

MC/13/1877

Date Received: 1 August, 2013

Location: 94-100 High Street & 2 Manor Road, Chatham, ME4 4DS

Proposal: Change of use of ground floor to restaurant and first, second and third floors to a 31 bedroom hotel (13 double bedrooms, 2 disabled persons' bedrooms, 4 family bedrooms and 13 single bedrooms) with hotel reception and ancillary area on first floor; additional fire escapes and creation of decking area in rear courtyard (resubmission of MC/13/0164)

Applicant: Mr K Shen

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Ward River

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 12 March, 2014.

Recommendation - Approval with Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 2012/05/530 06 (Existing first and second floor plans) & 07 (Existing ground and third floor plans) received on 1 August 2013; 2012/05/530 03B (Existing elevations) & 08 (Proposed ground floor plan) received on 9 September 2013; 2012/05/530 04D (Proposed elevations) received on 25 October 2014; and 2012/05/530 01E (Proposed first and second floor plans) & 2012/05/530 02D (Proposed third floor plan) received on 13 February 2014.

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

- 3 Prior to the commencement of the development details and samples of materials to be used in any external alterations to the building shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory

and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 and BNE14 of the Medway Local Plan 2003.

- 4 Details of any secondary glazing to be fitted to the windows shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details prior to first occupation and shall be thereafter retained.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 and BNE14 of the Medway Local Plan 2003.

- 5 The hotel use hereby permitted shall not commence until arrangements for the conduction and extraction of fumes, including details of the external appearance, colour and location of the flue, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to the first use of the building and shall thereafter be retained in operation and maintained for the duration of the hotel use.

Reason: To ensure that the development does not prejudice the amenities of neighbouring property in accordance with Policy BNE2 and BNE14 of the Medway Local Plan 2003.

- 6 All soil, vent and waste pipes apart from their terminations shall be constructed within the building in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

- 7 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping (hard and soft) for the open area to the rear of the building at first floor level. The scheme, as approved, shall be implemented prior to first occupation of the hotel use of the building and shall be retained thereafter.

Reason: Pursuant to condition 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Policy BNE1 and BNE14 of the Medway Local Plan 2003.

- 8 Prior to the first occupation of the building as a hotel, details of the refuse storage arrangements, including provision for the storage of recyclable materials, shall be submitted to and approved in writing by the Local Planning Authority. The use shall not commence until the approved refuse storage arrangements are in place and all approved storage arrangements shall thereafter be retained.

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.

- 9 No more than 31 bedrooms shall be permitted in the proposed hotel.

Reason: in the interests of the amenity of the prospective occupiers and of the area in compliance with Policy BNE2 of the Medway Local Plan 2003.

- 10 The operator of the hotel shall at all times maintain a register of persons accommodated in the hotel and such register shall be produced for inspection by the Local Planning Authority on written request. No persons (other than persons solely or mainly employed at the guest house) shall be accommodated at the hotel for more than 30 nights in any calendar year.

Reason: In the interests of the amenities of prospective occupiers and of the area and to ensure the proposal operates as a hotel.

- 11 Deliveries, refuse collection and any other commercial servicing activity shall only take place between 07:00 and 19:00 Mondays to Fridays inclusive and 08:00 and 13:00 on Saturdays. Such activities shall only take place at the rear of the premises from Manor Road.

Reason: In the interests of the amenities of guests and to comply with Policy BNE2 of the Medway Local Plan 2003.

For the reasons for this recommendation for approval please see planning appraisal section and conclusions at the end of this report

Proposal

This application is for the change of use to 31 no. room hotel (13 no. double rooms, 12 no. single rooms, 4 no. family rooms & 2 disabled persons rooms) at 1st, 2nd & 3rd floors of 94-100 High Street and 2 Manor Road together with hotel reception and ancillary area at ground floor of 100 High Street; additional fire escapes and creation of decking area in rear courtyard. The application is a resubmission of MC/13/0164.

This application relates to four properties on the south side of High Street; the end property, 100 High Street has a return frontage to Manor Road and at the rear is known as 2 Manor Road. The building is four storeys high at the front, but due to the steep rise in ground levels, the upper floors are accessed at first floor level at the rear.

The building was probably built during the early part of the twentieth century and although new shop fronts have been added on the ground floor, on the upper floor it retains most of the original features.

At ground floor level, the building comprises a restaurant (94 – 96 High Street) and two empty shops (98 & 100 High Street). The restaurant wraps around the rear of the shop unit at 98 High Street. The application site for this application differs from that of the previous application (MC/13/0164) insofar as at ground floor level that

application site only related to 100 High Street.

