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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 Information section and Representations section with a report.

Any information referred to is available for inspection in the Planning Offices of the Council at Gun Wharf, Dock Road, Chatham.
Recommendation - Refusal

1 The proposed development by virtue of its size, scale, bulk and design would be discordant with and harmful to the character of surrounding housing and the area in general. This would be contrary to the provisions of policy QL1 of the Kent and Medway Structure Plan 2006 and policies BNE1 and CF2 of the Medway local Plan 2003.

Site Description

The application site is a part two, part single storey detached building set on the corner of Richmond Road and Medway Road. To the east is the Chatham Dockyard Railway line set on an embankment approx. 5.5m in height. To the south is a two-storey house that has been split into flats. To the west is a part two part three storey block comprising sheltered housing. The rest of Richmond Road is formed primarily from two-storey terrace housing.

Proposal

This application seeks full planning permission for the demolition of the existing building and the construction of a three-storey building for use as place of worship and community facilities.

The basement is proposed with two offices, plant room, shower/W.C and lift. On the ground floor there is a men’s prayer hall, toilets, shoe rack and foyer. The first floor consists of a ladies prayer hall, office, toilets and storage. The Second floor proposes a dining area, kitchen, W.C and a large green roof.

The building is approx. 14.7m to the top of the minaret and approx. 10.5m to the parapet. The building is proposed to be of a modern design with a silver metal clad dome feature, roof garden and decorative minaret feature.
This application differs from the last withdrawn scheme through a change in the design and a slight decrease in overall height from approx. 13.5m at the top of the dome feature to approx. 12m.

**Representations**

The application has been advertised on site. Medway Fire Safety Service; the Kent Police Architectural Liaison Officer; Network Rail; South Eastern Railway and the Ethnic minorities and youth communities networker have been consulted on the application along with the owners and occupiers of the following properties: 19 Castlemaine Ave; 39 Rosebery Road; 107, 107a, 109, 111, 113b and 192-204 (evens) Richmond Road; and 186-240 (evens) Shalder House

One letter of support received commenting that the new building will fit in with the regeneration of the immediate area and the existing building is an eyesore

South-eastern Railway has written to advise they have no objection

Kent Police have written to say that they have no significant concerns or representations to make regarding the application, which should form a beneficial redevelopment of the existing Mosque and facilities.

**Planning History**

MC2007/0552 Demolition of building and construction of a four storey building for use as place of worship and community facilities
Withdrawn by the applicant

**Development Plan Policies**

Kent & Medway Structure Plan 2006

- Policy QL1 (Quality of Development and Design)
- Policy QL11 (Protecting and Enhancing Existing Community Services)
- Policy T3 (Transport and the Location of Development)
- Policy TP19 (Vehicle Parking Standards)

Medway Local Plan 2003

- Policy BNE1 (Built Environment)
- Policy BNE2 (Amenity Protection)
- Policy BNE3 (Noise Standards)
- Policy T1 (Impact of Development)
- Policy T13 (Vehicle Parking Standards)
- Policy CF2 (New Community Facilities)

**Planning Appraisal**

The main issues for consideration arising from this application are:

- Principle
- Impact on the street scene and design
• Impact upon the amenities of the occupiers of neighbouring properties; and
• Parking and highway matters.

Principle

This site is located within the urban area as defined by the development plan. The current use of the site is for a public place of worship and has been since 1975. The current building is of no architectural merit and does not contribute to the street scene. Policy CF2 of the Local Plan advises that new community facilities may be required in urban areas provided they are of an appropriate scale, have minimal impact on neighbouring amenities and are accessible by a variety of means of transport. There is therefore no objection to the principle of a new place of worship on the site subject to consideration of these detailed aspects.

Street scene and design

One of the criteria in policy CF2 requires any development granted under that policy to be of an appropriate size and scale with regard to the site. The existing building has a gross floor area of approx. 290m², which relates to one meeting room, one prayer room, one, kitchen and one office. The proposed scheme has a gross floor area of approx. 331m² and comprises two prayer rooms, three offices, a kitchen and dining area. The roof garden has not been included in this calculation and is approx. 80m², which in total is over 400m² for the entire development, which is approx. 40% increase in the total floor area. This results in a building, which by virtue of its scale, size, bulkiness and design is not considered to be appropriate for this restricted and prominent site close to much smaller properties, and is therefore contrary to the provisions of policy CF2.

Consideration has to be given to development plan policy BNE1 of the adopted local plan. This policy seeks to ensure that the design of the development is appropriate in relation to the character, appearance and functioning of the built and natural environment by reason of its use, scale, mass, proportion, details, materials, layout and siting. In considering the design of the development, it is judged that it would be discordant with the surrounding buildings and the area in general. The provision of such a large and bulky 3 storey building set at the end of a prominent road junction would be discordant with the surrounding area. Furthermore, the Council has to be satisfied that the development respects the scale, appearance and location of buildings, spaces and the visual amenity of the surrounding area. In this instance the design proposed, especially the height and bulk of the building will result in a development, which is discordant with the objectives of this policy and this development is considered to be unacceptable in this regard.

PPS1 supports the need for good design and states “Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted”. As a result of its size, bulk, and design the proposed scheme would appear out of character with existing development within the locality which is characterised predominantly by two storey, dwellings. The existing building is approx. 7.5m to the ridge and the neighbour at 113 Richmond Road approx. 7m to the ridge, while the proposed building is approx. 14.7m to the top of the minaret and 10.5m to the parapet wall. This vast increase in height, in such close proximity to much smaller buildings, is considered to stand out as being of a different scale and character to the surrounding area and a very prominent object in the landscape.
Accordingly an objection is raised to the application under the provisions of policies BNE1 and CF2 of the Medway local Plan 2003 and policy QL1 of the Kent and Medway Structure Plan 2006.

**Amenity considerations**

The proposed scheme would be sited approx. 1.5m from the flank wall of No. 113 Richmond Road. However due to the layout of the neighbouring property which has been split into two flats with flank walls windows already looking onto the flank of the existing building at 242 Medway Road it is considered that there would be no significant loss of outlook, privacy, sunlight or daylight to this property.

The building would be set approx. 25m from the sheltered accommodation at Shalder House to the west. Due to this distance, orientation and the fact it is set across the other side of the road it is considered that there would be no significant loss of outlook, sunlight or daylight to these properties.

**Noise**

The existing building is currently being used as a place of worship. The applicant has submitted a noise impact assessment that supplies the maximum number of people and cars for general days and for festival/meeting days. It also provides details of the mode of prayer and explains that no music will be played.

It is not considered that there will be a significant increase in noise associated with cars arriving and departing therefore, it is unlikely that the proposed development will adversely affect the aural amenity of neighbouring residential premises.

The application has the potential to lead to an unacceptable increase in noise and disturbance to the detriment of the amenity of residents in the locality. The primary form of control of noise generated within the premises will be by way of hours of operation. In order to safeguard the situation a condition could be imposed on any permission to restrict hours of use and to ensure that there is no amplified music or sound.

**Highways**

While the floor space of the proposed building is increasing the travel plan submitted with the application advises that the overall area of the prayer halls decreases by 12m². The Plan advises that under the building regulation guidelines of occupancy, the new premises will be able to accommodate a maximum of 251 people at any one time and that the Ahmadiyya members in Gillingham and the local area total 205 people and that no more than 120 people have ever gathered at any one time.

On the basis that the proposed development will not increase worship space over the existing facility on the site, it is reasonable to assume that traffic levels and parking demand will not significantly change. The site is well located in terms of the community it serves, and is in close proximity to a regular bus service for visitors travelling from a greater distance. Therefore an objection related to traffic and parking implications is not justifiable in this case.

Accordingly no objection is raised to the application under the provisions of Policy T1 and T13 of the Medway Local Plan 2003.
Conclusions and Reasons for Refusal

This is a balanced application. The principle of the facility is acceptable as it is replacing an existing facility. Furthermore it is accepted that the existing building has no architectural merit and does nothing to improve the character of the area. Notwithstanding that, the proposed development, by virtue of its scale, size, bulk, design and proximity to smaller buildings would be discordant and out of character with the surrounding housing and the area in general. This would be contrary to the provisions of policies BNE1 and CF2 of the Medway local Plan 2003 and policy QL1 of the Kent and Medway Structure Plan 2006.

The application would ordinarily fall to be determined under officers’ delegated powers, but is referred for Members’ consideration at the request of the Development Control Manager due to the sensitivity of the application.
Recommendation - Approval with Conditions

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

2. The external materials listed on drawing no 2239/P19 shall be used in the construction of the hotel hereby approved unless otherwise agreed in writing by the Local Planning Authority.

3. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include: hard surfacing materials; minor artifacts and structures (e.g. external furniture, play equipment, refuse or other storage units, signs, etc); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc). Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with grass and plant establishment, aftercare and maintenance); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and implementation programme.

4. 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.

5 The car park within the site shall be lit in accordance with a lighting scheme, to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, and installed on site before occupation of any part of the development in accordance with the approved details and thereafter retained.

