secures a Construction Environmental Management Plan (CEMP) to be submitted at each sub-phase, which would require the developer to show compliance with the CoCP and more specific considerations such as the location of concrete crushers to demonstrate that they are located away from sensitive receptors or are adequately screened.

Subject to various conditions that would require further information as the development progresses, no objections are raised with regards noise and vibration and the provisions of Policy BNE2 of the Medway Local Plan 2003.

Air Quality

The Replacement Environmental Statement submitted with the application includes matters concerning air quality. The assessment has been undertaken to consider the potential impact on air quality arising from construction and operation at Lodge Hill. Dust emissions from construction vehicles during construction phase, along with operational emissions from traffic movements and on-site energy production associated with Lodge Hill, all have potential to impact on local air quality. The two key pollutants considered in the assessment were nitrogen dioxide and particulate matter.

Air quality monitoring showed that existing pollutant concentrations in the vicinity of the site exceed or are close to the annual mean Nitrogen Dioxide Air Quality Limit Value, defined by air quality standards. Detailed assessment of the air quality impacts have therefore been undertaken in the vicinity of the site, which is where the largest increases in traffic movements are projected. Effects further afield, where monitoring indicated lower pollutant concentrations, were assessed using a simple screening method.

The development proposals include a number of measures to minimise the impact from construction dust following current best practice guidance, such as dust suppression. The impacts during the construction stage are only likely to occur in the immediate vicinity of the site, and these range from 'temporary moderate adverse' to 'negligible'. Measures to minimise traffic generation would also help to reduce significant permanent impacts on air quality. The impacts in the immediate vicinity of the site range from 'slight adverse' to 'negligible' during the operational phases for the traffic and energy centres. Beyond the immediate vicinity of the site, impacts are generally negligible.

As discussed earlier the CoCP and CEMP together with the details condition requiring details of the energy centre would ensure the monitoring of air quality is undertaken to

ensure the air quality objectives are not exceeded.

Subject to various conditions requiring further information, as the development progresses no objections are raised with regard to air quality and the provisions of policy BNE24 of the Medway Local Plan 2003.

Water Quality, Drainage & Flood Risk

The Replacement Environmental Statement includes a section on water quality, drainage and flood risk, which deals with surface water quality and flood risk. This is discussed further in the Replacement Supporting Infrastructure Report, which also reflects aspects of the Replacement Sustainability Report. Policy CF12 of the Local Plan deals with water supply and outlines that development would only be permitted where it does not have a detrimental effect on the quality or yield of water supply, prevent or reduce replenishment of groundwater aquifers, have an adverse impact on the flora, fauna and amenity of water course, and it would represent an unacceptable risk to groundwater quality. Policy CF13 covers tidal flood risk areas identifying the need to consider the integrity of flood defences, a means of escape and the arrangement and type of residential accommodation. These policies are in accordance with the NPPF paragraphs 100 – 104, which identify and outline the sequential test approach to areas at risk of flooding. The study area within the application has been identified as the application site, off-site habitat creation works including the off-site mitigation area, together with the identified nightingale compensation land.

Sustainable Drainage (SuDs) and Surface Water

The applicants propose that SuDs would be used throughout the development in order to minimise the impact that the development has on existing watercourses. This would ensure that discharges would be in-line with those experienced from the existing site and provide additional water amenity facilities within the landscaped areas. Water quality would be enhanced by the use of permeable paving within the development areas, the use of swale and filter drains. Geotechnical investigations have revealed that the ground strata across the development site consists of made ground above a significant depth of London clay and so infiltration techniques have been ruled out due to the impermeable nature of the soils. As such attenuation techniques and methods would be used to ensure that rates to discharge are maintained at their current levels. Permeable paving, swales, filter drains and green roofs would be used. This approach is supported but depending on the location and extent of these features there may be a reduction in overall housing numbers. Source control would not only ensure that the surface water regime is in alignment with the principles of the SuDs management train but would reduce the load on site and regional controls.

Runoff/Attenuation

The estimates produced using WINDES give a good indication of the likely storage requirements of the site although it should be noted that this might change at a detailed stage when refined modelling is used. It is noted that Flood Studies Report data has been used to estimate runoff rates and storage volume calculations. Flood Estimation Handbook estimates should be used for any subsequent surface water

strategy. There should also be some appraisal of the impact of the surface water regime on the hydrology of the woodland. Whilst in accordance with NPPF it is proposed that runoff will not increase and where possible there will be betterment, it needs to be ensured that the Deangate Woodland area is in receipt of enough water to sustain the wetland. Some further analysis is therefore required to quantify any potential impacts, taking into account the current flow paths of runoff from existing impermeable ground at the site. This can be undertaken at a detailed stage when considering development of the contributing sub-catchments and appropriate conditions are recommended.

