

6 MC/09/1384

Date Received: 18 September, 2009

Location: Land adjacent 141 Laburnum Road, Strood, Rochester, Kent ME2

Proposal: Construction of 2 three-bedroomed houses

Applicant: GDM Architects

Agent:
Ward Strood South

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 additional information received on 3 February 2010)

- 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 details and samples of all materials to be used externally have been 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 of the Medway Local Plan 2003.

- 3 Before the development hereby permitted is first occupied, landing window on the western facing elevation shall be obscure glazed and shall be incapable of being opened except for the high level fan light opening which shall be at least 1.7 metres above the inside floor level. Thereafter the obscure glazed window shall be maintained as installed

Reason: To ensure the development does not prejudice conditions of amenity by reason of unneighbourly overlooking of adjoining property, in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 4 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 hard surfacing materials, planting plans (including replacement tree planting), written specifications; schedules of plants, noting species, plant sizes and proposed numbers where appropriate; implementation programme. Details shall also include specific measures to mitigate against impact on outlook along the western boundary of the site. All hard and soft landscaping 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.

- 5 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.

- 6 The area shown on the permitted drawings for vehicle parking shall be kept available for such use and no permanent development, whether permitted by the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) or not, shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

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

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 relates to a plot of land situated adjacent to 141 Laburnum Road in Strood. The site is an informal amenity area, being open and laid to grass with a number of young trees. The area surrounding the site is predominantly residential, made up of two-storey semi-detached and terraced style properties. An en-bloc garage site is located opposite.

Proposal

The application seeks full planning permission for the construction of 2 three-bedroomed houses with associated parking accessed from Laburnum Road. The properties will be set at an angle to the road similar to the adjacent properties to the west within Merralls Wood Road. They will be set back sufficient to get one parking space in front of each property. The properties will be set 1 metre from the boundary with 1 Merralls Wood Road and approximately 3 meters (at the closest point) from the boundary with 141 Laburnum Road

Each property provides a hallway, kitchen, w.c. and lounge/diner at ground floor and three bedrooms and a bathroom at first floor.

Site Area/Density

Site Area: 0.044 ha (0.11 acres)
Site Density: 45.5 dph (18.4 dpa)

Relevant Planning History

80/646 Land adjacent to 141 Laburnum Road, Strood
Outline application for the erection of two, dwellings and two garages
Approved 25 September 1980

- 80/646/A Land adjacent to 141 Laburnum Road, Strood
Renewal of outline consent for a pair of, semi-detached houses
Approved 25 September 1980
- 88/1526 Land adjoining, Hillshaw Crescent and Laburnum Road, Strood
Outline application for residential development
Approved 29 June

Representations

The application has been advertised on site and individual neighbour notification letters have been sent to the owner/occupiers of no's. 137, 139, 141, 178, 180, 182 and 184 Laburnum Road, 1,2 and 3 Merralls Wood Road and 1 and 3 Hillshaw Crescent, Strood.

3 letters of representation have been received, raising objection to the development for the following reasons:

- Further stress on existing sewerage and drainage systems in the area.
- The development includes for the removal of 6 young trees, which were planted several years ago. Could these be re-planted elsewhere? It would be a pity if they were destroyed.
- The development will greatly exacerbate existing parking problems in the area. The land that is proposed to be built on is normally used by residents to park their cars. There are potential solutions for example giving neighbour dropped kerbs to park off-road, utilising space opposite the site for parking.

1 letter has been received in support of the development and considers that the proposal will 'tidy a piece of land which is often littered with rubbish'.

