

Compliance with Community Infrastructure Regulations (2010) as amended

Planning application: MC/20/1478

PINS ref: APP/ 3276221

Site: Land at Upnor Road, Upper Upnor

Proposal: Erection of 72 No. residential dwellings including 18 x affordable housing and erection of Childrens Nursery (Use Class E(f)) associated car parking and infrastructure; new landscaping and public open spaces including new public rights of way and new bus stop; sustainable urban drainage system and associated earthworks and a new vehicular access from Upnor Road.

Medway Council is not a CIL Charging Authority.


Other obligations:

Policy context and CIL test summary for contributions / obligations

Infrastructure items	Planning policy / objectives	Requirement	Justification	Provision
Affordable housing	Local Plan Policy H3 Medway Guide to Developer Contributions and Obligations May 2018 v3 SPD p13	To secure 25% of new development over 25 residential units or 1 ha in size in the urban area.	<u>Necessary</u> – Affordable housing essential to deliver mix of housing to meet the needs of the community <u>Directly related</u> – Affordable housing to be provided on site as an	18 affordable units : 4x1 bed, 6x2 bed, 6x3 bed, 2x4 bed- considered acceptable re Policies H3 and H10 of Local Plan and paragraphs 61 and 62 of NPPF

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Affordable housing cont.			<p>integral part of the proposed residential development</p> <p><u>Fair and Reasonable</u> – level of affordable housing that could be provided while ensuring that the enabling housing development remains viable</p>	<p>11 units affordable rented</p> <p>7 shared ownership</p>
Highways	Medway Guide to Developer Contributions and Obligations May 2018 v3 SPD p44 paragraph 6.1	Highway improvements along the A289 and Anthony's Way roundabout	<p><u>Necessary</u> – Highways improvements to mitigate the impact of the development – this roundabout is already operating beyond its capacity during peak periods and this development will have material impact on this junction</p> <p><u>Directly related</u> – scheme 2 was identified by local stakeholders and is supported by Sustrans, Medway Local Access Forum, Frindsbury Extra Parish Council and several community groups who are looking for a safe sustainable means to reach the town from the villages and then onward travel the high speed rail link, shops and businesses</p> <p><u>Fair and Reasonable</u> – level of contribution equates to 3% of the total cost of works (£2,050,613.00) to help mitigate likely impact from this development</p>	<p>Financial contribution of £75,000 – to be flexibly spent over the two schemes, both of which relate to each other.</p> <p>Scheme 1 : provide segregated left lane at roundabout with change to carriageway layout inc traffic signalisation (total cost £1,784,613) Construction currently underway so spending would be imminent.</p> <p>Scheme 2 : new/improved level pedestrian/cycle clink between Upnor and Strood subject to carriageway measures on Parsonage Lane, Frindsbury Hill and Commissioners Rd. Project</p>

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				cost from Upnor to parsonage lane is £260,000.						
Travel	<p>Medway Guide to Developer Contributions and Obligations May 2018 v3 SPD page 43 paragraph 4.2</p> <p>Policy T6</p> <p>NPPF achieving sustainable development and promoting healthy and safe communities</p>	Bus infrastructure and provision	<p><u>Necessary</u> – to facilitate sustainable transport options arising from the development.</p> <p><u>Directly related</u> – to support interim bus services to and from the development.</p> <p><u>Fair and Reasonable</u> – level of contribution based on calculations made by Medway Council based on the average annual cost of bus service provision and bus infrastructure.</p>	<p>£150,000 to improve bus service 197 for 5 years</p> <p><i>Non financial obligation ;</i></p> <p>2 bus stops one in each direction</p>						
Education	<p>Medway Guide to Developer Contributions and Obligations May 2018 v3 SPD p30</p> <p>In compliance with Policies S1, S2 and S6 of the Local Plan</p> <p>Charge per dwelling, as stated in Medway Guide to Developer Contributions and Obligations 2018:</p> <table border="1" data-bbox="405 1050 902 1305"> <thead> <tr> <th></th> <th>New</th> <th>Existing</th> </tr> </thead> <tbody> <tr> <td>Nursery</td> <td>£1,765.08</td> <td>£1,406.08</td> </tr> </tbody> </table>		New	Existing	Nursery	£1,765.08	£1,406.08		<p><u>Necessary</u> – residents of the development will include nursery, primary, and secondary pupils</p> <p>Nursery : no forecasted space but provision on new nursery overcomes this issue.</p> <p>Primary: no forecasted space therefore maximum contribution requested</p> <p>Secondary : reduced contribution as some spaces available in Strood Academy and Hundred of Hoo in years 10 and 11 until 2024</p> <p><u>Directly related</u> – the request is based on the number of pupils that the development is expected to produce, based on the number of</p>	<p>Nursery : No financial contribution required as Nursery being provided on site</p> <p>Primary : £234,686.36 towards one or more of Chattenden Primary, Hundred of Hoo Primary, Hoo St Werburgh Primary and St Nicholas Primary School</p> <p>Secondary : £127,508.63 at one or both of Strood Academy and Hundred of Hoo Academy</p>
	New	Existing								
Nursery	£1,765.08	£1,406.08								