Foul Drainage

Following discussions with Southern Water it has been identified that the existing local sewers adjacent to the proposed development would be inadequate to provide spare capacity of discharge, which would be required. Additional off-site sewers would therefore be required routed from the southern boundary to the Whitewall Waste Treatment works, which are located 1.6km to the south of the development. The applicants have stated that an on-site treatment facility has been considered but the off-site option is the preferred option and an indicative foul drainage strategy has been submitted with the application. Southern Water has raised no objection to the application and any future adoption of sewers would be subject to a section 104 agreement.

Flood Risk

The majority of the site lies within flood zone 1 and therefore there is a low probability of flooding from tidal or fluvial sources. However a small area close to the Four Elms roundabout is within flood zone 2. There are no commercial or residential buildings planned for this area, as it would incorporate access to the A228. The detailed design for this area under the S278 would consider suitable flood attenuation facilities.

Summary

Some combination of the use of SuDs and conventional piped systems may be necessary to provide the estimated volume requirements, together with any additional water quality treatment this may necessitate although the burden on the site wide network could be reduced via the use of source control techniques. However the broad use of SuDs is supported. The location of the proposed swales and ponds through the existing shelterbelts would be agreed through the hierarchy of conditions recommended. Accordingly no objections are raised with regards policies CF12 and CF13 of the Medway Local Plan 2003.

Highways

The Medway Local Plan 2003 outlines a variety of transport related policies dealing with both on-site and off-site works. The NPPF in paragraph 32 highlights the need to consider sustainable transport modes within development proposals and, depending on the nature and location of the site, the options to reduce the need for major transport infrastructure. As outlined previously in the design and layout section the Replacement Movement Network Plan submitted with the application and the

Replacement Indicative Masterplan shows a development with residential properties located within walking distances of shops, services and schools. A Replacement Transport Assessment that looks at modal shift and the provision of a high quality public transport strategy also supports the application. However accompanying these key elements are off site transport proposals linking the site to the wider area.

Trip Generation

The Replacement Transport Assessment (RTA) predicts the overall trip generation likely to arise from the maximum development quantum based on approved Medway Saturn Model trip rates and the TRICS database. The anticipated peak hour trips for each mode of travel are as follows:

	Walk	Cycle	Public Transport	Vehicles
AM Peak In	16	14	142	1137
AM Peak Out	22	19	160	1542
PM Peak In	21	18	150	1481
PM Peak Out	19	17	140	1349

The applicant has predicted the level of trips via other modes using modal split information for Medway extracted from the census data. The applicant has also made assumptions for trip reductions taking into account linked trips, mode shift due to sustainable transport measures, the provision of the high quality dedicated bus service and internalisation of trips. The proposed traffic generation figures have been used to test the access arrangements for the site and to establish the impact on the wider network using the Medway SATURN model.

Based on indicative phasing plans provided, the following potential traffic generation has been assumed for each of the assumed phases:

Phase 1	Vehicles		
	In	Out	Total
AM	406	551	957
PM	529	482	1011

Phase 2	Vehicles		
	In	Out	Total

AM	812	1101	1914
PM	1058	964	2021
Phase 3	Vehicles		
	In	Out	Total
AM	1137	1542	2679
PM	1481	1349	2830

The indicative development phasing proposed in the Replacement Transport Assessment is: Phase 1: 7 years - 2016-2022, Phase 2: 7 years - 2023-2029 and Phase 3: 3 years - 2030-2032.

Traffic Impact Assessment

The traffic impact of the whole development has been assessed using the Council's agreed SATURN model. This means the assessment takes account of existing committed developments in the area, ensuring that the cumulative impact on Medway's highway network is examined. The model has been run using the 2007 base and 2026 forecast years. Whilst the RTA now proposes an opening year of 2032, the assessment still uses the 2026 Saturn model flows since there is evidence to demonstrate that due to the revising down of predicted traffic growth, due to the economic downturn, the traffic modelling forecasts for 2026 still adequately represent the opening year of 2032. The Saturn traffic model has tested the road network with and without Lodge Hill development and also with Lodge Hill and the proposed junction improvements that are associated with Lodge Hill.

Four Elms Hill and Four Elms Roundabout

A detailed highway capacity assessment of the Four Elms roundabout junction demonstrates that, even without any development at Lodge Hill, by 2026 it would be operating above capacity and subject to congestion and delays from background traffic growth alone. On this basis, the significant number of trips generated by the proposed development requires the implementation of substantial mitigation measures.