National Planning Guidance

Planning Policy Statement 1: Delivering Sustainable Development
Planning Policy Statement 3: Housing
Planning Policy Guidance 13: Transport

Development Plan Policies

South East Plan, 2009

Policy SP3	(Urban Focus & Urban Renaissance)
Policy H4	(Type & Size of New Housing)
Policy H5	(Housing Design & Density)
Policy T4	(Parking)

Medway Local Plan 2003

Policy BNE1	(General Principles for Built Development)
Policy BNE2	(Amenity Protection)

Policy BNE43	(Trees on Development Sites)
Policy H4	(Housing in Urban Areas)
Policy T1	(Impact of Development)
Policy T13	(Vehicle Parking Standards)
Policy L3	(Protected Open Space)

Planning Appraisal

Principle

The principle of the application falls to be determined against the provisions of Policy SP3 of the South East Plan and Policies H4 and L3 of the Medway Local Plan 2003.

The application site lies within the urban area where the principle of residential development is accepted under the provisions of Local Plan Policy H4. The proposal constitutes a form of infill development. As such the proposal accords with the provisions of Policy H4.

Consent for residential development has previously been granted outline and reserved matters consent in 1980 and 1983 (pair of semi-detached dwellings with garages), and again in 1989, and as such the principle for development has already been set. However, some time has passed since these consents were issued and planning policy has changed in that time. Policy L3 of the Medway Local Plan seeks to protect Open Space and this was not a policy consideration for the previous consents.

Policy L3 states that development which would involve the loss of existing formal open space, informal open space, allotments or amenity land will not be permitted unless exceptional justification can be provided. In the case of the current application, the development will result in the loss of informal amenity land. There is no replacement amenity space proposed. Representation has been received raising concern with regard to the loss of this amenity land. The existing amenity land is under used and littered, and often used for indiscriminate parking. Overall, the development will tidy up and improve the visual amenity of the area by continuing the built street pattern. The application site itself is also in close proximity to recreation ground facilities, accessed off neighbouring Winston Road, and as such alternative, more useable and beneficial provision is close by.

The application represents a proposed density of development at some 45.5 dph, which would fall within the preferred range identified in Government Guidance PPS3. In addition the layout and density is reflective of the character of the area.

The application is therefore considered acceptable in terms of Local Plan Policies H4 and L3 and South East Plan Policy SP3.

Street Scene and Design

The area is residential in character, made up of predominantly two storey semi-detached and terraced style dwellings. The site is located at a 'kink' in the road, where Merralls Wood Road meets Laburnum Road, and sits opposite a domestic

garage site. Development in this locality is staggered, with properties along the Merralls Wood side of the site facing north west and those on the Laburnum Road side facing north east. The proposed development continues this staggered layout approach and ties into the character and layout of the two existing developments either side of the site.

The proposed semi-detached properties face north west to reflect the siting of the properties to the west at 1 Merralls Wood Road and are set back sufficient to get 1 parking space in front of each property. This sites the proposed properties at an angle to 141 Laburnum Road but with the triangular nature of the site, the separation distance to 141 Laburnum Road and the position of the site at a kink in the road, this siting is considered the most appropriate in terms of addressing the street scene. The positioning of the plots is similar to 184 -186 Laburnum Road opposite.

The design of the proposed dwellings reflects the overall characteristics found on existing developments within the area. As with neighbouring developments, the new properties will also have gable ended features and similar window design. The external materials used in the construction will match existing developments surrounding the site. An individual design characteristic has been introduced by way of a front entrance door being set into the building with an integral porch design. This is not found elsewhere along the street scene, but given the layout and location of the site and the proposed dwellings, this is not considered to be at the detriment of the character of the street scene, and provides a distinction between Laburnum Road and Merralls Wood Road, as the site marks the spot where the two road merge. The overall proportions of the development i.e. face brick work, tiled roof and window arrangement is broadly consistent with neighbouring development and will therefore not appear out of character.

The proposal provides for front garden areas and a small landscaped area within the separation of the eastern most property and 141 Laburnum Road and this will be reflective of the character of the area.

There are no objections to the proposal in terms of matters of street scene and design and the proposal is considered acceptable under the provisions set out under Local Plan Policy BNE1 and South East Plan Policies H4 and H5.

