

1 MC/09/2664

Date Received: 11 December, 2009

Location: 2-8 Cooling Road, Strood, Rochester, Kent ME2 4RG

Proposal: Demolition of existing brick 2 storey garage building and change of use from garage to residential construction of 3 no. blocks containing 15 no. residential units

Applicant: OCD Ltd

Agent: Mr J Martin Rosewood House High Street Hadlow Kent TN11 0EF

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 31 March, 2010.

Recommendation - Approval with Conditions

(as amended by drawing number 07/1402/115-G)

- 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 No development shall take place until samples of all external materials to be used in the construction of the external surfaces or the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

- 3 The east facing balcony proposed to the front of Unit 1 of the detached dwellings and the two west facing balconies proposed for Unit 13 of the Mews Building hereby approved shall be fitted with a screen prior to occupation of those units. Details of the screening materials proposed for the balconies shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of development, and

thereafter carried out as approved and maintained.

Reason: To ensure that the development does not prejudice conditions of amenity.

- 4 Prior to the commencement of development hereby permitted a Construction Environmental Management Plan (CEMP) relevant to the demolition and construction of development on site shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of: hours of construction working; noise and vibration limitation and monitoring regimes; access points; screening/mitigation; dust control measures; protection of surface and groundwater resources, including arrangements for the storage of oils, fuels or chemicals; pollution incident control; site illumination including any cowls to be fitted to ensure that light spillage on sensitive areas is avoided; location of construction compounds/laydown areas and offices. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety.

- 5 Prior to the commencement of development hereby permitted, a Site Waste Management Plan (SWMP) shall be submitted to and agreed in writing by the Local Planning Authority. The SWMP shall subsequently be implemented in accordance with the approved details during and throughout the entire construction period of the development.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order with or without modification) no development shall be carried out within Classes A, B, C, D, E or G of Part 1 of Schedule 2 and Class B of Part 2 of Schedule 2 of that Order unless planning permission has been granted on an application relating thereto.

Reason: To enable the Local Planning Authority to control such development in the interests of amenity, in accordance with Policies BNE1 and BNE2 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) and boundary treatment. These details shall include proposed finished levels of contours; means of enclosure; hard surfacing materials; minor artifacts and structures (e.g. refuse or other storage units,

signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc). Soft landscaping works shall include planting plans; written specifications (including establishment, after care and maintenance); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme. All hard and soft landscaping works and boundary treatment shall be carried out in accordance with the approved details. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or completion of the development, whichever is the earlier. Any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Authority gives written consent to any variation.

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 BNE6 of the Medway Local Plan 2003.

- 8 Prior to commencement of development on site, a detailed Tree Survey, indicating those trees on site to be removed, retained or replaced shall be submitted to and approved in writing by the Local Planning Authority and thereafter carried out as approved. The Tree Survey shall be carried out in accordance with the provisions set out within British Standard British Standard 5837 "Trees in Relation to Construction".

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 BNE6 of the Medway Local Plan 2003.

- 9 In this Condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs a) and b) below shall have effect until the expiration of 5 years from the date of occupation of the building for its permitted use.

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any pruning approved shall be carried out in accordance with British Standard 3998 (Tree Work).

b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this Condition and the ground levels within those areas shall not be altered, nor shall any excavation be made without the written consent of the Local Planning Authority.

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 BNE6 of the Medway Local Plan 2003.

- 10 Prior to occupation of any part of the site details of an external lighting scheme for the access, parking areas and pedestrian movement areas, including security lighting shall be submitted to and approved in writing by the Local Planning Authority. All external lighting installed on site shall be in accordance with the approved details.

Reason: To safeguard conditions of amenity within the scheme of development permitted in accordance with Local Plan Policies BNE1 and BNE2.

- 11 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 until conditions 12 to 15 have been complied with. 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 15 has been complied with in relation to that contamination.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety.

- 12 An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, including risks to groundwater, whether or not it originates on the site. The scheme shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The investigation and risk assessment must be undertaken 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. 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,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety.

- 13 A detailed remediation scheme to bring the site 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 the development. 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 the development is undertaken in a manner which acknowledges interests of amenity and safety.

- 14 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of any development (other than development required to enable the remediation process to be implemented) unless otherwise agreed in writing by the Local Planning Authority. 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 (referred to in PPS23 as a validation 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 the development.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety.

- 15 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 12 , and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 13, 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 13 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 14.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety.