The application proposes an enlarged, signalised roundabout with a new free flowing left-slip from the A229 Hasted Road on to Four Elms Hill. This would provide an additional traffic lane for northbound vehicles until it reaches the new off-slip to Lodge Hill. For vehicles leaving the development, a new on-slip from Upchat Road onto Four Elms Hill would be provided, with the existing left-slip from Four Elms Hill onto the A289 retained. In order to provide the additional traffic lanes on Four Elms Hill, and a suitable footway/cycleway to connect Lodge Hill with the surrounding area, the Upchat Road bridge would need to be widened. These alterations to the existing highway network have been assessed by the Councils road safety engineers and are considered to be acceptable subject to a detailed design during the Section 278 process.

The proposed mitigation scheme at Four Elms Roundabout provides additional highway capacity and is predicted to satisfactorily accommodate background traffic growth and the traffic generated by the development. As with all signalised junctions, the traffic model predicts that some queuing would still occur, with maximum delays of around 6 minutes on certain arms during the peak periods. Notwithstanding this, the amended junction would operate more efficiently and with greater capacity than it would without any intervention and there is considerable scope to further optimise the operation of the traffic signals once the trip levels and distribution patterns from the development become established.

The applicant would provide an on-slip from Four Elms Hill to the site before any construction traffic enters the south-western accesses to the site. The full scheme at Four Elms roundabout and Four Elms Hill including an enlarged and signalised roundabout, the completed on-slip from A228 Four Elms Hill and a new off-slip to the A228 Four Elms Hill from Upchat Road will be implemented prior to first occupation of the development and a condition is recommended to control this.

A new 2 metre wide pedestrian and cycle link is also proposed between the site and Wainscott via the A228 Four Elms Hill and Four Elms Roundabout. The route would commence at Lodge Hill and then continue along Upchat Road and across Upchat Bridge. A new footway cycleway would be provided on the inside curve of the on slip at this location connecting this route to the existing footway adjacent to the A228. When this footway reaches the Four Elms Roundabout a new pedestrian bridge is proposed which would extend over the roundabout terminating on the west side of Hoo Road. The details that have been submitted show that a safe and convenient pedestrian and cycle bridge can be built within the proposed footprint, subject to detailed design. A planning condition is recommended to secure the final design and ensure its delivery before the occupation of the first home inline with the timescales for the highways elements in this location. On this basis no objections are raised with regards policies T2, T3 and T4 of the Medway Local Plan 2003 or paragraph 32 of the NPPF.

Upchat Road and Chattenden Lane

Upchat Road forms a point of access and egress for the development as set out above. The new on-slip to the A228 Four Elms Hill (westbound) from Upchat Road does intensify a route with a particularly tight radius. This has been considered as part of the main road safety audit as set out above and does benefit from an improved layout as part of the access improvements at Four Elms Hill. Notwithstanding this, the improvements would continue to represent a departure from standard. It is considered that the current layout is the most appropriate solution given the environmental limitations at this location and on balance the access proposals are considered acceptable.

The traffic modeling predicts queuing back on Upchat Road during the peak periods and this may result in traffic seeking alternative routes and could result in rat running during the peak traffic hours unless it is actively managed. The applicant has considered a series of potential measures to reduce the level of cut through traffic between Anthony's Way and Lodge Hill via Upchat and Upnor Road. Active management of the traffic flows would be required, including monitoring and reacting where appropriate with a series of agreed measures, to be fully funded by the

applicant. The measures put forward by the applicant at this stage include volume and speed reducing measures. It should be noted that the proposals incorporated in the Replacement Transport Assessment are not fully supported, as it is felt they are inappropriate for the location. However they do provide comfort that an acceptable solution is possible and so something more appropriate would need to be agreed with officers at a more appropriate stage. This would be agreed through the development of a Traffic Management Plan and a condition is recommended to control this.

No changes to the vehicular route for traffic at Chattenden Lane are proposed. However, there is an existing signal controlled pedestrian crossing facility across the A228 immediately adjacent to Chattenden Lane. The applicant has agreed to upgrade this to a 'puffin' crossing to aid the flow of traffic and this would be incorporated into the overall improvements at Four Elms Roundabout and Four Elms Hill, delivered via a section 278 agreement. Accordingly the scheme complies with policy T12 of the Medway Local Plan 2003 and paragraph 32 of the NPPF.