6 Prior to the commencement of development on site, details relating to the bin/refuse store shall be submitted to and approved in writing by the Local Planning Authority. The approved bin/refuse store shall be installed in accordance with the approved details prior to the bringing into use of any part of the development and shall thereafter by retained.

7 The noise rating level associated with the development site at the relevant time, shall not exceed the pre-existing background noise level by more than 3dB. The noise levels shall be determined at the nearest noise sensitive receptors. All measurements shall be defined and derived in accordance with BS4142:1997.

8 No goods shall be loaded, stored or otherwise handled and no vehicles shall arrive or depart, within the application site outside the hours 07:00 to 19:00 Monday to Friday, 08:00 to 18:00 Saturday or at any time on Sunday or Bank Holidays.

9 If, during development, contamination not previously identified is found present at the site then no further development shall be carried out until the developer has submitted a method statement and obtained written approval from the Local Planning Authority. The Method Statement must detail how this unsuspected contamination shall be dealt with.

10 Prior to the commencement of the development a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall set out measures to reduce the use of private car by employees and measures to address issue of guest arriving and departing by coach (which shall not include coaches entering the site). The travel plan shall be implemented as approved and reviewed every two years in consultation with the Local Planning Authority. All plans approved by the Local Planning Authority following consultation shall be implemented.
The development hereby permitted by this planning permission shall not be commenced until an appropriate mechanism relating to the land has been made and lodged with the local planning authority and the local planning authority has subsequently approved the details of the mechanism. The said mechanism will provide for the payment of an appropriate sum towards training and workforce development for existing and pre-entrant trainees, which covers work experience placements, school visits, on-site visits, teacher placements, development of curriculum materials for schools etc to meet the needs arising from the development.

Prior to the commencement of development details of the method and type of foundation construction shall be submitted to and approved by the Local Planning Authority. If piled foundations are sued then a piling method statement will need to be submitted with the details to the approved prior to commencement. Construction shall be undertaken in accordance with the approved details.

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

Site Description

The Manor Farm Public House/Beefeater Restaurant is situated at 2 – 4 High Street, Rainham, on the corner junction with Maidstone Road. The building is raised slightly above the level of the road with a ramped access to the 68-space car park at the rear with its entrance off Maidstone Road.

The existing public house comprises two principal buildings, with outdoor drinking areas to the front and side. Wooden fencing, some tree screening and shrubbery bound the site. Residential dwellings are located to the east and south of the application site, and to the west and north are commercial premises and a car sale show room.

Proposal

The application seeks full planning permission for the construction of a part two, part three-story ‘bolt on’ hotel to the rear of the existing public house and restaurant facing onto Maidstone Road, with alterations to the existing car park. The building would contain 26 guest bedrooms and would be part of the applicants' Premier Inn Group. The accommodation would be available on a by-the-room basis and would be suitable for singles, couples and families.

The new building would be a freestanding block built at right angles to the corner building and therefore at a slight angle away from the site boundary to Maidstone Road. This enables the retention of the existing access, vehicular and pedestrian, and does not involve the movement of the bus stop.

The car park would be rearranged so as to maintain the same level of provision, 65 spaces, with 4 bays for disabled visitors. Access to the pub would remain unaffected, except for a new ramp down to the cellar door.

The new building would be built in brick, render and with horizontal timber boarding.
Relevant Planning History

GL/48/191B Outline application for the conversion of existing premises to Public House and Licensed restaurant inclusive of extension and provision of car park.
Approved 5 February 1981

GL/48/191D Conversion of premises to licensed restaurant. Details pursuant to outline permission GL/48/191B dated 5/2/81.
Approved 3 September 1981.

Representations

The application has been advertised on site and the individual neighbour notification letters have been sent to the owner/occupiers of no’s 1, 3, 4, 5 and 7 London Road, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 13a, 14, 15, 16, 17, and 18 Maidstone Road, 4, 3-5, 9, 11. 13, 15, 16 and 17 High Street, 1 Thames Avenue, and Police Station, Birling Avenue, Rainham Gillingham. Medway Fire Service and Kent Police Architectural liaison officer have been consulted on the proposal.

Kent Fire and Rescue Service has written with no objection but commenting that the LPA should ensure that fire service appliances can get close enough to the premises’ footprint to meet access requirements.

Kent Architectural Liaison Officer has no objections and limited observations to make regarding the proposal. A lighting scheme will be required to cover the parking area and access routes to the hotel and public house to aid user safety and reduce opportunity for wrongdoing.

4 Letters have been received objecting to the application on the following grounds:

- Third storey of the development would overlook neighbouring gardens and the rear of neighbouring properties resulting in loss of privacy.
- The car park is being significantly reduced in size yet the hotel would result in increased use of the site.
- Loss of outlook
- Increased noise disturbance
- Noise caused from use of recycle centre
- The charging system within the car park has caused problems with residential parking along the neighbouring streets
- Result in worse traffic congestion than already experienced
- Moving the bus stop up the road will result in further noise disturbance.
- Suggest developing the site of the old Police Station, which is empty.

1 Letter has been received in support of the application commenting that the hotel would be a welcomed addition to the area and would mean more jobs for the area too.
Development Plan Policies

Kent and Medway Structure Plan, 2006:

- Policy QL1  Quality of Development and Design
- Policy EP10 Sustainable Tourism Development
- Policy EP12 Tourism Accommodation
- Policy TP3  Transport and Location of Development
- Policy TP19 Vehicle Parking Standards

Medway Local Plan, 2003:

- Policy BNE1  General Principles for Built Development
- Policy BNE2  Amenity Protection
- Policy BNE3  Noise Standards
- Policy BNE7  Access for All
- Policy BNE23 Contaminated Land
- Policy ED13  Hotels
- Policy T1  Impact of Development
- Policy T2  Access to the Highway
- Policy T13  Vehicle Parking Standards

National Guidance:


Planning Appraisal

Having regard to the provision of the Development Plan, it is considered that the main issues arising from the proposal are as follows:

- Principle
- Street scene and design
- Access for All
- Amenity considerations
- Contamination
- Highways
- Other Matters

Principle

The Kent and Medway Structure Plan 2006 has a specific policy relating to hotels, Policy EP12. This states that the development of high quality tourist, business and conference hotels will be identified as first priority in or adjacent to urban centres. The site is not within an urban centre but relates well to the existing pub/restaurant in a location close to Rainham Centre. As such it is considered that this location would meet the aims of Policy EP12 of the Kent and Medway Structure Plan 2006.
The principle of a new hotel in this location is further supported by Local Plan Policy ED13 (iv and v), which specifies that additional hotel facilities will be permitted where they are well related to Rainham town centre and where they would positively contribute to the regeneration and renewal of an area within a defined urban boundary. Given the location of the site, in close proximity to the defined retail centre of Rainham, the proposal is considered to meet the requirements of Policy ED13.

In addition to this, the provision of a bolt on hotel will support Medway’s aspirations to become a short break city destination. Medway currently has a lack of branded hotel rooms in comparison with cities of a similar size and nature, and an additional 26 bedrooms will help to alleviate this shortage. The existing Premier Travel Inn in Gillingham does experience very high occupancy levels and is a popular brand for business visitors. It is envisaged that these extra hotel bedrooms will help to retain the Premier Travel Inn customers in Medway. There is also currently no graded visitor accommodation provision in the Rainham area and this will help support the local economy.

The proposal is considered to be acceptable in principle and in accordance with Policy EP12 of the Kent and Medway Structure Plan 2006 and Policy ED13 of the Medway Local Plan 2003.

Street Scene and Design

The proposed hotel is essentially a part two-storey, part three-storey development. The scale of the development relates to the existing buildings on site. The site slopes up from north to south and steps up from the road from west to east. The buildings on either side of the site are of two storeys in height and it is considered that a significantly taller building would be out of place. However, given the developable area’s location, behind the existing building, and given its relationship to the street, set back and at a higher level, a building of mixed height can be achieved. The 38-metre frontage area from the rear of the existing public house and no. 3 Maidstone Road allows for a taller element to be built in the centre without impacting drastically on the existing buildings. The two-storey element closest to the Public House is of the same height as The Manor Farm, allowing for the change in levels, so the eaves and ridgelines step up naturally with the slope of the land. On the other side, a gap of over 11 metres is maintained, including retained trees close to the frontage and unaffected by the proposal. The development also sits approximately 145 metres from the eastern boundary adjacent to no. 4 High Street, Rainham. As a consequence it is considered that the three-storey element will be acceptable in street scene terms.

The barn wing of the existing Manor Farm Public House and Restaurant extends the length of the original building along the High Street and the bolt on hotel would do the same along Maidstone Road, maintaining a built-up street scene. In terms of scale, the existing building accounts for 13.4% of the site and the new block would increase this to 20.8%. This is considered an acceptable level of coverage within a Town Centre location. Because of it’s location the building would not be readily apparent from the A2, being obscured by the existing building on site.
The accompanying supporting statement to the planning application explains that the chosen layout of the development has arisen from a number of options. It was considered that the proposed location was the most suitable as it maintains the access, is close to the restaurant and has limited impact on either of the dwellings which abut the site. Access to the pub, for customers and deliveries, is unaffected. The alignment of the buildings in the manner proposed maintains the visual dominance of the original building, sets the hotel back from the road, thereby keeping it subservient. It is considered that any other location on site would have been less acceptable.