Primary	£4,332.49	£3,451.27			
Secondary	 RE_MC_20_1478 Upnor Road .msg £3,432.77	£2,734.56		<p>dwelling, and the pupil product ratios. The contributions will go towards mitigating the impact of the additional pupils produced.</p> <p><u>Fair and Reasonable</u> - the calculations demonstrate:</p> <ul style="list-style-type: none"> the demand arising from development (Pupil Product Ratio) The cost of providing additional school place <p>The size of the contribution is based only on the expected number of pupils that this development will produce, and the impact that this development will have on Medway schools. Requests are made for all housing developments, and all requests are based on the same pupil product ratios and contribution amounts. Requests are adjusted to reflect whether there is spare capacity in local schools to manage the increase in need from new developments.</p>	
Pupil Product Ratios (expected pupils per dwelling)					
	Flats (Excl 1 bed)	Houses (Excl 1 bed)	Calculated charge per pupil		
Nursery	0.03	0.11			
Primary	0.09	0.27			
Secondary	0.06	0.19			
	New	Existing			
Nursery	£16,046.18	£12,782.55			

Infrastructure items	Planning policy / objectives		Requirement		Justification	Provision
	Primary	£16,046.26	£12,782.48			
	Secondary	£18,067.21	£14,392.42			
Waste and Recycling	<p>Medway Guide to Developer Contributions and Obligations May 2018 v3 SPD p45</p> <p>In compliance with Policies S1, S2 and S6 of the Local Plan</p>		<p>To make financial contribution towards provision, improvement and promotion of waste and recycling services to cover the impact of the development. Calculated as set out above, in line with the Medway Guide to Developer Contributions and Obligations May 2018 v2 SPD.</p>		<p><u>Necessary</u> – Development creates the requirement for waste and recycling services – it is an integral part of the infrastructure of the development and an important part of sustainable development to encourage recycling. The increases in population arising from the new developments will directly increase the demand for waste and recycling services.</p> <p>Increasing the available bins at local HWRCs and bring sites will meet the increased demand from residents of the development using these facilities.</p> <p>It should be noted that the contribution is towards the capital cost of new infrastructure and is not towards the revenue costs of collecting and disposing of waste and recycling which is met from council tax.</p> <p><u>Directly related</u> – Contributions relate to the necessary level of direct provision</p>	<p>A financial contribution of £12,704.40</p> <ul style="list-style-type: none"> • Waste containment for the development (waste and street litter bins) • Maintenance and improvement of local bring centres (HWRCs and bring sites) to cover the impact of the development • Waste education and promotion (at the development, local schools and events)

Infrastructure items	Planning policy / objectives	Requirement	Justification	Provision
			<p>on site and waste facilities within the vicinity of the development site.</p> <p><u>Fair and Reasonable</u> – Level of contribution based on the charge set out in Medway Guide to Developer Contributions and Obligations May 2018 v2.</p> <p>The charging rates are based on per household share of Waste and Recycling Services costs for 2013.</p>	
Public rights of way	<p>Medway Guide to Developer Contributions and Obligations May 2018 v2 SPD p44 paragraph 4.4</p> <p>Policy L10</p>	To make a financial contribution towards improvements to Public Rights of Way within the immediate vicinity of the development	<p><u>Necessary</u> – an increase in population caused by the development will result in increased ‘wear and tear’ on the PROWs.</p> <p><u>Directly relates</u> – the improvements will be to Public Rights of Way within in the immediate vicinity of the development</p> <p><u>Fair and Reasonable</u> – £55 per dwelling.</p> <p>Provision of new PROWS will encourage residents to walk to local facilities rather than driving</p>	<p>A financial contribution of £3,960 towards improvements to the PROW at Saxon Shore Way and other PROWs in the immediate vicinity including improving steps handrail and laying hard surfacing for section of path from steps to Upnor Road on RS126</p> <p>PROW RS125 is path to facilities in Wainscott but there is no street lighting and therefore unlikely to be an attractive walking route during poor weather or outside daylight hours.</p>