Dux Court Road

The new access from Four Elms Hill is predicted to have sufficient capacity to serve the entire Lodge Hill development. However, a secondary access is considered necessary in the interests of good accessibility, better connectivity with existing settlements, public transport provision and emergency access. On this basis, the application also proposes access to Lodge Hill via Dux Court Road, which would be widened to provide a 7.3 metre wide carriageway, a verge and a 3 metre width footway / cycleway. Minor capacity improvements at its junction with the A228 are also proposed in order to accommodate up to 50% of the traffic generated by the development. Consideration of the proposals has concluded that subject to detailed design of the access road the proposed access arrangements are considered to be acceptable in respect of the Local Plan. The proposals have been modelled to ensure they provide adequate capacity for the proposed development and no concerns are raised with this respect. It is proposed that phase 1 of the development of Lodge Hill would be accessed from Dux Court Road and therefore these works would be required prior to any construction traffic entering the site via the northeastern access. On this basis no objections are raised with regard to policy T2 of the Medway Local Plan 2003 and paragraph 32 of the NPPF.

Dux Court Road is also designated a 'Rural Lane' in the Medway Local Plan 2003 and this is dealt with under policy BNE47 and broadly accords with the relevant sections of the NPPF that deal with good design. The policy states that urbanising features such as raised kerbstones should be avoided unless they are necessary. The S278 process and condition discharge will deal with the final materials and highway design for this route however due to the levels of traffic using the route it would be necessary to build in accordance with standards to meet safety levels. As such the visual appearance of the southern portion of Dux Court Road would change, however it is considered necessary to provide access to the development and no objections are raised with regard to policy BNE47 of the Medway Local Plan 2003.

A new link for pedestrians and cyclists is proposed between Lodge Hill and Hoo, via Dux Court Road. This comprises a 3 metre wide pedestrian and cycle path along Dux Court Road between the southern entrance of the site and the roundabout at the

junction with the A228. The route would then continue across the A228 via a new pedestrian and cycle bridge. Three options have been shown for the design of this bridge and a planning condition is recommended to secure the final design and deliver it prior to the occupation of the 1000th home. As such no objections are raised with regards policies T3 and T4 of the Medway Local Plan 2003 or paragraph 32 of the NPPF.

The Wider Area (between Four Elms Roundabout and the Medway Tunnel)

The results of the 2026 assessment of the Four Elms roundabout and the A228 and A289 links show that even without any development at Lodge Hill, in 2026 with background growth and no road improvements the existing roundabouts would operate in excess of their capacity. The Council has plans to improve the operation of the wider area from the Four Elms Roundabout to the Medway Tunnel to cater for the predicted growth in Medway in addition to Lodge Hill, and therefore the principle of a financial contribution based on the cost of the works that would be required to address the impacts of Lodge Hill has been agreed. A contribution of £7,596,433.88 is sought towards the funding of this scheme. The Council has received funding from the Local Growth Fund as detailed in the South East LEP Growth Deal and Strategic Economic Plan and the S106 contribution could go towards this wider project. In either case the money would be spent on this corridor of the network to mitigate the impact of the development.

The modelling results submitted by the applicant for the Sans Pareil and Anthony's Way roundabouts can only be considered in fairly broad terms since they are based on assumptions that can not be fully secured at this stage and rely on the delivery of a major transport improvement at Sans Pareil and Anthony's Way junctions. Notwithstanding this, the applicant has been able to demonstrate in suitable detail that enlargement and signalisation of these junctions would enable them to cater for the 2026 with Lodge Hill development traffic with minimal delays. The junctions would operate more efficiently in future years than the existing junctions would without the development. As such no objections are raised with regard to policy T11 of the Medway Local Plan 2003 or paragraph 32 of the NPPF.

Strategic Network

The Replacement Transport Assessment submitted with the application also includes a consideration and assessment of the strategic road network on junctions 1, 2 and 3 of the M2. The highways agency (HA) has assessed the details using circular 02/13 (The Strategic Road Network and the Delivery of Sustainable Development). This circular sets out the review period for the highway impacts as '*up to ten years after the date of registration of a planning application or the end of the relevant Local Plan whichever is the greater*'. The circular suggests that mitigation measures should be provided '*to provide for overall forecast demand at the time of opening, the impact of the development will be mitigated to ensure that at that time, the strategic road network is able to accommodate existing and development generated traffic*'. The details submitted with the application consider traffic modelling at 2026 and then further impacts to 2032.

The modelling of junction 1 has shown that just over 30% of the trips generated by

Lodge Hill are likely to use this junction but it should operate within its design capacity and would not generate significant delays. The applicants have provided further details to the HA during the course of the application and the HA are content with the results of the assessment work. As such no mitigation is required at this junction. The applicant has undertaken modelling of junction 2 and the HA have confirmed that the development would not have severe impact at this location and so no mitigation is required at this junction.