In terms of design, the combination of brickwork, cream render and timber boarding are considered to reflect the detailing found on the existing building on site. The design also reflects elements commonly found on residential developments along Maidstone Road, namely the finishes and gabled features to the front. It is considered therefore that the new build will reflect the character of the street scene well in terms of design. The development is also situated appropriately into the street scene and has the benefit of obscuring views of the car park.

Taking the above into account it is considered that the proposal is acceptable in terms of its design, siting and setting within the street scene and would accord with Policy BNE1 of the local Plan, 2003 and Policy QL1 of the Structure Plan, 2006.

Amenity Considerations

The hotel is located in an area where the neighbouring properties are a mix of residential and commercial. To the west of the application site on the opposite side of Maidstone Road is a car showroom, and there will be no impact in terms of loss amenity to this use. The development will not be visible from the A2 (High Street), given its location to the rear of existing buildings on site and as such will not impact on dwellings opposite the Public House along the High Street.

Concerns have been raised with regard to the potential impact the new hotel will have on the privacy of adjacent residents of the closest residential dwellings to the south and east of the site. It is however considered that despite the number of bedroom windows proposed along the south and eastern elevations that the distances between the residential dwellings and new build are sufficient not to result in overlooking and privacy issues. The development will sit approximately 26 - 30 metres from the eastern boundary of the application site, sufficient distance not to result in impact on the adjacent dwelling (no. 4 High Street) in terms of sunlight, day light and privacy. The rear of the hotel is approximately 50 metres away from no 16 High Street Rainham. The residential dwelling to the south is approximately 11 metres away from the south elevation of the proposed hotel. There are no bedroom windows in the south elevation (only landing/hallway windows) and therefore there would not be overlooking and impact on privacy in this regard. Furthermore, the rooms within the hotel would not be in use between checking out time (generally at 10am) and checking in time (3pm), so for much of the day these rooms will not be in use by guests.

Concerns have also been raised with regard to the potential increase in noise disturbance as a result of the proposal. Hotels that are basically blocks of guest bedrooms, such as this, with no additional facilities such as function rooms, are generally quiet uses. The site is currently used as a pub/restaurant with associated car park and it is not considered that noise in relation to comings and goings will exacerbate existing issues. However, there is a potential with regard to noise from the operation of fixed plant and noise from deliveries and as such conditions controlling noise levels from Plant and hours for delivery is recommended.
The proposal would therefore comply with Policies BNE2 and BNE3 of the Local Plan.

Access for All

The hotel will provide facilities that have been designed for universal access. The proposed ground floor room is universal access purpose-built for wheelchair-bound guests. There are level thresholds throughout the hotel building and into the public house and garden. Four disabled parking bays have also been provided within the re-arranged car park facility for the hotel and restaurant. The development is considered acceptable under the provisions set out under Local Plan Policy BNE7.

Land Contamination

A site investigation has been submitted in relation to the planning application for the new 26-bedroom hotel. The report includes a desktop study and a limited site investigation. No contaminants were found to exceed the relevant soil guideline values or site screening values for commercial/industrial end use. A conceptual site model has been developed for the site. The report concludes that 'no contamination was therefore encountered at this site with regard to the proposed usage'. However, if piled foundations are implemented at the site, the applicant will need to submit a piling method statement to the Local Planning Authority for approval prior to works commencing on site. As such a suitably worded condition will be attached to the decision notice should planning consent be forthcoming.

There are no objections to the proposal in terms of Local Plan Policy BNE23 subject to the above-mentioned condition.

Highways

The development includes for the reorganisation of the existing car park area to accommodate the new hotel and existing restaurant/public house. The overall provision is to be decreased from the existing 68 spaces to 65, however, it is considered that this is a minimal decrease and that the level of parking provision will be much the same as it is currently. Concern has been raised with regard to the potential impact the reduction in car parking spaces would cause to parking in the area, nevertheless, there will be no significant change in parking provision on site.

Whilst the two uses on the site would produce a maximum number of parking spaces significantly in excess of the 65 spaces proposed, the site is located close to Rainham Town Centre on the main bus corridor through the Medway Towns and a short distance from the railway station, which is a significant consideration. There are also a number of public car parks in the vicinity. The location of the site on the A2 in close proximity to a busy junction is such that indiscriminate parking to the detriment of highway safety is unlikely to occur, given the restrictions in place. On this basis no objection is raised in respect of the transport Policies of the Local Plan. 10 Cycle Spaces are shown on the Layout plans outside the entrance to the main restaurant area, details of the cycle shelter have been submitted and are considered acceptable.

While business hotels such as this do not generally attract coach parties, the Maidstone Road frontage has a bus stop where coaches can safely stop should the need arise.
The proposal does not include for any alterations to the existing vehicular access off Maidstone Road, nor will the proposal result in the moving of the bus stop area close by.

There are no concerns with this proposal on highway and parking grounds and it is considered acceptable under the provisions set out under Local Plan Policies T1, T2 and T13 and Structure Plan Policies TP3 and TP19.

Section 106 Requests

A request has been made for financial contributions towards training and workforce development for existing and pre-entrant trainees, which covers work experience placements, school visits, on-site visits, teacher placements, development of curriculum materials for schools etc. This is a necessary scheme to address both current and forecast skills shortages. The contribution required is for the sum of £1050 and accords with the approved developer contributions guide. The applicant has agreed this request. It is considered that the request for financial contribution can be dealt with via a mechanism condition to the planning decision in this instance, given the limited sum requested.

Other Matters

Concern has been raised with regard to the noise coming from the existing recycle centre facility on site, however, as this already exists on site it cannot be considered in relation to this planning application. The same goes for concerns raised regarding the charging system in place for the existing parking facilities for Manor Farm which was introduced to ensure the car park is used by customers of the Manor Farm.

Conclusions and Reasons for Approval

The proposed hotel is acceptable in principle providing a needed facility in an appropriate location close to Rainham Centre. It has been sensitively designed in relation to the existing building, neighbouring properties and the street scene in general. Due to its siting, the facilities provided within, location of windows etc the proposal will not have an unacceptable impact on amenities for adjacent residents and users. The car parking provided to serve the existing restaurant and the hotel is considered to be acceptable in this location. The proposal is therefore considered to accord with the above mentioned Development Plan Policies and is therefore recommended for approval.

This application would normally fall to be determined under Officers delegated powers. However, it has been referred to the Members of the Development Control Committee as a result of the number of representations received.
Recommendation - Approval with Conditions

(as amended by plans received on 2nd December 2008)

1 Approval of the details of appearance of the buildings and the landscaping (hereinafter called “the reserved matters”) shall be obtained from the Local Planning Authority in writing before any development is commenced.

2 Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted in writing to the Local Planning Authority for approval. Such application for approval shall be made to the Authority before the expiration of three years from the date of this permission and the reserved matters shall be carried out in accordance with the approved details.

3 The development to which this permission relates must be begun no later than the expiration of 2 years from the final approval of the reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

4 The details submitted pursuant to condition 1 shall include full details of existing and proposed land levels and finished slab levels. All land level alterations within the site shall be carried out in accordance with the approved details and shall thereafter be maintained in such form unless any variation is first agreed in writing by the Local Planning Authority.

5 Notwithstanding the submitted details, access to the car parking area to serve the development hereby permitted shall be by means of a dropped kerb. No development shall commence until revised details showing this access together with the provision of 2m by 2m vision splays either side of the access point have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the occupation of any of the approved dwellings and shall thereafter be maintained in such form.
6 Prior to the first occupation of the development hereby permitted, vision splays of 2.0 metres x 2.0 metres shall be provided on both sides of each of the vehicular access points and no obstruction of sight more than 0.6 metres above carriageway level shall be permitted within the splays thereafter.

7 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 and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and 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.

8 Prior to the commencement of the development, a lighting scheme for the car park area and associated footpath shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be implemented in accordance with the approved details prior to the first occupation of any of the dwellings hereby permitted and shall thereafter be maintained in such form unless any variation is first agreed in writing by the Local Planning Authority.

9 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 10 to 13 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 12 has been complied with in relation to that contamination.

10 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'.

11 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.

12 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 first occupation of any dwelling hereby permitted.

13 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 10, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 11, 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 11 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 12.

14 The bathroom windows on the rear elevation of each dwelling shall be fitted with obscure glass and any opening within them shall be a minimum of 1.7m above internal floor area. Notwithstanding the provisions of any development order, no further windows or openings shall be provided on the rear elevations of the dwellings hereby permitted unless otherwise agreed in writing by the Local Planning Authority.
Notwithstanding the provisions of any development order, no extensions or alterations to the dwellings hereby permitted and no erection of outbuildings within the garden areas (other than those with a volume of 10 cubic metres or less) shall be carried out on the site without the prior written approval of the Local Planning Authority.

a) The reserved matters submitted pursuant to condition 1 shall include:
   - A plan showing the location of each existing tree which is proposed to be retained;
   - Tree protection measures for the retained trees; and
   - Details of how land level alterations and construction works within the vicinity of the retained trees are to be carried out.

b) The tree protection measures approved pursuant to condition 1 shall be implemented on site prior to the commencement of development or the bringing onto site of any plant, equipment or materials in connection with the development. No materials, plant or equipment shall be stored within the root protection area of any retained tree. The tree protection measures shall be retained on site until development is complete and all plant, equipment and materials have been removed from site.

c) If any tree shown to be retained on the approved plans is cut down, uprooted, destroyed or dies, within five years of the commencement of development, it shall be replaced during the next planting season by a tree of such size and species and in such location as may be agreed in writing by the Local Planning Authority.