- 16 No development shall be commenced until details of an Environmental Sustainability Assessment have been submitted to and approved in writing by the Local Planning Authority. The details to be submitted pursuant to the requirements of this condition shall include details of:

Energy efficiency;
Renewable energy production and use of renewable technologies;
Water consumption;
Domestic, commercial and construction waste recycling;
The use of recycled materials; and
Modern methods of construction.

The development hereby permitted shall be implemented in accordance with any approved target within the Environmental Sustainability Assessment or related document unless any variations are otherwise first approved in writing by the Local Planning Authority and the approved details shall thereafter be maintained and retained.

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

- 17 Prior to first occupation of the development on site, details of the proposed crime prevention measures shall be submitted to and approved in writing by the Local Planning Authority and thereafter carried out as approved prior to first occupation. Measures will include details of lighting, CCTV, improved security to rear garden area and homes.

Reason: In the interests of residential amenity and safety.

- 18 Prior to commencement of the development details of the management of the car parking area, including the allocation of no more than 50% of the total number of parking spaces to individual dwellings, shall be submitted to and approved in writing by the Local Planning Authority. The management of the car parking area shall be implemented in accordance with the approved details upon first occupation of the development, and thereafter maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: to ensure an efficient and flexible communal parking provision that accommodates variations in car ownership and parking demand, in the interests of residential amenity.

- 19 Prior to commencement of the development details of secure, covered cycle storage for a minimum of 10 bicycles shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage facilities shall be made available for use upon first occupation of the development and thereafter maintained.

Reason: to provide satisfactory cycle storage facilities in accordance with Policy T4 of the Medway Local Plan.

- 20 No part of the development shall be occupied until vision splays of 2.0m x 2.0m by 45 degrees between the driveway and the back edge of the footway have been provided. The area of land within these vision splays shall be reduced in level as necessary and cleared of any obstruction exceeding a height of 0.6m above the level of the nearest part of the carriage way. The vision splays so created shall be retained at all times thereafter.

Reason: To ensure that the development permitted does not prejudice conditions of highway safety or efficiency in accordance with Policies T1, T2 and T3.

- 21 Prior to commencement of the development, details of traffic calming measures on the access road, including a raised table and road narrowing, shall be submitted to and approved in writing by the Local Planning Authority. The traffic calming measures shall be implemented in accordance with the approved details prior to first occupation of the development, and thereafter maintained.

Reason: To ensure that the development permitted does not prejudice conditions of highway and pedestrian safety.

- 22 None of the buildings hereby approved shall be occupied until underground ducts have been installed by the developer to enable telephone, electricity and communal television services to be connected to any premises within the site without recourse to the erection of distribution pole satellite dishes and overhead lines and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order), no distribution pole,

satellite dishes or overhead line shall be erected within the area except with the express written consent of 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.

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

Site Description

The application site is located on the western side of Cooling Road. It has a site frontage of approximately 37m, and varies in depth between approximately 70m along the southern boundary of the site and 35m along the northern boundary. The site is currently used for car repair/workshop (Class B2) and is occupied by a large two storey brick building fronting Cooling Road, with various single storey outbuildings at the rear. There is a small area for car parking at the front of the site and a vehicular access leading to the rear along the northern boundary. The majority of the space at the rear of the site is filled with vehicles and their parts. Land levels across the site fall from south to north; levels are fairly uniform from west to east.

The application site is surrounded on all sides by residential development. To the south there is an unmade road, West Street, that runs alongside the site boundary. This unmade road rises significantly from east to west, so that to the rear of the application site, it is approx. 4.35m higher than the site; there are residential properties on the south side of West Street, with the flank walls of 141 Bill Street and 19 West Street fronting the unmade road and a recent development comprising a terrace of 5 houses facing towards the application site (1-5 Barnett's Yard). To the north-west, there are the rear gardens of bungalows in Chartwell Close, whilst to the north are terraced houses fronting Cooling Road; between the application site and these houses, there is an access road serving garages at the rear of these properties in Cooling Road and Chartwell Close. To the east, on the opposite side of Cooling Road, there are terraced properties and the junction with Hilltop Road.

Proposal

The proposal is for the demolition of the existing brick two-storey garage building and the various outbuildings, the clearance of the site and the construction of three blocks containing 15 residential units. This accommodation will be provided within three separate blocks within the site. The first block fronts Cooling Road, a three-storey terraced development, containing three town house style properties, two of these spread over two floors and one spread over three floors providing a kitchen, w.c. hall and lounge-diner at ground floor, three bedrooms and a bathroom at first floor and for the three storey town house a further two bedrooms at second floor level. The remainder of the terrace provides flatted accommodation, with two units per floor providing two 2-bed apartments at ground floor, with kitchen and bathroom area, two 2-bed flats at first floor and three 2-bed flats at second floor level, with one of the flats positioned above two of the house accommodations.