The applicant has prepared a LinSig V3 modal using future AM and PM peak flows of junction 3. Predicated traffic flows at 2026 with (including mitigation) and without Lodge Hill were tested. The HA has reviewed the findings of the assessments and concluded that the development would generate an impact above the 30 trips per hour threshold on the coastbound off-slip. The development is predicted to generate an additional 113pcu during the PM peak at this section of the junction. This section was also found to be operating above its design capacity during the PM peak hour with queues stretching back to the main carriageway. Various mitigation options have been explored by the applicant looking at different approaches and levels of intervention at the junction. Following discussions with the HA a scheme was drafted which lengthened the existing flare on the M2 coastbound offslip by around 300 metres. Assessment of this proposal has concluded that it would result in a nil-detriment scheme and additional benefits of allowing better traffic flow balance would also result. As such a condition is recommended to secure the proposal as outlined on the submitted drawing or another alternative solution, which could be agreed at a later date (this approach has been agreed with the HA) and on this basis no objection is raised with regards paragraph 32 of the NPPF.

Public Transport

The inclusion of high quality public transport provision serving the site is a key part of the transport strategy in developing the Lodge Hill site. The anticipated traffic generation and predicted modal split relies on an excellent provision of branded high quality buses with frequent services, excellent catchment, offering efficient routes. This provision would be secured through appropriate conditions. High quality services with Wi-Fi and premium buses would attract commuters, especially those traveling to London via the high-speed rail link. The applicant has offered to fund free bus passes for the first phase of development for all residents and this would be secured through the travel plan.

The applicant is committed to providing a station shuttle service from Lodge Hill to Strood railway station calling at Strood town centre, Medway City Estate and the existing Chattenden settlement. This service would provide a 10 minute frequency service between 0500 and 1000hrs and again between 1600hrs and 2100hrs. Aside from these hours the service frequency would be 3 per hour. The station shuttle would run late into the evening until 0100hrs at a frequency of 2 per hour to provide a route back for those working or socialising late in London. This service, if fares were set at a reasonable level, would offer a real alternative to the private car.

The second service the applicant is proposing is an expansion of an existing service, in order to provide excellent public transport routes serving Grain, High Halstow, Hoo, Rochester and Chatham. There are a variety of options to expand existing services,

such as the 140, 191 or 192. The applicants submitted bus service report proposes a peak frequency of up to every 10 minutes, and a inter peak frequency of 2 per hour, it is suggested this is increased to 3 buses per hour in the interpeak period as a minimum. The applicant has made a commitment to subsidising the public transport services during the expected 17 year build out schedule and this should continue until 5 years post completion of the development at which time it is understood would be commercially viable. To ensure bus route consistency, it is important for the bus shelters along the route to be of the same or similar quality to ensure a quality bus corridor and a quality passenger experience. There are around 12 shelters on the route between Lodge Hill and Strood Station for example and the applicant is contributing £240,000 to fund this new public transport infrastructure.

The applicant is committed to ensuring an excellent quality provision that would be set out in the public transport strategy secured by condition and implemented with a phased approach with ongoing liaison between the public transport providers and Medway Council would ensure the provision is flexible and adaptable. As such no objections are raised with regard to policies T5 and T6 of the Medway Local Plan 2003 or paragraphs 32 of the NPPF.

Travel Plan

An interim travel plan (ITP) has been submitted with the application, the primary aim of which is to reduce single occupancy car use and encourage residents and visitors to make sustainable travel choices when travelling. The ITP includes a firm commitment to fund a travel plan coordinator for 5 years post-completion of the development. Secured by condition and through the S106 agreement, the travel plan would include mode share targets, the procedures for monitoring mode share, the level and duration of bus travel subsidy and possible remedial measures that could be implemented in the event the mode share targets are not achieved.

The targets set out in the Interim Travel Plan are set out below:

- Workplace trips reduced by 20%;
- School trips reduced by 11%;
- Residential trips reduced by 4%; and
- A 15% increase in bus patronage over and above the mode share numbers as predicted using Census Data.

The applicant states that the two-way trip generation external to the site of 2,833 vehicles (AM) and 2,609 vehicles (PM) will form the targets, but indicates that these targets should only apply once the development is fully built out.

The applicant is also expected to set intermediate mode share targets due to the length of the development build out, however the phasing currently presented at outline stage is subject to change and therefore these targets should be agreed through the travel plan condition and the Highways Agency should be engaged in the developer's monitoring of traffic flows and involved in discussions about remedial measures with the developer and the local highway authority and specific wording to this effect is sought within the travel plan condition.

A full site-wide travel plan must be secured by condition and include reference to a traffic generation target for each phase of the development that should not be exceeded. These trip generation targets would act as a guide when monitoring the development and indicate the developments' car usage. Should the maximum trip thresholds be exceeded (for more than 1 month in any six month period), additional resources and incentives would need to be deployed to minimise the level of car traffic generated by the development. This may be achieved either by a transfer to alternative modes, or by trips not being made at all. Targets are set for car-based trips only.