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

Site Description

The application site is a wide but shallow area of land fronting Witham Way, within the main urban area of Strood. The majority of the site is approx. 11m deep, but there is a deeper section (approx. 20m) to the western end. The main site is currently occupied by a large block of garages with hardstanding to front, while the deeper section is a small area of open space including some semi mature trees. The area occupied by the garages and their forecourt is generally level, at some points set above road level with a substantial retaining wall, but to the rear and either side of the garages there are localised significant changes in level.

The area is predominantly residential but is very mixed in character, with significant drops in land level from north to south. Opposite are four-storey blocks of flats set much higher with grass amenity areas and retaining walls between the blocks and Witham Way. To either side are two-storey properties of varying design. To the rear in Dart Close is a small estate of two-storey houses dating from around the 1980s; these are set at a significantly lower level with a steep vegetated slope between. This includes properties backing onto the site and some with flank walls facing; all have very small private gardens, and the application site is visible from both the gardens and the parking/circulation areas. There is also a public footpath running between Witham Way and Dart Close adjacent the eastern end of the site.
Proposal

The proposal is for the erection of six houses in three semi-detached pairs, together with creation of a parking area. The existing garage block would be demolished. The application is in outline but with only appearance and landscaping reserved for future consideration. Matters relating to layout, scale and access are for consideration as part of this application.

The houses would have three storeys with an asymmetric profile, incorporating land level changes within the site such that at the front would be ground and first floors and to the rear ground and lower ground floors. The overall footprint of each pair would be approx. 13m by 7.8m, with shallow two-storey projections to the front over the entrances. Roofs would be of gable design. With the exception of the plots at either end of the site, the properties would have partially angled oriel windows on the flank elevation at ground floor level.

Each property would include an open-plan lounge/kitchen/dining area at lower ground floor, two bedrooms with family bathroom at ground floor and master bedroom with en-suite at first floor. External amenity space would be provided to the side of each property and excluding the front gardens would amount to 100m² for plot F (western end), 47.6m² for the central four plots, and 37.6m² for plot A (eastern end). Part of the area would be taken up by retaining earthworks as the front gardens would be at a higher level.

A car parking area for 6 cars (four allocated and two visitor spaces) would be provided at the western end of the site. Three of the mature trees in this area are shown for retention, while one would have to be removed. Plots A and B would have their own parking spaces in their front gardens.

The proposal has been amended since its original submission, resulting in minor changes to layout and design.

Site Area/Density

Site area: 0.127ha (0.314 acres)
Site density: 47dph approx. (19dpa approx.)

Representations

The application has been advertised on site and notification letters have been sent to the owners/occupiers of the following neighbouring properties: 54-66 (evens) Dart Close; 25-32 (inclusive) Wisteria House, 9-16 (inclusive) Tamarisk House and 89-96 (inclusive) Japonica House, Humber Crescent; and 18 Tintagel Gardens.

One letter written on behalf of five properties has been received objecting to the proposal on the grounds of loss of light (exacerbating an existing problem) and privacy to properties in Dart Close.
Development Plan Policies

Kent and Medway Structure Plan 2006

- Policy QL1 (Quality of Development)
- Policy HP4 (Housing: Quality and Density of Development)
- Policy TP19 (Parking Standards)

Medway Local Plan 2003

- Policy BNE1 (General Principles for Built Development)
- Policy BNE2 (Amenity Protection)
- Policy BNE23 (Contaminated Land)
- Policy BNE43 (Trees and Development Sites)
- Policy H4 (Housing in Urban Areas)
- Policy T1 (Impact of Development)
- Policy T2 (Access to the Highway)
- Policy T13 (Parking Standards)

Planning Appraisal

Principle of Development

The application site is located in the main urban area of Strood and is not allocated for any specific purpose in the Local Plan. Accordingly, the principle of residential development is acceptable under the provisions of Policy H4 of the Local Plan, subject to detailed consideration of its impacts.

Density, Design and Character of the Area

The proposed density of the development is within the range suggested by Policy HP4 of the Structure Plan and is not dissimilar to the surrounding development. The proposed layout features semi-detached houses; terraces and flats are more common in the immediate locality but the area generally is mixed and this layout is considered to be acceptable in terms of its impact on the character of the area.

Although appearance is reserved for future consideration, layout and scale provide a good indication of the form of development that is expected to come forward, and the submitted plans do give some design information, although this must be treated as indicative.

The layout of semi-detached pairs allows provision of soft landscaping to the front and between and as such is likely to constitute a significant improvement in appearance compared to the existing garages and hard surfacing. The layout of the proposed car parking area on the existing area of open space to the western end of the site also allows retention of soft landscaping to the front. The side boundary of the easternmost plot is set in from the adjacent footpath to avoid an overbearing impact on it and its users; further consideration of landscaping to the buffer strip at reserved matters stage will ensure this.
The dwellings would be of two-storey appearance to the front. From the rear the roof form would cause them to appear slightly larger than a standard two-storeys, although not significantly. Given that surrounding development ranges from two to four storeys and that the land level changes in the area further increase the apparent height of some existing development from many viewpoints, this is considered acceptable.

The design shown on the plans is somewhat bland, particularly in terms of its elevational treatment, but the context of surrounding development is of no particular architectural merit or strong character. It is also noted that the appearance reserved matter does give scope for some improvement in this respect.

Overall, it is considered that the impact of the proposed development on the character and appearance of the area is acceptable, and in many ways an improvement on the existing. In this respect the proposal is in accordance with the provisions of Policy QL1 of the Structure Plan and Policies BNE1 and H4 of the Local Plan.

Trees

There are four semi-mature trees and one young tree on the open space area at the western end of the site. The proposal indicates that three of the semi-mature trees are to be retained as part of the proposals, while the young tree and one large beech would be lost. However, the various changes in land level around this area in combination with the works proposed make it unlikely that this will be possible in the form envisaged, although it may still be possible to retain some of the trees.

The trees provide an attractive landscape feature in the local street scene, but are not of such quality that they would be worthy of protection and as such their possible loss as individual specimens would not merit a refusal of planning permission, although if they were to be removed then replacements would be required. This can be covered by the landscaping reserved matter, and an informative to this effect is therefore recommended.

Amenity Considerations

The main potential for the development to impact on surrounding properties relates to the properties to rear in Dart Close. Although 3 Witham Way is set closer (adjacent to the eastern end of the site with the footpath between) this property has its flank wall facing with no primary habitable windows to be affected.

The Dart Close properties are set at a lower level and in some cases habitable room windows in the rear elevations face onto the site at close proximity due to the shallowness of their rear gardens. The distances between these properties and the proposed dwellings are approx. 14m where rear elevations face onto each other, and approx. 8m where flank elevations face onto the site. 14m is considered sufficient to prevent any significant loss of outlook to the Dart Close properties, given that they already face onto a steep vegetated bank at a distance of approx. 5m and that the rear eaves level of the new properties is roughly level with the roof line of the existing garages, with the roof then sloping away from Dart Close. It is also considered that these factors reduce any overbearing impact on the rear gardens of the Dart Close properties to an acceptable level. As Dart Close is to the south, no overshadowing would arise. No habitable room windows are proposed in the rear elevations of the new properties and this prevents any impact on the privacy of properties in Dart Close.
The awkward shape of the site, being long and shallow, is such that the gardens for the new properties are provided to the side, with their rear walls hard against the rear site boundary. The need to take account of site levels and to mitigate any overbearing or overlooking impact on Dart Close also results in slightly awkward arrangement of windows etc. The potential for overlooking between the new properties has been addressed by the use of forward-facing oriel windows on the ground floor side elevations, while the lower ground would be screened by boundary treatment and the first floor has no flank windows proposed. Garden spaces are small (with the exception of Plot F), but not so inadequate in terms of provision for amenity of future occupiers as would merit a refusal of planning permission. However, future erection of extensions and outbuildings would have potential to significantly reduce the level of amenity for future occupiers and as such it is considered that permitted development rights should be removed by condition.

Overall, the impact of the proposal on neighbouring properties and the provision for the amenities of future occupiers are considered acceptable and in this respect the proposal is considered to be in accordance with the relevant provisions of Policy QL1 of the Structure Plan and Policy BNE2 of the Local Plan.

Highways

The proposal would result in the loss of the existing 22 garages and therefore has potential to displace this number of cars onto on-street parking. However, the applicant submits that the majority of the garages are not used for parking but for storage and therefore the impact would not in fact be this great. It is also submitted that the garages are subject to regular vandalism and that the rental income which is generated by them does not allow for repairs to be economically viable, meaning that the site is likely to fall into disrepair and disuse, with potential to attract anti-social behaviour as well as becoming an eyesore.