Amenity Considerations

The site, at 0.04 hectares, is considered large enough to construct a pair of semi-detached 2-storey dwellings without resulting in overlooking and privacy issues on the neighbouring properties at 1 Merralls Wood Road and 141 Laburnum Road. The layout and scale of the development has been arranged so as not to impede on neighbour amenity in terms of sunlight and daylight. Due to the shape and sloping nature of the site, the houses have been laid out at an angle to the main street scene line to maximise the rear gardens. The proposal provides for a suitable amount of external amenity space for future occupants of the proposed dwelling and is also in character with the size of private gardens in the area.

Whilst there are two windows proposed for the east flank elevation of the

development, there are no flank windows in the side elevation of 141 Laburnum Road. The two proposed windows will provide light into the ground floor and first floor bathroom/w.c area and as such there will be no impact in terms of overlooking and privacy from this property.

1 Merralls Wood Road has a first floor window within the side gable and ground floor access door. The positioning of the proposed development will ensure that no overlooking onto the new development will result from these windows. The west flank elevation of the new development proposed one small window providing light into the landing area. There could be overlooking from this window into the neighbouring garden but as the window serves a non habitable room and is only for light purposes it can be conditioned to be obscure glazed and non opening.

As the site is positioned north to south, as are the adjacent developments, all of whom benefit from south facing garden areas, the development is unlikely to result in an impact in terms of sunlight and day light on the adjacent developments. The proposed development's rear building line is approximately 6.5 metres further back than no.1 Merralls Wood Road, but due to the separation between the proposed property and the dwelling itself a 1 Merralls Wood Road and the existence of a garage serving that property on the boundary there will not be any unacceptable overshadowing or loss of light.

There are no objections raised to matters of neighbouring amenity and the development is considered acceptable under the provisions set out under Local Plan Policy BNE2.

Trees

There are a number of young saplings present on the site, of which 6 are proposed to be removed as a result of this application. Four of the existing trees will be retained and incorporated within the landscaping treatment for the proposed scheme. Concern has been raised with regard to the loss of these trees, and whilst there is no principle objection to their removal, it is considered necessary to request that some are re-planted within the garden areas of the proposed development. The trees themselves are too young to warrant protection by a Tree Preservation Order and their removal is not contrary to the provisions set out within Local Plan Policy BNE43.

Highways

One off-road parking space is being proposed for each dwelling. This is considered acceptable as it provides for 1:1 ratio which is considered satisfactory in this location. Concern has been raised regarding the development's impact on the parking and traffic situation in the area, which is already an issue for residents. The application site is currently a green amenity area for residents, which is sometimes used for indiscriminate parking. The development will prevent people being able to utilise this space for parking purposes, however, as this is not meant for parking, it is not considered to be an issue in this regard. Overall, it is not considered that the introduction of two additional dwellings will result in an excessive impact on parking and traffic in the area.

The proposal is satisfactory from a parking and highway safety perspective and as such no objection is raised to the development under the provisions set out under South East Plan Policy T4 and Local Plan Policies T1, T2 and T13.

Other Matters

Concern has been raised with regard to the development's impact on sewerage and drainage. The development proposes that foul sewerage will be disposed of via the mains sewer. This is a matter for the potential developer and southern water services and an appropriate informative will be included on any decision notice.

Conclusions and reasons for Approval

This application seeks full planning permission for the construction of a pair of semi-detached 3-bedroomed houses. The principle of development in this location is considered acceptable under the provisions of Local Plan Policy H4. The loss of the existing amenity land and construction of the proposed dwellings is not considered to result in harm to the existing street scene and the design, scale and layout of the development is considered acceptable in this location and on this sized plot. In terms of neighbour amenity, the development is not considered to result in unacceptable harm in terms of privacy, sunlight and daylight. The proposal therefore accords with the above mentioned Development Plan policies and is recommended for approval.

The application would normally fall to be determined under Officer's delegated powers but is being reported to Planning Committee in this instance due to the number of representation letters received expressing a view contrary to the recommendation.