The current application site comprises the ground, first, second and third floors of all four properties. All of the floors within the application site are vacant, apart from the restaurant in part of the ground floor. At first floor level there is a rear 'garden' area accessed off Manor Mews. This 'garden area is hard surfaced and is situated between projections to the rear of 94-96 High Street to the west and 100 High Street/2 Manor Road to the east.

The third floor is separated in two with individual stairs leading to the rooms above 94/96 and 98/100. There are several internal stairways connecting the floors within different parts of the building. There is an external flue attached to the rear of 94/96 High Street serving the restaurant.

As originally submitted this application was for a change of use to a 36 no. room hotel which was a reduction from 43 bedrooms proposed under the previous scheme which was withdrawn. Further changes to the scheme during the processing of this application have resulted in the reduction of the number of bedrooms to 31. The original scheme also proposed access off Manor Mews but during the processing of the application, this was amended to show access of Manor Road, with a covered area over the void below.

The application (as amended) proposes the following:

Ground Floor: The ground floor would comprise a restaurant (as opposed to a reception area under the previous scheme) with a kitchen and wc's to the rear. A small open area at the back, with steps up to road level, would be used for the storage of refuse.

First Floor: The application shows 9 bedrooms on the first floor (compared with 16 on the previously withdrawn application), comprising 1 double room, 3 family rooms, 3 single rooms and 2 disabled persons' rooms. The double room, located in the corner, would measure 32 sq. m. The disabled persons' rooms would measure 29 sq. m. and 39 sq. m. respectively, including wet rooms. The family rooms would measure approx. 44 sq. m. each and the single rooms approx. 17 sq. m. The reception area would now be located at the rear of the building with access off Manor Road. One parking space would be provided for loading/unloading. To provide this parking space, the opening at the rear of the ground floor would be concreted over. There would be an outdoor seating area at this level. In addition to the hotel entrance and reception area, there is an existing door in the side of the building at first floor level onto Manor Road, which would serve as a fire escape. A further external stairway would be provided from the garden area to the upper floors, in addition to the existing external stairway.

Second Floor: 6 double bedrooms, 6 single bedrooms and a family room would be provided on the second floor (compared with 14 double rooms and 3 single rooms on the previously withdrawn scheme). The family room would measure 44 sq. m. Double rooms would vary in size from 18.5 sq. m. to 23 sq. m., including en-suite facilities, apart from a room in the corner which would be 32 sq. m. Single rooms would vary between 17 sq. m. and 22.8 sq. m.

Third Floor: 9 bedrooms would be provided on the third floor, comprising 6 double rooms and 3 single rooms. The single rooms would measure 11.5 sq. m. with the double rooms varying between 18 sq. m. and 22 sq. m.

In support of the application the applicant advises that being on the edge of Chatham town centre and close to Rochester, the building is well placed for a hotel. The tourism officer has advised the applicant that the proposed hotel is well located and that a three star rating is easily achievable. The applicant also advises that there are connections with Chinese tourist centres in London and that it is intended that some of the visitors will be from China.

Relevant Planning History

MC/13/0164	Change of use to 43 no. room hotel (35 no. double rooms, 6 no. single rooms & 2 no. family rooms) at 1st, 2nd & 3rd floors of 94-100 High Street and 2 manor Road together with hotel reception and ancillary area at ground floor of 100 High street; two storey rear extension with additional fire escapes; and creation of decking area in rear courtyard Withdrawn 15 July, 2013
MC/04/0799	Installation of air conditioning unit, new door opening and roller shutter to rear Approved 28 May, 2004
MC/03/0392	Change of use from amusement arcade to restaurant (Class A3) Approved 15 April 2003
MC/03/0158	Conversion of 1st, 2nd and 3rd floors of property to provide 15 no. flats incorporating single storey rear extension (demolition of existing single storey buildings) Approved 01 August 2003
MC/02/1060	Conversion to 5 no. self-contained flats. Approved 30 October 2002
MC/02/1013	Change of use from shop (Class A1) to restaurant (Class A3) Approved 29 October 2002
MC/00/0648	Change of use from amusement arcade to retail shop (Class A1). Approved 03 July 2000
MC/99/6049	Construction of new shop front and variation of condition 3 of planning consent ME/95/0213 dated 24/5/95 for an extension to the approved hours for the take-away element Approved 25 April 2000

95/0213 Proposed change of use from shop (class A1) to food and drink (class A3)
Approved 24 May 1995

84/1041 Construction of new steel fire escape staircase
Approved 04 February 1985

Representations

The application has been advertised on site and in the press as development within a Conservation Area, and by individual neighbour notification to the owners and occupiers of neighbouring properties.