Given that on-street parking is generally available in the surrounding area and that congestion of parking is not a significant issue, it is considered that with this justification there is no grounds for objection to the loss of the garages.

The overall level of provision is 1.3 spaces per dwelling, with plots A and B having individual provision in their front gardens and the remaining properties sharing a small car parking area at the western end of the site. The application indicates that this would amount to one allocated space per dwelling and two shared visitor spaces. This level of provision is considered acceptable given that the site is close to local services and good public transport links in Darnley Road, and is also within reasonable walking/cycling distance of Strood town centre.

The layout of the parking area is capable of providing good visibility for drivers entering and leaving (vision splays of 1.5m are shown but there would be no obstruction preventing the full 2m being provided and this can be controlled by condition) and sufficient space would be available between the spaces for manoeuvring. However, given the low level of traffic that would be using the parking area, it is not considered that a fully kerbed junction as proposed is necessary but that a dropped kerb would be a better solution, as this would maintain pedestrian priority along the footpath and would also discourage unauthorised vehicular use of the parking area. It is somewhat isolated at one end of the site, and if not properly overlooked could become an unwelcoming space leading to people choosing to park directly outside of their houses instead, but there is some limited natural surveillance from the flats.
opposite and the flank wall windows in Plot F, and conditions can ensure an appropriate lighting scheme is provided, which will also serve the pedestrian access to and from this area.

Good visibility can also be provided from the individual parking spaces to plots A and B. It is noted that the existing highway railings along the edge of the footpath would need to be broken to provide access to these spaces and no objection is raised to this, although formal highways consent will also be required. From a visual point of view it would be preferable for the whole length of the railings to be removed, as with the garages no longer in use there is much less purpose to their position, but this cannot be required by condition as the land is not within the applicants control. Again, highways consent would be required.

Overall it is not considered that the proposal would have any detrimental impact on highways safety or efficiency, and in this respect the proposal is in accordance with Policy TP19 of the Structure Plan and Policies T1, T2 and T13 of the Local Plan.

Contaminated land

The use of the site for garages gives rise to potential contamination, and there is also potential for contamination to have been brought into the site in connection with the area of made ground that has been identified. A Preliminary Contamination Investigation has been submitted in support of the application and the principles contained within this are generally acceptable and indicate that the site can be made suitable for the end use of residential. However, further information and work will be needed and conditions are recommended in this respect.

Conclusions and Reasons for Approval

The proposed development would represent a significant visual improvement compared to the existing situation and would be acceptable in terms of highways safety and impact on the amenity of surrounding residents. While some aspects of the scheme (in particular the loss of the trees and the level of private amenity space for the new properties) are less than ideal, when weighed against the visual improvement this is not considered sufficient to justify a refusal of planning permission. Consequently the scheme is considered to be in accordance with the abovementioned Development Plan policies.

This application would ordinarily fall to be considered under officers’ delegated powers but has been referred for Members’ consideration due to the number of representations received expressing views contrary to officers’ recommendation.
Recommendation - Approval of layout, scale and external appearance pursuant to condition 1 and the details relating to conditions 7 (tree protection), 8 (car parking), and 9 (internal floor height) of outline planning permission MC2008/0223 dated 2 October 2008

(as amended by plans received on 19th January 2009)

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

Site Description

The application relates to an undulating site of 0.48 hectares with a significant covering of trees. The application site was formerly occupied by a detached dwelling, known as Safety Bay House, which has now been demolished. The application site also includes part of the riverbank and foreshore and a 130 metres long tree lined private driveway that leads from Warwick Crescent; this drive turns sharply at the shoreline to enter the main part of the site from the south-west. A definitive public footpath runs along the river’s edge and crosses the application site, a short distance back from the foreshore where facilities for mooring boats are already in place.

Immediately abutting the application site to the west are the grounds of Bridgeside, a detached bungalow, which is also accessed via the drive off Warwick Crescent. Further to the west is the coastbound M2 viaduct. Abutting the application site on its southern and eastern boundaries are the rear gardens of semi-detached houses in Kennard Close and Brambletree Crescent. On the southern side of Warwick Crescent, opposite the entrance to the site, is the Pilgrim Manor Community School.
Proposal

Outline planning permission for the construction of a 4 storey block comprising 24 flats with associated access road and car parking with replacement of jetty and moorings was granted on 2 October 2008 following consideration by Development Control Committee and the signing of a Section 106 agreement to secure: a contribution of £14,581 to fund improvements at Borstal Recreation Ground; a contribution of £16,000 towards the provision of primary school places in the vicinity; and a contribution of £11,230 towards the provision of health facilities in the locality. The planning permission was also subject to 24 conditions.

The outline application sought the approval of the means of access, but all other matters (layout, scale, appearance and landscaping) were reserved for future consideration. This application seeks approval of layout, scale and appearance with landscaping reserved for future consideration.

The submitted drawings for the current reserved matters application show a four storey J-shaped building, as shown on the illustrative drawings which accompanied the outline application. The ground floor of the proposed building shows car parking for 25 cars under the building, a further 6 cars in the courtyard and 4 cars, just outside, making a total of 35 spaces; a secure cycle parking area for 24 bicycles is shown. In addition to reserved matters, these car and cycle parking details have been submitted pursuant to condition 8 of the outline planning permission.

The first floor layout shows eight flats accessed via three stairways from the parking areas. Some of these flats are served by a corridor on the outward facing side of the building. There would also be decking on the inner facing side of the proposed flats overlooking a courtyard area; this decking would continue around the end of the building, overlooking the river. The drawings also show a courtyard at this level with an area of public decking, block paving and a proposed ‘feature’ details of which are not shown. The second and third floors repeat this layout internally with the stairways, corridors and decking.

The accommodation would comprise 8 flats on each of the first, second and third floors. Overall, the proposed building, including the central courtyard would measure 37 metres long by 33 metres wide by 14 metres high.

The submitted drawing show a white rendered building, with the towers, accommodating the stairways, in red brick. There would be a natural concrete plinth under the first floor and concrete pillars on the ground floor supporting the building. The building would have aluminum windows and galvanised steel railing to the balconies.

The applicant has also submitted a tree protection and removal plan pursuant to condition 7 of the outline planning permission. This plan identifies 129 trees of which 36 are shown to be removed (35 on or close to the proposed building and one on the access track). This plan identifies: Category A (trees of high quality or amenity value); Category B (trees of moderate quality and value); Category C (trees of low quality and values); Category R trees(trees in such a condition that any existing value would be lost within 10 years and should, in the current context be removed for reasons of sound arboricultural management). Of the 36 trees that are shown to be removed, none are covered by the Tree Preservation Order.

In addition to the afore-mentioned reserved matters and conditions, the applicant has also submitted details of the floor levels, pursuant to condition 9.
Details of the boundary treatment (condition 4), acoustic protection (condition 10), contamination (condition 11), jetty and moorings (condition 12), safeguarding the route of the public footpath (condition 14), improvements to the access road (condition 15), lighting the access road (condition 21) and surface water drainage (condition 23) are either still to be submitted or further details are awaited.

**Site area/density:**
- Site area: 0.48 hectares (1.19 acres)
- Site density: 50 u.p.h. (20 u.p.a.)

**Relevant Planning History**

- **ME/91/0166** Outline application for the erection of a detached four bedroom dwelling
  - Approved 29 May 1991
- **ME/91/0167** Outline application for the erection of a three bedroom dwelling
  - Refused 29 May 1991
  - Appeal dismissed 4th December 1991
- **MC2003/0845** Construction of 3 x five bedroom detached houses with integral garages and new moorings for 5 boats (demolition of existing building and removal of existing mooring)
  - Withdrawn
- **MC2003/2386** Construction of 7 x five bedroom detached houses with detached garages and new moorings for 7 boats (demolition of existing building and removal of existing mooring)
  - Approved 25 August 2004
- **MC2006/2210** Outline application for construction of a 4/5 storey block comprising 24 flats with associated access road and car parking with replacement of jetty and moorings
  - Refused 13 December 2007
- **MC2008/0223** Outline application for construction of a 4 storey block comprising 24 flats with associated access road and car parking with replacement of jetty and moorings
  - Approved 2 October 2008

**Representations**

The application has been advertised on site and in the press as a Major Development. Neighbour notification letters have been sent to the owners/occupiers of: 1-20 (consec) and 22 Kennard Close; 28, 41-49 (odd) Warwick Crescent; 70, 49-89 (odd) Brambletree Crescent; Bridgeside, Warwick Crescent; The Pilgrim School, Warwick Crescent; Medway Bridge Marina, Manor Lane; and to the 24th Medway Scout Group. Letters have also been sent to: the Environment Agency, the Highways Agency; Natural England; Kent Wildlife Trust; Kent Police Architectural Liaison Officer and Medway Ports.
The Highways Agency has written advising as the application is for reserved matters it would not adversely affect the M2 Motorway and it does not intend to issue a direction or comment further.