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				<p>Improved surfacing required.</p> <p><i>Non financial obligation :</i> provision of 2 new PROWs (with lighting and appropriate surfacing) to join existing PROW network to facilitate pedestrian connection improvements to enable enhanced accessibility within the locality.</p>
Libraries	<p>Medway Guide to Developer Contributions and Obligations May 2018 v3 SPD p29</p> <p>Policy.S6</p> <p>NPPF Promoting healthy and safe communities</p>	Medway Council has a statutory duty to provide a public library service that is comprehensive and efficient	<p><u>Necessary</u> – to improve the provision of library services most impacted by the increased use as a result of additional residents of the development site.</p> <p><u>Directly related</u> – to libraries within the vicinity of the development</p> <p><u>Fair and Reasonable</u> – to facilitate improvement of facilities and equipment of library facilities that will be used by residents of the development site. Level of contribution based on the charge set out in the Medway Guide to Developer Contributions and Obligations May 2018v3. £168.40 per dwelling</p>	<p>£12,124.80 improvements to facilities and equipment at Hoo (24 Church St ME3 9AL) and/or Strood (133 High St ME2 4TJ) Libraries. These are the two closest to the application site.</p> <p>To include</p> <ul style="list-style-type: none"> • Public use ICT • Improve the book stock • Furniture/equipment to improve events and activities
Open space	Medway Guide to Developer Contributions and	Developer to provide on-site provision	<u>Necessary</u> – open space is essential to achieving inclusive and healthy communities.	A financial contribution of: Parks and Gardens - £24,212.78 Play – (Provided on site)

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	<p>Obligations May 2018 v3 SPD p36</p> <p>In compliance with Policies S1, S2, S6 and L4 of the Local Plan</p>	<p>A development of this size should be provided as a minimum of an on-site Locally Equipped Area for Play (LEAP) to standards based in Fields in Trust guidance.</p> <p>A buffer zone of 10 metres minimum depth normally separates the activity zone and the boundary of the nearest property containing a dwelling. A minimum of 20 metres should normally be provided between the activity zone and the habitable room façade of the nearest dwelling.</p> <p><i>Any on site open space provision will require the applicant to put in place 3rd party management arrangements</i></p>	<p>Play is essential for children to develop physically, mentally, emotionally, and socially.</p> <p>The Great Lines Heritage park and Area of Local Landscape Importance and Local Wildlife Site and is valued for its strategic views, wildlife habitats and heritage, is an asset for the whole of Medway and demands on its upkeep and maintenance increases proportionately with population. Improving all these aspects will further enhance the visitor experience.</p> <p><u>Directly related</u> – There is very little play provision in Upnor and a development such as this will bring in a number of new families to the area who will need suitable open space and play provision, rather than having to travel some distance to use existing facilities.</p> <p>The metropolitan park is an asset for the whole of Medway</p> <p><u>Fair and Reasonable</u> – Level of contribution £2,601.63 per dwelling based on the charge set out in Medway Guide to Developer Contributions and Obligations May 2018 v3.</p>	<p>Amenity Greenspace - £8,073.27 Natural Greenspace - £37,180.23 Outdoor Sport - £36,445.87 Allotments - £3,915.81 TOTAL £109,827.97</p> <p>There is very little open space in Upnor so will be difficult to provide in the immediate area so we will have to look for further afield. This would be in consultation with Frindsbury Extra Parish Council</p> <p>£104,336.57 towards enhancement of open space facilities (see above)</p> <p>The remaining 5% £5,491.40 for Great Lines Heritage Park</p>
Health	Medway Guide to Developer Contributions and Obligations May 2018 v3 SPD p35	To support the foundation and development of the Peninsula locality Primary Care Network including the	<u>Necessary</u> – to provide healthcare services to residents of the development.	A financial contribution of £46,424.88 to provide appropriate level of enhancement to