Three letters were received objecting to the application as first submitted on the following grounds:

- Rubbish bins are located on the ground floor whilst collection is at first floor in Manor Road. This will result in rubbish being stored on the wrong location;
- An outside waiting area is not appropriate in wet weather and there should be an inside waiting area;
- There is no lounge or bar area;
- One parking space is limited and its use would obstruct Manor Mews causing a nuisance for residents;
- Some rooms should be twin not doubles;
- There is little communal space and a lack of toilets/bathrooms;
- Parking has not been addressed;
- There is no vehicular access via Manor Road.

All consultees and objectors were re-consulted on the receipt of revised plans in October and **two letters** have been received **reiterating** the previous objections.

The **County Archaeological Officer** has written advising that no archaeological measures are required.

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003. 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 and are considered to conform.

Planning Appraisal

Background

This application is a re-submission of application MC/13/0164 for a 43 room hotel which was withdrawn on 15 July 2013. So far as that application is concerned, whilst the principle of the use of the building as a hotel was considered to be acceptable, there were concerns regarding the layout of the building, the lack of en-suite facilities, disabled access and the provision of facilities at the proposed hotel. The current application is an attempt to address these concerns and incorporates the following changes:

- The provision of a restaurant on the ground floor to serve the hotel;
- A reduction in the number of bedrooms from 43 to 36 and eventually to 31;
- The deletion of a proposed extension at second floor level from the application;
- The relocation of the reception area from the High Street entrance on the ground floor to the rear entrance, off Manor Road at first floor level.
- The provision of two bedrooms for the disabled on the first floor;
- The re-arrangement of the layout of the rooms.

The application, as originally submitted, proposed vehicular access off Manor Mews. This is a private road and Notice was served on the owner of Manor Mews under Article 12 of the Town and Country Planning (Development Management Procedure) Order 2010. However, it was unclear as to whether or not the owner of Manor Mews would allow this road to be used to serve the proposed hotel, so the application has been amended to show access off Manor Road.

Main Issues

The main issues are:

- The principle of the use of the building as a hotel;
- Design and the effect of the proposal on the character of the Conservation Area,
- Amenity, including the amenities of the occupiers of the proposed hotel, and
- Highway issues.

Principle

Policy S5 of the Medway Local Plan supports the development of Chatham as a major centre for new retail development and for other uses appropriate to a town centre location provided that they contribute to the centre's vitality and viability. Policy ED13 supports the development of hotels and associated facilities within or on the edge of Chatham Town Centre. The principle of the proposal is therefore acceptable.

Design

The building is not listed, but the site is in the Star Hill to Sun Pier Conservation Area and the building, dating to the early part of the twentieth century and being in a prominent location makes a positive contribution to the character of the area. The proposal, to bring the whole building back into use is to be welcomed both in terms of ensuring the future of the building and in terms of the regeneration of the wider area. However, in doing so it is important that the character of the building is retained.

No significant changes are proposed to the external appearance of the building. The most significant change would be at the rear where the hotel entrance will be introduced into the flat roofed part of the building. No changes are proposed to the front elevation to High Street, or to the rear elevation to Manor Road, as part of this application. The proposal therefore accords with Policies BNE1 and BNE14 of the Medway Local Plan 2003.

Amenity

Bedroom sizes have been looked at carefully. The single rooms would vary between 11.5 sq. m. on the third floor to between 17 sq. m. and 22 sq. m. on other floors. Double rooms would range between 13 sq. m. and 32 sq. m. and family rooms would measure 44 sq. m. The disabled persons' bedrooms would be 29 sq. m. and 39 sq. m. respectively. The St. George Hotel in New Road is reported as having room sizes of 7.2 sq m for a single room and 11.4 sq m for a double room. The rooms sizes proposed within this application would be more generous than at the St. George Hotel. There have been two new hotels approved in Medway recently at 2 High Street, Rainham (MC/2008/1984) and at Medway Valley Park (MC/2008/2039). The approved plans for these hotels show a double room, including en-suite, as being 21 sq m, so the proposed room sizes would be comparable.

Planning permission for a hotel at 15 - 19 New Road was allowed on appeal on 21 August 2013. In his decision letter the Inspector concluded that the Local Plan encourages the provision of a full range of serviced accommodation and if the proposal went ahead it would find its customer niche within the local hotel market. Whether or not the hotel would prove successful will ultimately be for its customers to decide. It is not the function of the planning system to inhibit competition by restricting commercial development unless there are clear planning objections to a proposal. The Inspector therefore concluded that the proposal would provide an acceptable standard of accommodation for the occupants of the hotel in compliance with Policy BNE2 of the Local Plan and with Paragraph 17 of the National Planning Policy Framework.

Planning permission for a guest house at 12 New Road Avenue was granted on 29 January 2014 (subject to a section 106 agreement). That application proposed room size varying from 7.6 sq. m. to 15.5 sq. m. (single) and 14 sq. m. to 26.4 sq. m (double).