The second block of residential accommodation provides a Mews style development, providing parking at ground floor, two 2-bed flats, and the living area of a third unit, spread over two floors, with the living room at first floor and bedrooms and bathroom within the second floor. This development provides a part two-storey, part three-storey development, located to the rear of the proposed Terraces along Cooling Road, facing into the site to create a courtyard appearance.

The third block, located in the western rear corner of the site provides two detached houses, one over three floors and the other a two-storey development of similar style to the frontage development. These provide a lounge, kitchen and dining room at ground floor and three bedrooms and bathroom at first floor. A further two bedrooms and bathroom are provided within the three-storey dwelling.

The site has a relatively wide frontage, but is even deeper from front to back (69m). This has allowed a hollow to be created in the centre of the site, between buildings, to locate the car parking spaces. The scheme includes for 21 off-road parking spaces within the site. The site will utilise the existing access to the site, located at its northern corner.

Site Area/Density

Site Area: 0.2 ha (0.5 acres)

Site Density: 75 d.p.h (30dpa)

Relevant Planning History

- | | |
|------------|---|
| MC/06/0617 | Demolition of buildings and construction of a 3 storey block and a 4 storey block comprising a total of twenty four 2-bedroomed self contained flats with associated parking
2-8 Cooling Road, Rochester, Kent, ME2 4RG
Withdrawn by applicant 19 May, 2006 |
| MC/06/1586 | Construction of 4 storey block of 19 self-contained flats with associated car parking, bin storage and boundary walls to front (demolition of existing buildings)
2-8 Cooling Road Strood Rochester ME2 4RG
Withdrawn by applicant 7 September, 2006 |
| MC/07/0978 | Demolition of warehouse and workshop buildings and construction of one apartment block consisting of 3 three bedroom flats, 15 two bedroom flats and 9 one bedroom flats with associated parking and landscaping
2-8 Cooling Road, Frindsbury, Rochester, Kent ME2 4RG
Withdrawn by Applicant 17 July, 2007 |
| MC/07/2235 | Demolition of existing industrial unit and construction of seven 5-bed units, two 2-bed units and one 3-bed unit with associated parking
2-8 Cooling Road Strood Rochester ME2 4RG
Withdrawn by applicant 3 March, 2008 |

MC/08/1923 Demolition of existing semi-industrial buildings clearance & cleansing of site; erection of two terraces (one comprising four 4-bedroomed & one comprising eight 3-bedroomed) three storey dwelling houses; central court; provision of 20 car parking spaces & new vehicular access
2-8 Cooling Road Strood Rochester ME2 4RG
Refusal 3 March, 2009
Dismissed at Appeal 9 February 2010

Representations

The application has been advertised on site and in the press and by the individual neighbour notification to the owner/occupiers of no's 1, 3, 5, 7, 9, 10, 11, 12, 13, 14 and 26 Cooling Road, 15 and 16 Windmill Close, 1 and 18 West Street, 1 and 2 Hilltop Road, 15, 17, 19 and 21 Chartwell Close, 48, 50, 137, 139 and 141 Bill Street, 1, 2, 3, 4 and 5 Barnets Yard. Frindsbury Extra Parish Council, Kent Police, EDF Energy, Southern Gas, Environment Agency and Medway Primary Care Trust have also been consulted on the application.

Kent Police has a number of observations regarding the scheme. There are concerns regarding the limited on site vehicle parking, with some 21 spaces for 15 units, which comprise a mix of two, three or five bedrooms. Alternative on-street parking is very heavily subscribed and this lack of parking on site could result in highway safety issues or cause residents' parking to become displaced. It has also been recommended that a full highway and traffic assessment be undertaken, in part due to the above parking factors and also due to the close proximity of the vehicular entry/exist point of a pedestrian crossing and road junction opposite.

In terms of recommendations, improved surveillance of the parking area should be proposed, as the courtyard parking is not adequately overlooked. Gates will allow access into private garden areas increasing burglary risk. There is little surveillance at the primary entrance/exit to the site, and blank walls may become a point for graffiti or similar. An efficient lighting scheme for the parking area may be beneficial.

Southern Gas Networks advise of the presence of low/medium/intermediate pressure gas main in the proximity of the site. No mechanical excavations are to take place above or within 0.5 meters of the low pressure and medium pressure system and three meters of the intermediate pressure system.