Should additional interventions be required a review of the traffic generation targets in conjunction with the travel plan coordinator, the Local Highway Authority and the Highways Agency may be appropriate. Monitoring of the development at the site boundary access and egress points should commence from occupation of the 200th dwelling. It would continue for a period of up to 2 years after final occupation and this is reflected in the recommended travel plan condition.

The maximum trip thresholds per phase should be contained within the full travel plan and the traffic management plan, both key elements of the overall transport strategy for the site. The traffic management plan would also be secured via a condition. A contribution of £4,000 per phase has been sought towards the Council's involvement in monitoring the Travel Plans and on this basis no objections are raised with regard to T14 of the Medway Local Plan 2003 or paragraph 36 of the NPPF.

Public Rights of Way and Cycle Provision

The Replacement Transport Assessment also includes a linkages study, which shows how potential public rights of way, permissive paths, cycleways and other recreational routes associated with the development link to the existing route network within the area. There is a need to provide connectivity between Lodge Hill and the surrounding rural villages and leisure routes to promote cycling. Historically, due to the nature of the previous land use as a military site, access across the site has been restricted, and the development offers the opportunity to expand and enhance routes in the area. The increase in the population that would result from Lodge Hill would also lead to greater numbers of people using existing routes.

Within the site the Replacement Parameter Plan 02 – Movement Network shows how routes across the site would broadly work to create a very permeable development. A condition is recommended to ensure that full details are agreed for on-site routes in accordance with this plan. Some of these routes would link up or be close to public rights of way that are located off site affording residents access to wider areas. The linkages study submitted with the application articulates an aspiration to provide further off-site routes as well as upgrading others. During the course of the application this study has been assessed, which has also included discussions with local landowners. Unfortunately due to landownership issues the scope of these linkages that can be delivered is not as per the submitted study.

One additional route has been identified as being a possibility to the south of the site towards Deangate Golf Course together with a link between RS112 and RS110 to the southern side of the A228. Furthermore it should also be possible to upgrade RS45

and RS45A and contributions have been agreed to fund these improvements. In terms of cycle provision a key route is that between the site and Medway City Estate via the Upnors and a contribution has also been agreed to fund improvements to this route. As such no objections are raised with regard to policies T3 and T4 of the Medway Local Plan 2003 or paragraph 32 of the NPPF.

On-Site Highways and Transport

The Replacement Indicative Masterplan for Lodge Hill promotes a 'transport hierarchy' that prioritises walking and cycling within the site for leisure and other purposes. Detailed proposals for a walking and cycling network within the site are crucial to the overall sustainability of the development, and would need to be submitted as part of the reserved matters applications. The design of the internal highway layout should comprise a highly permeable network of streets that dilutes traffic flows and reduces vehicle speeds. This would avoid the need for cycle lanes and other forms of segregation within the development. In addition, dedicated walking and cycling routes and the provision of a 'green spine' through the site should provide direct walking routes that reflect desire lines and enable faster cycling speeds to reduce journey times. The detailed layout proposals for each sub-phase would also need to acknowledge that driver behaviour is influenced by the overall design of the street, and not just highway layout and infrastructure.

The concept of high quality bus penetration within the development, thereby ensuring that residential and commercial development easily accessible by public transport, is outlined in the submission. It would be necessary for the detailed proposals for public transport circulation and infrastructure within Lodge Hill to be agreed as part of the public transport strategy (controlled by condition) and future reserved matters applications but at this stage the information submitted is acceptable.

The public transport strategy would be critical in securing sustainable travel choices for external trips, particularly those taking place at peak hours. However, it is certain that future residents would require the use of a private car for certain journeys, and therefore suitable provision would need to be made for residential car parking on the site. Whilst the replacement transport assessment states that the development will meet the Council's minimum parking standards in respect of the larger, lower density housing, it goes on to suggest that a provision below the standard is likely to be proposed for social rented accommodation and higher density housing located in close proximity to the bus routes and the mixed use zones, this is in line with the caveat Note 1 in the residential parking standards.

This would be considered at the reserved matters stage, and if reductions from Medway Council's parking standards were proposed then appropriate evidence would need to be provided to support the level of car parking proposed. This could, for example, be based upon data obtained from the 2011 Census. Furthermore, it is expected that each sub-phase of the development would adopt a design-led approach to car parking that seeks innovative solutions to maximise the efficiency of the provision. This would be particularly important in the higher density locations where it may be appropriate to reduce on-plot parking for design and efficiency reasons. The layout proposals submitted in future applications should also provide well-positioned, unallocated parking within the street layout, either formally or informally.