The Environment Agency has written advising that is has no comment on the reserved matters submitted under the application. It would however, ask for further information regarding the removal of the jetty in terms of access, pollution prevention, materials, timing etc.

Kent Police Architectural Liaison Officer has written making the following comments:

- The access into and within the proposed development appears to be acceptable, but may have an impact on surrounding roads, including Warwick Crescent. He recommends that consideration be given to opening up additional routes, namely the unadopted and gated route linking Borstal Street and Warwick Crescent running along the school boundary;
- Vehicle parking and one space per unit plus visitor parking is inadequate and could result in displacement parking onto surrounding roads, which would have a negative impact and leave vehicles vulnerable to crime;
- The under flat vehicle parking area is out of view and vulnerable to crime and could become a congregation point for anti-social behaviour. Secure gated parking is recommended;
- A robust and efficient lighting scheme will be required for the access, parking areas, doorways and internal circulation routes.

Medway Ports have written raising no objection to the application.

Natural England has written advising that it has no further comment to make.

Kent Fire and Rescue Service has written advising that there is a possibility that some accommodation on the second and third floors may fall outside the 45 metres travel distance form the fire appliance parking point. A fire hydrant may be required or the matter could be addressed by the installation of a sprinkler system.

6 letters have been received objecting on the following grounds:

- Overdevelopment;
- Proposal would be out of character with the area;
- The sewage system is incapable of taking any more demand;
- The site is prone to flooding;
- The noise from the railway and motorway bridges and the CTRL is unlikely to be acceptable to the inhabitants of the proposed flats;
- The development will generate a minimum of 48 additional vehicles plus HGV’S onto Warwick/Brambletree Crescent, which are already congested;
- Increased noise and disturbance to local residents;
- Light pollution from proposed development to nearby residents;
- The jetty that could affect the river flow;
- Additional traffic during and after construction;
- Traffic associated with the proposed development will be maneuvering at end of cul-de-sac together with school children, delivery vehicles at school and refuse vehicles;
- Fire service could not access the site;
• The alleyway linking Borstal Road and Warwick Crescent should not be used as an access route for construction traffic;
• The access to the site from Warwick Crescent should be blocked off and access achieved via the road on the opposite side of the bridges;
• Increase pressure on local amenities such as doctor’s surgery, gas water and electricity.

Development Plan Policies

National Planning Guidance

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Kent and Medway Structure Plan 2006

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<td>NR10</td>
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Medway Local Plan 2003

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<td>CF13</td>
<td>(Tidal Flood Areas)</td>
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Planning Appraisal

The principle of the proposed development of the site with 24 two bedroom flats, density, the potential tree loss, access, traffic generation, flood risk, nature conservation issues and infrastructure contributions were all assessed at the outline stage and no new issues have
arisen at the reserved matters stage. The issues for consideration in respect of this reserved matters application are:

- Design considerations;
- Amenity considerations;
- The detailed nature loss of trees;
- Nature conservation issues raised by the details; and
- Parking.

Design, appearance and effect on the character of the area

In design terms, it was accepted in principle at the outline stage that a 4 storey block of 24 flats (3 floors of residential accommodation above an undercroft parking area) would be acceptable in this location and would fit in with the established layout and character of the area. The site was assessed in its context. It was noted that this part of the village, like other parts of Borstal has developed piecemeal. Borstal is essentially a linear village (Borstal Road/Wouldham Road) with a number of developments off this road. Apart from Shorts Way, which links to The Esplanade, the developments on the north-west side of Borstal Road take the form of cul-de-sac developments (Manor Lane and Warwick Crescent). The character of the immediately surrounding area (Warwick Crescent and the roads off it) is that of 1950’s/1960’s semi-detached and terraced houses. That of the adjoining development to the north-east (Farmdale Avenue) consists of detached and semi-detached houses and bungalows (1950’s/1960’s). The only other feature is the Pilgrim Community School in Warwick Crescent.

The site itself is relatively isolated being hidden from the public highway and in its immediate context only visible from the rear of houses in Brambletree Crescent and Kennard Close. In terms of the impact of the proposed development, the building would be visible from the public footpath along the river frontage, from the Medway Bridge (M2) which includes a pedestrian footbridge and cycle way directly overlooking the site, and probably most prominently from Medway Valley Park on the opposite side of the river.

It is considered that when viewed from these locations the proposed development would blend in against the back drop of the remainder of Borstal which would rise towards the south-east. The submitted drawings show that due to the steep rise of the land, the roof of the proposed building, at 16 metres OD, would be lower than the eaves of the nearby houses in Kennard Close, at 18.35 metres and the ridge at 21.83 metres; and it would be well below the carriageway of the M2 motorway at 35.35 metres. The proposal would, therefore blend in with its surroundings and would not appear unduly prominent.

In terms of materials, the white render, with the contrasting red brick towers would blend in with the surroundings.

Accordingly, in design terms, the proposal is considered to be acceptable and in accordance with the provisions of Policy QL1 of the Structure Plan and Policy BNE1 of the Local Plan.

Effect upon trees (Condition 5)

As stated, there are 129 trees on or adjoining the site, of which 36 are shown to be removed. None of the trees that are to be removed, are covered by the Tree Preservation Order and none are identified as category A trees. Significant tree cover would remain on site and on
the access road, following the proposed development. Accordingly, no objection is raised in terms of tree loss under the provisions of Policy EN9 of the Structure Plan and Policy BNE43 of the Local Plan.

**Neighbour amenity**

The proposed building would be sited in the position shown on the illustrative plan which accompanied the outline application. At its closest point the building would be a distance of 21 metres from the rear of the nearest property in Kennard Close (17) to the south-east, and 27 metres from the rear of the nearest property in Brambletree Crescent (51) to the north-east. To the south-west, there would be a distance of 24 metres to the bungalow at Brightside. The building would, therefore, more than achieve the minimum 21 metres privacy distance specified in Kent Design. It should also be borne in mind that the prevailing level of the application site is lower than that of the surrounding land, thereby reducing the potential impact of the proposed building in terms of privacy and outlook. There would be some tree screening retained along the boundary and there is scope for some additional planting/screening along this boundary. Accordingly no objection is raised in terms of neighbour amenity under Policy QL1 of the Structure Plan and Policy BNE2 of the Local Plan.

**Parking (Condition 8)**

Matters of access and traffic generation were assessed at the outline stage and in this regard, no objection was raised under Policy TP12 of the Structure Plan and Policies T1 and T2 of the Local Plan.

As stated, there would be 35 parking spaces to serve 24 units. The maximum permitted under the Council’s adopted Vehicle Parking Standards would be 36 spaces (1.5 spaces per unit). In view of the site’s location, not that close to public transport facilities or local shops, this level of parking is considered to be acceptable. Secure cycle storage facilities for 24 bicycles (one per unit) would be provided. No objection is, therefore, raised in terms of parking under the provisions of Policy TP19 of the Structure Plan and Policies BNE2 and T13 of the adopted Local Plan.

**Flood Risk (Condition 9)**

Condition 9 of the outline planning permission stated that the details submitted pursuant to condition 1 shall provide for an internal floor height for the ground floor flats of no less than 6.47 metres above Ordnance Datum Newlyn for living accommodation and 6.77 metres above Ordnance Datum Newlyn for sleeping accommodation. The submitted drawings show the floor level of the first floor flats at 7 metres above OD. The proposed development, would, therefore comply with this condition and accordingly, no objection is raised in terms of flood risk under the provisions of PPS25, Policy NR10 of the Structure Plan and Policy CF15 of the adopted Local Plan.

**Comments from Kent Police**

Most of the comments from Kent Police were assessed as part of the outline application. In relation to the security of the car parking though matters of lighting still have to be submitted, while it may be that the management company will include CCTV. A copy of the letter from the Police has been passed to the applicant.
Conclusion and reasons for recommendation of approval

In the light of the above assessment of the application proposals, the submitted application is considered to be acceptable in terms of design and appearance, neighbour amenity, tree retention and protection, parking, and flood risk. The application is therefore considered to be in accordance with the provisions of relevant Structure Plan and Local Plan Policies.

This application would normally fall to be determined under Officers’ delegated powers but has been reported for Members’ determination in view of the number of letters of representations received contrary to the Officers’ recommendation and in view of the Committees decision on the previous application.
Recommendation - Approval with Conditions

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

2. Notwithstanding the submitted documents, prior to commencement of development, details and samples of any materials to be used externally including roofing materials, facing bricks and/or other cladding materials, bonding and pointing details, lintels, cills, entrances, fenestration and any other external details shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

3. The car parking areas shown on the plans (drawing number K27.2 and K27.3 received on 12 June 2008) shall be provided prior to the first occupation of any part of the development and shall thereafter be kept available for such use and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and 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 access, turning and parking area.

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 corner plot that accommodates a two-storey property which functions as a pharmacy and shop with residential accommodation above. The site is located outside of the retail centre and the area is characterised predominately by residential dwellings. The building line is varied, the building heights are varied and the land level slopes down to the north. There is an existing vehicular access located on the corner at the
junction of City Way and Pattens Lane. There is no history of planning permission for this vehicular crossover.