Frindsbury Extra Parish Council objects to this application. There is an over intensification of the site, with the dwellings crammed in. There is inadequate private and communal open space, especially with one of the proposed dwellings having 5 bedrooms. The parking provision equates to 1.3 spaces per dwelling. The family houses are likely to own more than one car, as might the smaller properties if occupied by professional couples. Parking by both residents and visitors would spill out into Cooling Road and surrounding streets, particularly Hilltop Road opposite.

The terrace or three-storey houses facing Cooling Road do not blend in with the street scene, existing houses being two storey and mostly semi-detached.

The Parish Council remains very concerned with the amount of traffic that would be generated by the site, with the entrance opposite Hilltop Road and extremely close to Hilltop School.

Should planning permission be granted, the Parish Council would like to see a s.106 request for education monies specifically for Hilltop School.

5 letters of representation have been received, raising the following objections to the proposal:

- Too many units proposed for such a small area/overdevelopment of the site.
- Loss of street scene/out of character with other properties in Cooling Road/Bill Street.
- Development would be better suited to Chatham Maritime or any other modern concept living development.
- Potential loss of light into neighbouring properties. One property relies on light for their solar security system.
- Loss of privacy for neighbours
- Noise disturbance from such a large number of units
- Inadequate parking in an already congested area.
- Result in worsened traffic problems.
- The access is very dangerous and is almost directly on top of a school crossing and entrance.
- Wells and mine shafts are on the proposed site and may be a health and safety risk.
- The demolition of the existing building may result in noise and dust disturbance.
- There is an understanding that there is a 30 meter restriction between new house and existing.

National Planning Guidance

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 3: Housing

Planning Policy Guidance Note13: Transport

Development Plan Policies

South East Plan, 2009

Policy SP3	(Urban Focus and Urban Renaissance)
Policy CC1	(Sustainable Development)
Policy CC4	(Sustainable Design & Construction)
Policy CC6	(Sustainable Communities & Character of the Environment)
Policy H1	(Regional Housing Provision 2006 – 2026)
Policy H2	(Managing the Delivery of the Regional Housing Provision)
Policy H4	(Type & Size of New Housing)

Policy H5	(Housing Design & Density)
Policy T4	(Parking)
Policy BE1	(Management for an Urban Renaissance)
Policy KTG1	(Core Strategy)

Medway Local Plan 2003

Policy S6	(Planning Obligations)
Policy BNE1	(General Principles for Built Development)
Policy BNE2	(Amenity Protection)
Policy BNE6	(Landscape Design)
Policy BNE23	(Contaminated Land)
Policy BNE43	(Trees on Development Sites)
Policy H4	(Housing in Urban Areas)
Policy H9	(Backland & Tandem Development)
Policy T1	(Impact of Development)
Policy T2	(Access to the Highway)
Policy T3	(Provision for Pedestrians)
Policy T11	(Development Funded Transport Improvements)
Policy T13	(Vehicle Parking Standards)

Planning Appraisal

Background

The application site has been subject to a number of applications. The applicants for this application submitted the 2007 schemes, which were being sympathetically considered by officers and reports were being prepared for Committee but then negotiations broke down between the applicant and landowner and the applicant withdrew the applications. The 2008 application (MC/08/1923), which was refused and dismissed on appeal, was for a completely different scheme and was submitted by a different applicant. That recent refusal sought planning permission for the demolition of the existing building and erection of 12 three storey dwelling houses perpendicular to Cooling Road around a central court with new vehicular access. This was refused by Committee and dismissed at appeal due to the effects on the area's character and appearance and effects on adjoining occupiers.

The current application has not been submitted in response to the appeal, but is a very different scheme from that dismissed on appeal.

The main issues in the consideration of this application are as follows:

- The principle of the development;
- Density;
- Impact on the character and appearance of the street scene;
- Amenities of neighbouring properties and future occupiers;
- Impact on parking or highway safety;
- Impact on trees on the site;
- The potential of contamination on the site;
- Developer contributions.

Principle

The general thrust of national, regional and local planning policy is to secure sustainable development through the efficient re-use of previously developed land, concentrating development at accessible locations. The proposal is considered to facilitate the achievements of these objectives through the redevelopment of a site which, is previously developed land in an accessible location.

The site is within a predominantly residential area within the urban area, and therefore the principle of the development is considered to be acceptable and in accordance with the terms of Policy H4 of the Medway Local Plan, which supports the use of vacant and derelict land or the redevelopment of existing buildings no longer required for non-residential use.