The promotion of a transport hierarchy within the development and the emphasis on high quality pedestrian and cycle routes offers a means by which car usage for internal trips can be minimised. On this basis, the provision of car parking for non-residential land uses should accord with the Council's maximum standards.

In light of the above, a condition is recommended that requires a parking management plan to be provided and the provision of car parking in accordance with the Council's adopted standards. Accordingly no objections are raised with regard to policy T13 of the Medway Local Plan 2003 or paragraph 35 of the NPPF.

Summary

The NPPF confirms that development should only be prevented on transport grounds where the cumulative impacts of development are severe. Whilst it is accepted that would be an impact as a result of the development, the applicant has demonstrated suitable mitigation. The submitted transport assessment has demonstrated the transport impacts would not be severe and therefore no highways objection is raised. Subject to a series of conditions and S106 obligations no objections are raised with regard to the impacts on the highway network, parking, pedestrian and cycle links. The scheme therefore accords with the aforementioned policies of the Medway Local Plan 2003 and paragraphs of the NPPF.

Contaminated Land

The development site has historically been used by the military; this past use could have given rise to contamination. The Medway Local Plan 2003 contains a policy on contaminated land, Policy BNE23. The policy requires that proposals for the development of land likely to be contaminated be accompanied by the findings of a site investigation, which identifies contaminants.

This planning application has been supported by desk studies, site investigation reports and a remediation strategy. Due to the size of the development site it has been split into three areas for the purposes of contamination. The supporting information details the site history, information on the geology and hydrogeology for each area of the development site. Conceptual site models have been developed for each of the three areas. Limited intrusive investigations have been undertaken in each area to support the conceptual site model and the application for outline planning permission.

The reports clearly state that the level of intrusive investigations, which have been undertaken, is that which would be appropriate for an outline planning application. Further works have been recommended to be undertaken as necessary as part of subsequent (reserved matters) stages. The remediation strategy sets out the various remediation options available and recommends an outline remediation strategy.

The information which has been submitted is sufficient to grant outline planning permission for the development as long as suitably worded conditions are placed on any planning permission to ensure that further site investigations and remediation is undertaken at the site. The principle of the proposed outline remediation scheme for the site is also acceptable. However, until the further site investigation works are

undertaken at the site on a phased approach it will not be possible to confirm the remediation strategy for each phase of the development site. Subject to a series of conditions no objections are raised with regard to policy BNE23 of the Medway Local Plan 2003.

Community Management

Lodge Hill would be a new settlement that would be located close to existing communities whilst also creating its own identity and functioning community. The long-term success of the town would depend on working with existing communities and incoming residents together with the groups and organisations who would run schools and services. These elements are often covered by a service charge however local people should be able to decide what issues are prioritised and the appropriate solutions. Such an approach could be through a community trust, multiple trusts covering specific issues or a new parish council. Each may be considered most appropriate depending on the aspects of the development that are taken on. Furthermore the funding streams for such an organisation including financial endowments or capital (land or buildings) would be needed to ensure that the community has a greater sense of ownership of the development allowing specific priorities to be met.

The applicants have provided a framework document illustrating the potential scope of a future organisation. The document highlights the need for flexibility, as the responsibilities of the organisation are currently unknown. That said, the early provision of such an organisation would be key to ensuring the maximum community involvement and ownership of the new settlement though a phased approach would also be necessary to cater for an increase in people, services and land overtime. A condition is therefore recommended to ensure an appropriate strategy for a community management body is agreed before development starts and then an implementation plan comes forward for each sub-phase of the development showing the particular elements within the sub phase would be managed. The appropriate finances associated with the body either through service charge and start-up funding should be secured in the S106.

Local Finance Considerations

There are none considered relevant to this application

S106 Requirements

New residential development can create additional demand for local services, such as educational facilities. Policy S6 of the adopted Local Plan states conditions and/or legal agreements should be used to make provision for such needs.

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 in to 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 obligations proposed comply with these tests because they have been calculated based on the quantum and location of the development.