Proposal

This application seeks full planning permission for the construction of a part single/two storey extension to comprise of consulting room and facilities on the ground floor with student accommodation on the first floor; disabled access ramp and two additional car parking spaces (demolition of existing garages).

This application is a resubmission of MC2008/1188 that was previously refused on the following grounds:

1. Failure to justify the need for the additional facilities
2. Design in relation to the size, number and arrangement of windows
3. Intensification of the existing access
4. Inconsiderate parking

As part of the submission documents, this application includes a copy of the Government White Paper: Pharmacy in England – Building on Strengths, Delivering the Future, dated April 2008.

In terms of design, the footprint, height, width and depth of the current proposal are similar to that previously submitted under reference MC2008/1188. The main difference in the design of the current scheme compared to the previous scheme is the size and arrangement of the windows and the use of render and brick work.

The footprint of the extension would be approx. 10.5m wide, extending back into Pattens Lane and would be approx. 10.4m in depth. Part of the extension would be two-storey and part would be single storey.

The main two-storey element would be approx. 10.5m wide with the front elevation facing into Pattens Lane. It would be approx. 6.8m in depth and approx. 7.9m high to the ridge of the hipped roof.

The single storey element would be located behind the two-storey part, projecting approx. 3.6m further into the site close to the boundary with 4 Pattens Lane. The single storey extension would be approx. 4.2m wide and approx. 4.2m high to the ridge of the hipped roof.

Also located behind the two-storey part of the extension, there is a two-storey projection proposed. This would project approx. 3.6m into the site; it would be approx. 3m wide and approx. 7m high to the ridge of the hipped roof.

The proposal would result in the following being provided at ground floor level:

- Shop
- Pharmacy
- Drug Waiting Area
- Consulting Room
- Staff Room
- Waiting Area
- Medical Store
- Store
- Lobby
- Disabled W.C.

At first floor level there would be:

- One 2-bed student flat with kitchen, lounge and bathroom.

In addition to the submission documents, a site visit was held with the planning officer, transport planner, applicant, agent and Cllr Clarke on 30 October 2008 to get a better understanding of the highways issues which are integrally related to the source of most of the business that the pharmacy deals with. The applicant was able to demonstrate on site the amount of business that is generated from the nearby doctors. This information is confidential and cannot be submitted as part of the application.

**Relevant Planning History**

- **90/0487** Conversion of garage into retail (A1)  
  Approved, 06 August 1990

- **MC2005/2267** Construction of single storey front, two-storey side/rear extension to facilitate pharmacy services, consulting rooms and shop on ground floor, dental surgery and 2 flats on first floor, associated parking to the front, side and rear, vehicular crossovers onto City Way.  
  Withdrawn

- **MC2006/0820** Advertisement consent for installation of an internally illuminated free standing sign.  
  Refused, 21 June 2006  
  Dismissed at Appeal 13 October 2006

- **MC2006/1785** Construction of two storey side and first floor rear extension to facilitate pharmacy services, consulting rooms and shop on ground floor, dental surgery and 1 flat on first floor together with associated parking.  
  Refused, 21 November 2006

- **MC2008/1188** Construction of a part single/two storey extension to comprise of consulting room and facilities on ground floor with student accommodation on first floor; disable access ramp & two additional car parking spaces (demolition of existing garages).  
  Refused, 15 September 2008  
  Currently being considered at appeal

**Representations**

The application has been advertised on site. Neighbour notification letters have been sent to the owner/occupiers of 9 Pattens Gardens, 1, 2, 3, 4, 5, 6 and 7 Pattens Place; 4 and 6 Pattens Lane; 61, 63, 67, 71a, 73, 75, 77, 79, 254, 256, 258, 260, 262, 278, 280, 282, 284, 286, 290, 292, 294, 296 and 298 City Way, City Way Medical Practice 65-67 City Way and Nonum House 288 City Way. The PCT has also been consulted on the application.
Five letters of objection have been received. Two of the letters have been received from the same person. The following concerns have been raised:

- Highway safety concerns – Access and parking
- Parking provision
- Excessive development
- Waste disposal

One of the letters received also refers to other issues that are not material planning considerations and cannot be considered as part of the determination of this application.

**Development Plan Policies**

**Kent and Medway Structure Plan 2006**

- Policy QL1 (Quality of Development and Design)
- Policy QL12 (Provision for New Community Services and Infrastructure)
- Policy HP4 (Housing: Quality and density of development)
- Policy TP19 (Vehicle Parking Standards)

**Medway Local Plan 2003**

- Policy BNE1 (General Principles for Built Development)
- Policy BNE2 (Amenity Protection)
- Policy H4 (Housing in Urban Areas)
- Policy H5 (High Density Housing)
- Policy T1 (Impact of Development)
- Policy T2 (Access to the Highway)
- Policy T13 (Parking Standards)
- Policy CF1 (Community Facilities)
- Policy CF4 (Primary Healthcare Facilities)

**Planning Appraisal**

Having regard to the provision of the Development Plans, it is considered that the main issues arising from the proposal are as follows:

- Principle
- Design and impact upon the street scene
- The impact on residential amenity
- The impact on the highway

**Principle**

Policy QL12 states that provision will be made to accommodate additional requirements for local community services through the provision or upgrading of facilities nearby in response to:

- needs generated by the new development or
- growth in demand from the community as a whole
Policy CF1 of the Medway Local Plan states that replacement facilities should be of a similar scale and kind and should be easily accessible by the local population. Policy CF4 states that new or improved primary healthcare facilities will be permitted in areas where there is a deficiency in the quality of existing provision, subject to there be no undue loss of amenity to neighbouring residents. Adequate on-site parking will be also be required.

As part of the submission, the applicant has included a copy of the Government White Paper: Pharmacy in England – Building on Strengths, Delivering the Future, dated April 2008, which sets out the Government’s vision for service development to deliver more choice and more modern, effective and world-class pharmaceutical services. As set out in section of the document, delivery of this vision includes pharmacies:

- as centres promoting and supporting healthy living and health literacy;
- offering patients and the public healthy lifestyle advice and support on self care and a range of pressing public health concerns, including influenza; and
- treating minor ailments.

The White Paper sets out how the Government wants to see pharmacies expand and improve the range of clinical services they offer to people, in particular to those with long term conditions – through routine monitoring, screening and support in making the best use of their medicines.

Two further letters from Turning Point and the Teenage Pregnancy Strategic Co-ordinator from Medway Council have been submitted (by the applicants) in support of the need for expansion of facilities. Taking account of the Government’s clear intentions for pharmaceutical services within the community, the applicant has adequately justified the requirement for additional facilities of this kind and the proposal is considered to be in accordance with Policy QL12 of the Kent Structure Plan 2006 and Policies CF1 and CF4 of the Medway Local Plan 2003.

With regard to the provision of student accommodation, Policy HP4 of the Kent and Medway Structure Plan 2006 and Policies H4 and H5 of the Medway Local Plan 2003 support high density housing along routes capable of being well served by public transport and close to local facilities and the use of upper floors of commercial premises. Given that the area is predominantly residential and that the residential accommodation would be occupied by students working within the pharmacy below, it is considered that there would be no objection to the principle of residential accommodation above the pharmacy. Indeed, even if the flat were to be occupied by people other than students related to the pharmacy, there would still be no objection in principle to the residential accommodation as it would comply with Policy HP4 of the Kent and Medway Structure Plan 2006 and Policies H4 and H5 of the Medway Local Plan 2003.

Street scene and design

The existing attached garage block is single storey in height and accommodates three parking bays. The garage block has a relatively flat roof with parapet to the front. The design of the proposed extension would respect the character of the original property by continuing the use of a hipped roofs and similar window design. The shop front to Pattens Lane would also remain therefore retaining an active frontage on this side of the property. The proposed extension would be an improvement to the appearance and design of the existing property and would comply with Policy QL1 of the Kent and Medway Structure Plan 2006 and Policy BNE1 of the Medway Local Plan 2003.
Neighbours’ amenities

The proposed side extension would come within close proximity to the bungalow at number 4 Pattens Lane which is located to the east of the application site. The bungalow at number 4 Pattens Lane has a hipped roof and an integral garage located immediately adjacent to the proposed side extension. As a result of the siting and orientation of the bungalow at number 4 Pattens Lane in relation to the proposed side extension and given that the extension would drop down to single storey level as it extends back into the site, it is considered that there would be no detrimental impact on the amenities of the occupiers in terms of loss of outlook, daylight, privacy and overshadowing.

Again, due to the siting and orientation of other surrounding properties and the proposed extension, the amenities of the occupiers of surrounding properties would not be detrimentally affected in terms of loss of outlook, daylight, privacy and overshadowing.

The proposal would be in accordance with Policy QL1 of the Kent and Medway Structure Plan 2006 and Policy BNE2 of the Medway Local Plan 2003.