This is an industrial site in a residential area, and in terms of both its use and appearance is out of character with its surroundings. The existing buildings are shabby and dilapidated and it is considered that this site and locality would benefit from redevelopment which would result in a significant improvement to the area. No objection is, therefore raised to the principle of the development under Policy H4.

The need for new housing development in the area is well documented. The South East Plan, and planning guidance encourages the provision of new residential accommodation in existing urban areas. The application proposes the provision of 15 new residential units which will assist the Council in meeting their housing targets as set out under Policy H1 of the South East Plan, and H1 of the Medway Local Plan.

The proposal is considered acceptable in principle under the provisions set out under South East Plan Policies SP1, CC9, H1 and H2 and Local Plan Policies H4, H9 and H3.

Street Scene & Design

Development Plan Policy places considerable emphasis on the importance of achieving good design to ensure that all new developments are appropriate to the shape, size and location of the site. Local Plan Policy BNE1 seeks to ensure that the design of development is appropriate in relation to the character, appearance and functioning of the surrounding area.

The site is currently occupied by industrial buildings in a poor state of repair, which detract from the character and appearance of the area. As such, the redevelopment of the site for residential purposes would be welcome and would be in keeping with the character of the area.

By far the most 'public' façade of the scheme will be that which sits along Cooling Road. That front block has been designed to be a modern interpretation of the architectural grain of the area, with the design reflecting the verticality of existing residential properties in the area and a roof height (although 3 storeys) which does not dominate its surroundings but instead is considered to harmonise with it. Materials have been chosen to be both in keeping with the varied nature of the

surrounding buildings which have a variety of wall and roof treatments including brick, render, slate and concrete roof tiling. The materials have been chosen from a modern palette, and include brick, render, grey paneling, aluminum copings and roof trims. These are considered to work well with the colour and textures found on existing surrounding developments.

The site has a wide frontage (approximately 37m) but is even deeper from front to back at approximately 69 meters. This has allowed a hollow to be created in the centre of the site, between buildings, to locate the needed car parking spaces. This has developed the site plan as an internal street arrangement behind the main block. In terms of layout, because the site already benefits from a substantial vehicular entrance at its northern corner and because of the busyness of Cooling Road it is considered that the parking is best provided to the rear of the site, away from the main street scene so as not to detract from its character and allow a frontage development more in character with the area. This, coupled with the depth of the site and the desire to create a modulated front elevation to be in keeping with the surrounding context has lead the site to be designed as a series of layers arranged around a short street. The front block addresses the road and has gardens which have 'Mews' buildings at their end. The street is created between the Mews building and the pair of detached houses to the very rear of the site. Car parking is then arranged around this street. The main block will have its pedestrian access from Cooling Road to maintain the existing rhythm of building frontage along the road. In addition, the flats and houses can also be accessed from the rear and the car park area. The two houses and Mews building are accessed from the road running through the site.

The scale, height and massing of the proposed buildings must be considered in terms of the adjacent urban form and context of the site. The surrounding area is made up almost exclusively of two-storey pitched roof houses. The front row (along the eastern boundary of the site) has been designed to replicate the existing rhythm of house frontages along the road by dividing the elevation into recognizable vertical portions. The vertical height has been set considering the height of the adjacent neighbouring context. West Street, to the south of the site, rises steeply beside the application site. In addition, the site falls as it extends back from the road so that the difference in ground level between West Street and the site becomes as much as 4.75 meters (not including the height of the existing wall which is over 2 meters in height and sits at the edge of West Street). This height and the desire to create a sense of 'place' in the centre of the site and away from the road has lead to the design of the Mews Block. By setting the Mews block in parallel with the two houses and across a street a new street scene is created within the depth of the site. The Mews block is shorter in height than the front block by one storey except for where it connects against the steep bank on the edge of West Street. At this point it stands up by a floor. This is considered to provide a solid and intentional end to the building against the steep bank. The distances at this point, between the front block and the Mews is some 14 metres, façade to façade, at second floor level. The rear façade of the Mews block is blank and steps back away from the front block.

The two detached properties are designed to address the Mews block across the street. These houses are 2 and 3 storeys high to address the height of the southern edges and its height and to also create a street elevation to West Street when viewed from the south and the direction of Randolph Cottages.

The local character of Cooling Road is a mixture of turn-of-the-century narrow fronted, Victorian terraces and houses of a similar nature built in the 1950s and 1970s. The proposal aims to pay due regard to the rhythm and scale of the surrounding buildings but to produce a contemporary looking scheme which aims to interject into the road a freshness of approach and a cleanness of style. The approach to the building design has been to create brick built ground floor elevations for reasons of context and longevity. Upper floors are then more playfully arranged to break down the mass of the proposals. Low-pitched roofs are used as a loose reference to the previous industrial usage and to, again, reduce the mass of the building and provide a material with a contemporary connotation.