- (i) Contribution of £1,040,750 towards off site formal sport at Deangate Ridge.
- (ii) Contribution of £119.34 per dwelling towards the Great Lines Heritage Park.
- (iii) Provision of 25.4% Affordable Housing units on-site (of which 120 units shall be provided as Extra Care).
- (iv) Provision of 2% commuted sum towards off-site Affordable Housing provision.
- (v) Provision of 2.6% first time buyer assisted purchase units.
- (vi) Provision of 304ha of nightingale compensation land to be designed and managed for nightingale, to be provided on land, which meets the criteria as agreed. Together with any mitigation that may be required.
- (vii) Contribution of £1,358,000 towards SPA and RAMSAR mitigation measures to manage potential recreational pressure adjacent to the sites and at nearby 'honey pot' sites.
- (viii) Provision of up to 8 forms of primary school entry in 3 new primary schools of up to 3 form entry (minimum 2 form entry) including the possibility of an extended or re-located Chattenden Primary School (limited to additional 2 form entry), with contribution of £4.3 million towards extension if pursued subject to feasibility study, all to include nursery provision.
- (ix) Either a contribution of up to £1,837,550 towards temporary primary school and nursery places at Chattenden Primary School, or early years provision of first on-site 2 form entry primary school.
- (x) Provision of a 5-form entry secondary school with sixth form and sports facilities on site.
- (xi) Contribution of £1,937,250 towards 1 form entry of secondary school places at Hundred of Hoo.
- ((xii) One primary school to include Special Education Needs provision.
- (xiii) One primary school to include a Family and Children's Centre (early years and family services) of 120sqm internal space and 120sqm external space.
- (xiv) Temporary healthcare provision of 100sqm to be in place until a permanent

facility is provided.

(xv) Permanent primary health centre facility of between 1,000sqm and 1,500 sqm (subject to specific requirements of the NHS), or a contribution of £467 per dwelling towards healthcare if no on-site facility is provided.

(xvi) Contribution of £7,596,433.88 towards highway network capacity and public transport improvements on A228 and A289, including Sans Pareil Roundabout, Anthonys Way Roundabout, Wulfere Way, Berwick Way and Vanguard Way.

(xvii) Contribution of £16,000 towards the monitoring of the travel plan.

(xviii) Contribution of £90,000 towards improvements to the cycle links between the application site and Medway City Estate.

(xix) Contribution of £240,000 towards replacement bus shelters between the site and Strood Railway Station.

(xx) Contribution of £100,000 towards Council initiatives to deliver improvements and/or extensions to off-site public rights of way.

(xxi) Creation of an Employment and Skills Training Fund up to £1,000,000 for developer/contractor training schemes.

(xxii) Establishment of Community Management Body including £100,000 start up fund for setting up the continued stewardship of community facilities.

(xxiii) Contribution of £175 per dwelling towards waste and recycling services.

(xxiv) Provision of Library accommodation if required by the Council.

(xxv) Contribution of £300 per trigger event for monitoring officers costs.

A financial contribution request has been made by Kent Police however as this is not included in the adopted planning policy, it has not been taken forward.

The applicant has confirmed they consider the financial requests acceptable. As such if the application was deemed acceptable these would be a requirement for the applicant to enter into a Section 106 to secure the provision of financial contributions. Accordingly no objection is raised to the proposal under Policies S6 and H3 of the Medway Local Plan 2003.

Human Rights

The Human Rights issues relevant to this application have been taken into account. This report considers the balance between the interests and rights of the applicant (to enjoy his/her land subject only to reasonable and proportionate controls by a public authority as is necessary in a democratic society) and the interests and rights of those potentially affected by the proposed development (the respect of private and family life) and the wider public interests. As such there is no breach of rights guaranteed in

the Human Rights Act 1998.

Conclusions and Reasons for Recommendation

This is an outline application with access being considered at this stage and all other matters are reserved. The application seeks consent for a series of Replacement Parameter Plans and the Replacement Strategic Design Code. The application is contrary to policy BNE25 of the Medway Local Plan 2003 in that it is development in the countryside not falling within one of the categories identified in the policy. Furthermore the designation of much of the site as a SSSI means that consideration should be given to paragraph 118 of the NPPF and the 'avoid, mitigate, compensate' hierarchy.

The development needs associated with the scheme and how it fits within the regeneration of Medway providing an opportunity to have a positive effect on the economic and social aspects of the area clearly acknowledges that the 'avoid' test has been met. The extent of the designation coupled with the development needs associated with the scheme means that changes to the layout and form of development would not allow full mitigation on site. Accordingly the applicants have proposed a package of on-site and off-mitigation covering both the features of the SSSI together with other ecological matters. Whilst the success of such mitigation can never be guaranteed the conditions and obligations would maximise the potential for success in these areas together with ongoing monitoring and maintenance. A comprehensive transport proposal has been submitted illustrating that the scheme would not cause significant harm to the highway network and these measures would again be secured by condition and S106. The high level replacement parametre plans allow for some variation from the replacement indicative masterplan that has been submitted but they would allow for the development of a sustainable new settlement offering real benefits to the people of Medway and the Hoo Peninsula. Accordingly the application is recommended for approval.

This application would normally fall to be determined under officer's delegated powers, but is being reported for Members' consideration due to the scale of the development, its local importance and the level of public interest including letters of representation received expressing a view contrary to the officers' recommendation, objections from the Parish Council, Sport England and Natural England.

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://planning.medway.gov.uk/dconline/AcolNetCGI.gov>