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	In compliance with Policies S1, S2 and S6 of the Local Plan	supporting infrastructure, IT, training and equipment	<p><u>Directly related</u> – provision of improved services to enable registration of new residents</p> <p><u>Fair and Reasonable</u> – Level of contribution £632.36 per dwelling based on the charge set out in Medway Guide to Developer Contributions and Obligations May 2018 v3.</p>	accommodate increase in patient numbers
Habitats Regulations	<p>Habitat Regulations</p> <p>Medway Guide to Developer Contributions and Obligations May 2018 v2 SPD p26</p> <p>In compliance with Policies S6, BNE37 and 39 of the Local Plan and paras 175 and 176 of the NPPF.</p> <p>Strategic Access Monitoring and Management Strategy</p>	To make financial contribution to take mitigating measures to protect wintering birds habitat areas from the additional footfall/visitors that will result from the development.	<p><u>Necessary</u> - to mitigate the impact of bird disturbance on wintering bird habitats from new development.</p> <p><u>Directly related</u> - Much of the estuary and marshes along the north Kent coast on the Thames, Medway and Swale are designated Special Protection Areas (SPAs). A series of strategic mitigation measures to reduce bird disturbance caused by visitors to the SPAs and Ramsar sites is supported by north Kent planning authorities and endorsed by Natural England in addressing this aspect of potential impact to SPAs.</p> <p><u>Fair and Reasonable</u> - an adopted charge is sought per dwelling.</p>	A financial contribution of £250.39 per dwelling = £18,028.08
Youth	Medway Guide to Developer Contributions	To make a financial contribution towards youth provision and programme delivery in the Strood and	<p><u>Necessary</u></p> <p>The development will create the need for an increased level of youth services.</p>	A financial contribution of £5,430.48 based on £79.86 per dwelling towards

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	<p>and Obligations May 2018 v3 SPD p46</p> <p>Resourcing Excellent Youth Facilities</p>	<p>Peninsula area for young people (ages 8-19 and up to 25 for those with disabilities). Contribution to provide improved facilities which may include access, supplies and/or equipment.</p>	<p><u>Directly related</u></p> <p>The provision of youth services will be in the vicinity of the development.</p> <p><u>Fair and Reasonable</u></p> <p>Level of contribution based on the charge set out in Medway Guide to Developer Contributions and Obligations May 2018.</p>	
Heritage	<p>Medway Guide to Developer Contributions and Obligations May 2018 v3 SPDp28</p> <p>Medway Economic Impact Study 2015</p> <p>Destination Management Plan 2014</p>	<p>To make a financial contribution towards the visitor experience at Upnor Castle</p>	<p><u>Necessary</u> -Upnor Castle is of significant historic interest. Residents of this development will increase the footfall at this very close iconic building. This in turn will make further demands on the fabric and upkeep of the castle</p> <p><u>Directly related</u> – heritage contributions are sought for developments within 1,000 metres of development sites. Upnor Castle is in very close proximity to this application</p> <p><u>Fair and Reasonable</u> : the level of contribution identified in the Medway Guide to Developer Contributions and Obligations is £290.28 per dwelling</p>	<p>A financial contribution of £20,900.16</p>

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Waste water treatment works	Local Plan BNE2(ii) Para 170e NPPF	Mitigation measures as set out in the Odour Constraints Assessment (agreement would need to be sought with owners of treatment works and if agreement reached could result in structures which could further harm open character and appearance of the Hogmarsh Valley contrary to Policies BNE25 and BNE34 of Local Plan and paras 170(a) and (b) of NPPF).	<p><u>Necessary</u> : mitigation measures required to reduce odour concentration across the application site to 30Uem⁻³ or below.</p> <p><u>Directly related</u> : on site odour emissions sampling was carried out at the application site – impact was in excess of what is considered acceptable in residential areas 62% of the site is affected</p> <p><u>Fair and Reasonable</u> : mitigation measures identified in Odour Constraints Assessment</p>	<p><u>Non financial obligation</u> ;</p> <p>Mitigation measures at the waste water treatment works</p>