The third storey along the main Cooling Road frontage has been incorporated within the roof design of the proposed development, and is to be set in slightly from the remaining building line to provide a terrace. This area of accommodation starts at eve's height of the neighbouring development (particularly to the south) and the roof itself is no higher than the ridge height of the neighbouring dwellings. So whilst primarily this is a three storey development (in the main), the overall appearance of the development is that of a two storey development.

Overall, whilst the scheme is contemporary and modern, and unlike the previous application, which was remarkably different to this scheme, it is considered to work well with the existing street scene, following the lay of the land and is not out of scale with its surrounds. The scheme is considered to compliment the character of the area and will provide a high quality sustainable residential development which will create an interesting and varied scheme that will enhance the character of the surrounding area. The proposal is considered to provide an architectural scheme which incorporates the use of a good palette of materials providing an attractive visual presence between the existing residential development along Cooling Road, and surrounding streets to the south and north.

It is considered that the scheme accords with the provisions set out under South East Plan Policies CC4, CC6, H4 and H5 and Local Plan Policies BNE1 and H4.

Density

The density of the proposed development, at 75 d.p.h. is in excess of the 30-50 dwellings per hectare recommended in PPS3. Nevertheless, having regard to the characteristics of the site and the varied layout and densities of the surrounding development, particular having the high-density terraced housing to the south, it is considered that the proposal would not represent an over-development of the site. The proposal is therefore regarded as being in accordance with current Government advice and with Policy H5 of the Local Plan.

Amenity Considerations

All development should secure the amenities of its future occupants and protect those amenities enjoyed by nearby and adjacent properties. According to Local Plan Policy BNE2, the design of development should have regard to: privacy, daylight and sunlight; noise, vibration, light, heat, smell and airborne emissions and activity levels and traffic generation.

Careful consideration has been given to the impact of the proposal on the living conditions of neighbouring properties and this is reflected in the proposed layout of the scheme. The frontage development along Cooling Road, incorporates a mix of houses and apartments. The Units 6 and 7 on the first floor, and Units 1, 8, 9 and 10 at third floor level benefit from balconies which look out on the Mews Block. There are no issues with regard to overlooking in this regard as there are no windows proposed for the rear (eastern) elevation of the Mews Block and as such no impact on privacy should occur. Equally, units 1, 8 and 10 benefit from front facing balconies onto Cooling Road. There is a considerable distance between the development and those properties facing the application site along Cooling Road and no issue of privacy and over looking is considered to result from this aspect of the development. The neighbouring property to the north of the application site has no windows within its flank wall, and with only two windows, providing light in to bathroom areas on the northern flank of the development, there are no concerns raised to privacy and overlooking in this regard.

To the south, the adjacent neighbouring property along Cooling Road will also not be affected by overlooking from the new development. Again, there are two windows proposed in the southern flank of the development at first floor and second floor level providing light in to bathroom areas, and it is recommended that a condition be imposed that these be fitted with obscure glazing to further mitigate against privacy issues. There is also a distance of approximately 7.5 meters between the new development and existing property to the south at 141. There are no windows within the flank of no. 19 West Street and therefore no potential for overlooking.

The Mews Building has no east facing windows and therefore will not result in overlooking onto the frontage block and the amenity spaces provided. The Mews itself proposes two balcony areas for unit 13 at second floor level, which look out on to the detached properties proposed for the rear of the site. There is also a balcony proposed within the three storey detached unit, looking out onto the Mews. The distance between the two developments is approximately 14.5 meters. There may be some element of overlooking from this distance; however, a screened balcony can be conditioned, to match the rear balcony of the detached three storey unit.

Due to the land level differences, the proposed development is not considered to result in unacceptable privacy and overlooking on to existing residential development both to the north, south, and east of the site. However, to the south west of the site, the first three of five new dwellings, known as Barnets Yard, would directly overlook the rear of the two detached units. There is still some distance between the developments however. In addition, a screened wall is proposed along the southern boundary to further mitigate against any potential for overlooking. The lay of the land also reduces the risk of impact on sunlight and day light on neighbouring properties,

and given the layout of the scheme with the terrace, Mews and houses running north to south, there is unlikely to be any loss of light or shading caused to the new development. It is unlikely also, given the drop between properties to the south and the application site, that loss of light will impact upon any solar paneled systems fitted to neighbouring dwellings.