There appear to be no specified minimum room sizes for hotels in England, Scotland or Wales. None are specified in DCLG's 'Good Practice Guide on Planning for

Tourism' (July 2006) or 'Visit England's Quality Standard for hotels'. However, the Northern Ireland Tourist Board's (NITB) 'Basic Guide to starting a hotel business'. states that visitors' bedrooms must have a floor area (excluding any en-suite bathroom) of not less than 7.5 sq. m. for single rooms and not less than 13 sq. m. for double rooms. Although these standards do not apply to hotels in England, in the absence of any standards or guidance on room sizes, they provide useful information. In the case of the current application, all the rooms would meet the NITB's standards.

During consideration of this application concerns were expressed in relation to the proposed internal layout; some of the rooms were very narrow with limited circulation space. Various changes have been made to the scheme to address these concerns and this has resulted in the reduction in the number of rooms to 31, but a much improved internal layout. In terms of room sizes and disabled access, therefore, the proposal is now acceptable and complies with Policies BNE2, BNE7 and ED13 of the Local Plan.

With regard to neighbour amenity, the proposal raises no issues in terms of light privacy or outlook. This section of High Street comprises commercial units on the ground floor with residential above. Several of the residential units are accessed via Manor Mews to the rear. There are also residential units in Manor Road to the south. Whilst a hotel use at this property is likely to generate more activity than the previously approved use of the building as flats, having regard to the site's location in a commercial area, at the edge of Chatham Town Centre, the level of activity that would be generated by the proposed use is not considered to be unacceptable and would not be detrimental to the amenities of the occupiers of nearby residential units. No objection is therefore raised in terms of neighbour amenity under Policy BNE2 of the Local Plan.

Highways

There is currently no on-site parking to serve the property. There is very limited scope to provide any parking. However, what is recommended is that a small parking area be provided with access off Manor Road adjacent to the reception area. To achieve this a void, over a small yard to the rear of the building, currently used for storing rubbish, would be covered over. This parking area would be for guests arriving at the hotel to book in and unload. It is submitted that long term parking for the hotel would be in nearby public car parks.

Medway Council's adopted Vehicle Parking Standards require the provision of one space per hotel bedroom, including one disabled person's space for each specifically designed room. Clearly in this instance on-site parking cannot be provided and the proposal would not comply with the adopted vehicle parking standards. The issue for consideration is therefore, whether the provision of nearby public parking is acceptable as an alternative to on-site parking and whether the benefits of bringing the building into use and the economic benefits from increased tourism outweigh the effect of the lack of on-site parking.

The predominant use of this section of High Street is commercial on the ground floor with residential or offices above. The commercial properties comprise a range for

shops, restaurants and offices. None of the properties have on-site parking and are served by nearby public car parks. Similarly, the residential properties above the shops and in Manor Road have little or no on-site parking. There is residents' parking in Manor Road and very restricted parking to the rear of High Street in Manor Road.

It is considered that the nearby public car park would be adequate for hotel guests once they have unloaded. The hotel will have to make this clear to guests and visitors and give directions to the car park. This is not unusual for City Centre hotels. However, in addition to the public car park the site is close to public transport facilities with Chatham Railway Station and Chatham Bus Station nearby.

TRICS data indicate that the proposed hotel will generate around 34 trips by public transport, 62 pedestrian trips and 86 car based trips per day (34 arrivals and 34 departures). The arrival and departure profile suggests that there will be demand for a maximum of 7 parking spaces at any one time, which is low compared with other potential uses of the building. This can easily be accommodated in public car parks.

Under the circumstances, no objection is raised in terms of parking under Policy T13 of the Local Plan.

Local Finance Considerations

No Local Finance Considerations are raised by this planning application.

Conclusions and Reasons for Approval

The principle of the use of the property as a hotel is considered to be acceptable and in accordance with Policy ED13 of the Local Plan. The proposal would bring an empty building into use and contribute to the regeneration of this part of Chatham. Changes have been made to the layout of the proposed hotel to make it more acceptable in general terms and in terms of providing disabled access. The proposal is acceptable in design terms and would not adversely affect the character and appearance of the Conservation Area within which it is situated. It raises no issues in terms of neighbour amenity. With regard to parking, although no parking can be provided, apart from a small area for unloading, the site is well located in terms of public car parks and public transport facilities. No objection is therefore raised to the application under Policies BNE1, BNE2, BNE7, BNE12, BNE14 and T13, and the application is recommended for approval.

The application would normally be determined under delegated powers but is being referred to Committee due to the extent of the representations received and at the request of Cllr Mackness who considers that the implications of the proposal on the regeneration of Chatham is most appropriately assessed by the Planning Committee.

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/donline/AcolNetCGI.gov>