Units 1, 2, 3, 4 and 5 as well as the two detached houses benefit from good sized garden areas measuring approximately 10 to 11 meters in length. This is considered to provide sufficient amenity provision for future occupiers of the scheme. Equally, the internal living arrangements are considered acceptable, measuring on average 108 meters square for the apartments, which is a good standard of accommodation. On the whole, flats and houses have been arranged to minimize potential for noise disturbance between dwellings, with bedrooms above bedrooms and living areas above/below living areas.

Concern has been raised with regard to the potential disturbance from noise and dust during demolition and construction on site. It is considered that measures to mitigate against disturbance in this regard can be conditioned for submission prior to commencement of development.

Overall the development is considered acceptable under the provisions set out under Local Plan Policy BNE2 and addresses previous concerns raised under MC2008/1923.

Landscaping & Trees

Each unit will be provided a private external space. In the case of the houses this will be in the form of a private garden laid to lawn. In the case of flats it will be in the form of a balcony and in some cases the flats have more than one balcony. The only exception is 2 flats in the Mews building that don't have balconies because of their sensitive location. These flats have access to the amenity garden. In addition, each house is provided with a semi-private external space as encouraged by Secured by Design to provide a threshold between the public area (street etc) and their front doors. The flats have a similar 'zone' in that they have shared 'landlord' internal areas. The flats on the ground floor have private gardens whilst all other flats share an Amenity Garden accessed from Cooling Road or the internal street.

The general approach to the landscaping will be to provide hard shared surfaces for cars and pedestrians to the central part of the site where the car parking is and to provide soft landscaping at the rear of the site on the boundary with the houses behind. This would include the planting of trees. A mixture of hard and soft landscaping will be used to create an urban and homely feel and also to avoid the rear area appearing as simply a car park.

Gardens will be laid to lawn and provided with patios for chairs/drying area. A full landscaping scheme will be required via condition should Committee be minded to permit.

There are one or two trees within the application site, particularly along the southern boundary of the site and along the northern boundary by the access. These are likely

to be removed as part of the proposal. The use of the site and current state of the rear yard area for the existing use is such that these trees are unlikely to be in good health. None of the trees on site are protected by Tree Preservation Orders. The access road is currently screened by a row of conifer trees along the northern boundary, and should trees be removed, boundary treatment will be required to ensure screening is provided in this location. It is considered that a full tree survey will be required prior to commencement of development.

Subject to replacement tree planting, boundary treatment and tree survey being submitted, there are no objections to the proposal under the provisions set out under Local Plan Policy BNE43.

Crime Prevention

Kent Police have raised no significant objections to the proposal but have made a number of observations. The concerns raised with regard to the parking area, in terms of surveillance and lighting have been duly noted by the applicant, who have advised that these matters will be addressed using Secure By Design, and will include improved lighting for the car park. A condition can be placed on the decision notice advising such measures be submitted for approval and installed prior to first occupation of the scheme. Measures will include details of lighting, CCTV, improved security to back gardens and homes etc.

Matters relating to the level of parking are discussed below.

Highways

Access

The proposed development will utilise the existing access point to the site, which has satisfactory visibility along Cooling Road in each direction for a residential road subject to a 30mph speed limit. In order to provide vehicles leaving the site with satisfactory visibility of approaching pedestrians, the proposed boundary treatments either side of the access should be no higher than 0.6m for a distance of 2m from where it meets the back edge of the footway. It is recommended this be secured by condition.

A footway is proposed alongside the access road to provide a safe route for pedestrians between Cooling Road and the car parking area and dwellings on the western side of the site. It is recommended that the proposed speed table also reduces the width of the access over a short distance in order to maintain low vehicle speeds. These details can be secured by condition.

Parking

It is proposed to provide 21 off-street car parking spaces to serve development. The provision has been assessed by reference to DCLG's 'Residential Car Parking Research' (2007), which contains a formula for calculating parking demand based upon car ownership census data and takes into account dwelling size, type, tenure and location. This document demonstrates that allocating parking spaces to

individual dwellings increases the overall demand for parking and requires more spaces to be provided. In contrast, unallocated parking can better accommodate variations in car ownership and allow the parking pool to be used flexibly and efficiently by residents and their visitors. In this particular case, if none of the parking spaces were allocated to individual dwellings the total parking demand for this development would require the provision of 17 spaces, which is below the total number of spaces provided. If parking spaces are allocated to each dwelling, a total of 24 parking spaces would be required, which would result in a shortfall. On this basis, in order to provide a flexible parking arrangement that accommodates variations in car ownership and parking demand, it is recommended that at least 50% of the parking spaces are not allocated to individual dwellings. This will ensure that overspill parking does not take place on the access, which would compromise vehicular access and pedestrian safety, and minimise the need for residents and visitors to compete for kerbside parking on Cooling Road.

Subject to traffic calming measures on the access road, together with the details of the management of the car parking area, details of cycle parking provision and the provision of a 2m x 2m pedestrian visibility splays, the proposal is considered to accord with Local Plan Policies T1, T2, T3 and T13, and South East Plan Policy T4, and no objections are raised.

Contamination

The former and current uses of this industrial site could have given rise to contamination. The applicant has submitted a preliminary Risk Assessment, which includes a site history, site walkover, information on the geology and hydrogeology at the site. A conceptual site model has been developed for the site. The desk top study recommends that a site investigation is undertaken to support the conceptual site model. The applicant should undertake the site investigation and recommendations made in the report. The site walkover has identified potential asbestos containing materials at the site these should be disposed of to an appropriate licensed landfill site. The applicant will need to submit waste transfer notes for this material to the Local Planning Authority. In the event of planning permission being granted, appropriate conditions are recommended. Subject to this no objection is raised under Policy BNE23 of the Local Plan.

Infrastructure contributions

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

A number of developer contributions have been requested as part of this development, these include:

- £7,019.25 to Medway Primary Care trust to go towards development in the Strood area.
- £2,625 towards waste and recycling needs, which covers household waste receptacles, litter bins, public conveniences, graffiti removal etc.
- £16,640 towards Primary School education.

However, the applicant has provided a viability report in response to these requests advising that the scheme would not be economically viable should these contributions be made, and have requested that this project be exempt of S.106 charges to create the optimum opportunity to allow this project to progress.

The development consists of 15 new units for domestic use, on a very restricted 'brown-field' site which is encouraged by Government Policies, especially within Planning Policy Statement 3. The site will require the demolition of a large brick and concrete structure with coverings of asbestos as well as various out-buildings. The current use of the existing building since the 60s has been car repairs, garaging and a breakers yard as well as storage tanks located on site. The need to deal with contamination issues will be a requirement, and costly. In addition, the site requires the removal of considerable banking to achieve the required footprint. These and other factors add considerably to the overall costs which are over and above a normal building complex and therefore, if progress is made with this development, there is a need to make this project financially viable, cutting costs wherever possible. One obvious item of large expense is potential s.106 charges.

The applicant has provided a break down of costs which cover the cost of the site, the cost of works, including demolition, contamination and building costs, as well as dealing with asbestos, and indicates their required profit margins from the sale of the development. These costs are substantial, and this, along with the current financial climate and the constraints imposed on the applicant by the housing association (who are interested in the scheme), the applicant has already had to reduce their profit margins considerably for this to be a viable project. All costs, under normal circumstances would be manageable, however, with the imposition of s.106 charges there is a much greater risk of financial loss.

Given the circumstances, the quality of the scheme proposed and the need to develop the site, it is considered that there would be no benefit in insisting on the above S.106 contributions, and that the development of the site in the way proposed is of greater need and importance, than contributions toward primary health care, education and recycling. Overall, it is not considered that an additional 15 units, most of which are flatted accommodation unlikely to attract families, will add greater pressure on these services, above and beyond what is already experienced.

In this regard, it is considered unnecessary to impose the above-mentioned s.106 requests.

Other Matters

Concern has been raised with regard to the location of tanks and wells on site, which may result in health and safety issues. The applicant is aware of these and provision has been made to address these prior to commencement of development on site. This may be an additional cost

Conclusions and Reasons for Approval

In summary, the former industrial site is considered to be previously developed land and sits within the urban area of Strood and as such is considered acceptable in principle in accordance with the above-mentioned Development Plan Policies. Although modern and contemporary in design and different to other forms of development in the area, the development is acceptable in terms of its impact on the street scene and character of the local area by way of design and layout for the reasons given above, and there are no concerns raised with regard to amenity protection. Concerns raised via representation by way of overlooking and privacy can be dealt with via condition, and there are no objections to the proposal on parking and highway grounds. As such the proposed scheme for 15 new residential units is recommended for approval.

The application would normally fall under Officer delegated powers of determination, but is being reported to Committee due to the number of representations received expressing views contrary to the recommendation.

This application was considered by Members at the Development Management Committee on the 10 March 2010, when it was determined to defer a decision to enable a Members' site visit to be held.