Highways

This site has an existing parking/delivery area to the front, which is capable of accommodating approximately 4 vehicles. With regard to the access, the existing vehicular crossover is located in an awkward position at the junction of Pattens Lane and City Way. This junction is signalised but the access is not and the access is in a position, which does not allow the signals controlling the movement from Pattens Lane to be seen. This would potentially lead to uncontrolled movements. However, use of this access is light and the accident database indicates that there have been no accidents involving vehicles using it in the past three years. Furthermore, the accident record of the junction as a whole is low with only one slight accident recorded over the same time period. No changes to the parking area or its access are proposed as part of this development, although an area of hardstanding on the northern side of the building will be formalised to provide a disabled parking bay, accessed directly from Pattens Lane.

The existing site contains a small consulting room, which will be relocated and enlarged as part of the proposed development. The provision of extended consultation facilities could result in increased movements at the access point over and above the existing use. However, it would appear that staffing levels will not significantly alter and further clarification was evident from a site visit that a substantial number of visitors to the pharmacy arrive on foot, given its location in a predominantly residential area and the linked trips with the doctors surgery opposite, where off-street parking is provided. The site is also in close proximity to a frequent bus service.

On the first floor, a 2-bed flat is proposed, which the applicant indicates will be occupied by a student. Whilst this clearly does not rule out the possibility that the occupier will use a car, it is considered that any parking requirement for the occupier(s) of the proposed flat can be provided within the site boundary and will not take place on the highway within the vicinity of the junction as appropriate parking restrictions are in place in this location.
On this basis, it is considered that the nature of the proposed development will not substantially increase the number of car trips to the site, and therefore the demand for parking and the use of the access fronting City Way will not be subject to a significant intensification. The proposal is therefore considered acceptable in terms of Policies T1, T2 and T13 of the Medway Local Plan 2003.

The current application and the previous application are similar in terms of site layout, provision of services with the pharmacy and parking. However, a site visit to the pharmacy enabled evidence to be produced that demonstrated the number of linked trips between the doctors surgery opposite and the pharmacy.

**Conclusion and Reasons for Approval**

The proposed application is for a part single/part two storey extension to expand the existing facilities at the pharmacy. It is considered that this development would respect the character and appearance of the existing building and the area. The impact on residential amenities and the highway in terms of safety and parking is considered to be acceptable. The proposal therefore accords with the provisions of Policies QL1, QL12, HP4 and TP19 of the Kent and Medway Structure Plan 2006 and Policies BNE1, BNE2, H4, H5, T1, T2, T13, CF1 and CF4 of the Medway Local Plan 2003 and the application is accordingly recommended for approval.

This application would normally fall to be considered under the officers' delegated powers but has been reported for Members’ consideration because of the number of representations that have been received which are contrary to the officer recommendation.
Recommendation - Approval with Conditions

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

2. Details and samples of any materials to be used externally and any means of enclosure shall be submitted to and agreed in writing by the Local Planning Authority before development is commenced and development shall be carried out in accordance with the approved details.

3. The premises shall be used for the purpose of a residential care home for the elderly with no more than 32 residents and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

Site Description

The application property is a large part single storey/part two storey building in institutional (Class C2) use. It was built during the 1980’s as a convent and has already been extensively extended. It is now used as a residential nursing home. As originally approved it was occupied by 13 residents in 13 bedrooms, but following the grant of planning permission in 2005 under reference MC2005/1540, the number of bedrooms was increased to 18 (14 on the ground floor and 4 on the first floor). In addition, there is a large sitting room with a bay
window overlooking the rear garden, a dining room, kitchen, bathroom, staff room and various ancillary rooms on the ground floor. It is submitted that there are currently 20 part time and one full time members of staff at the premises and there are staff there 24 hours a day.

There is a forecourt at the front; although no parking spaces are specifically marked out on this forecourt it can accommodate up to four cars. There is also a small garden area to the front; apart from the entrance, the forecourt and garden are screened by a thick hedge along the front boundary. There is a large rear garden which due to the rising ground level to the rear is stepped up. The eastern boundary, to 15 Hillside Avenue, comprises of a 2 metres high brick wall. There is a hedge and high trees along the western boundary, to 3 Hillside Avenue.

Hillside Avenue slopes gently from the east to the west with the resulting adjacent dwelling at No.15 at a slightly higher ground level than the application site. The surrounding area is one of relatively large 2 storey detached & semi-detached dwellings.

**Proposal**

It is proposed to demolish part of the existing structure and to construct a two and a half storey extension on the western side of the building, adjacent to no. 3 Hillside Avenue. 7 bedrooms would be lost as a result of the proposed development, but 21 new bedrooms would be provided, bringing the total up to 32.

The west wing currently measures 12.2m wide by 9.5m deep and projects to within 1m of the side boundary. As proposed, it would be extended to the rear to a depth of 15m and one bedroom would project 3.5m to the front. The additional accommodation would comprise 8 new bedrooms on the ground floor (making a total of 15), 8 new bedrooms on the first floor (making a total of 12) and 5 new bedrooms in the roofspace. The extended part of the building would rise to an eaves height of 5.5m and a ridge height of 9.7m (compared to a ridge height of 7m for the existing two storey part of the building) and would have a steeply pitched gabled roof.

It is submitted that staff numbers would increase from 21 to 32, but that the staff work on a shift basis and that at any one time no more than 3 or 4 staff members would be present. 4 spaces are currently provided and would be retained under the proposed development.

**Relevant Planning History**

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<th>Description</th>
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<tr>
<td>ME83/985</td>
<td>Erection of single storey extension to dwelling under construction to provide six additional bedrooms, making a total of twelve, a sitting room and a private chapel. Approved 27 January 1984</td>
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<tr>
<td>MC2003/0568</td>
<td>Construction of a single storey extension to provide further accommodation (demolition of existing detached garage and shed) Approve 1 May 2003</td>
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MC2005/1540 Internal and external alterations to facilitate the accommodation of 18 residents
Approved 4 October 2005

Representations

The application has been advertised on site and neighbour notification letters have been sent to the owners/occupiers of nos. 1, 3, 2, 4, 10, 12, 15, 17 and 19a Hillside Avenue; 24, 28-36(even) and 36a Goddington Road; 1 and 2 Millpond Close; and 19 Honeypot Close, Strood

5 letters have been received (from 4 properties) objecting on the following grounds:

- Residents of the care home and their relatives should have been consulted;
- Over-development;
- Trees would be affected by the proposed development and a tree survey should be carried out;
- The supporting planning statement refers to the Kent Structure Plan, which has been superseded by the Kent and Medway Structure Plan;
- The application documents are inconsistent in terms of numbers of staff;
- No additional parking is proposed and the application fails to provide adequate parking for staff, visitors and emergency services;
- This would result in additional on street parking in Hillside Avenue;
- Parking problems are exacerbated by flats opposite the site, a nearby school and parking restrictions in Goddington Road;
- Proposal would increase traffic generation;
- The development would be out of scale with its surroundings;
- There would be inadequate space for residents in the building;
- The design would be out of character;
- Overlooking/loss of privacy both to neighbouring properties from the rear and to opposite properties from the front;
- Proposal would place and additional burden on water and sewerage services;
- A Members site visit is requested.

Development Plan Policies

Kent and Medway Structure Plan 2006

Policy QL1 (Quality of development and design)
Policy TP19 (Vehicle parking standards)

Medway Local Plan 2003:

Policy BNE1 (General principles for build development)
Policy BNE2 (Amenity considerations)
Policy H8 (Residential institutions)
Policy T13 (Vehicle Parking Standards)
Policy CF5 (Community facilities)
Planning Appraisal

The site is within the urban area of Strood, where in principle new development, or the extension of existing buildings will be permitted. However, in terms of principle, the proposal also falls to be assessed against the criteria identified in Policy H8 of the Local Plan as it relates to an increase in the provision of floorspace for a residential institution. Assessing the proposal against each of the criteria identified under this policy:

(i) The proposal would not adversely affect the amenities of the occupiers of nearby properties (see below);
(ii) The property is with a reasonable walking distance of shop and public transport in nearby Frindsbury Road, but it is considered that the current occupants of the building have limited mobility and are unlikely to use these facilities, particular as it would necessitate crossing a busy road;
(iii) Adequate amenity space is currently provided for the residence and would remain under the proposed scheme;
(iv) Adequate parking would be provided for staff, visitors and service vehicles;
(v) This criterion is not applicable to the application as no change of use is involved.

Street Scene and Design

Policy BNE1 of the Local Plan states that development should be appropriate in relation to the character appearance and functioning of the built environment, should respect the scale and appearance and location of buildings and be satisfactory in terms of use, scale, mass, proportion, details, materials, layout and siting. Policy QL1 of the Structure Plan states that developments should respond positively to the scale, layout, pattern and character of their local surroundings.

The established pattern of development within Hillside Avenue is dominated by large detached or semi-detached houses, dating from the late nineteenth/early twentieth century (nos. 2, 3, 4, 10, 12, 15, 17 & 19). These buildings are characterised by gabled roofs with steep pitches and rooms in the roofspace. Opposite the application site is a more recent property, 19 Honeypot Close, which forms part of a late twentieth century development off Hillside Avenue. There is a recent infill development at 19a Hillside Avenue and newer developments at the eastern end of the road (nos. 20a, 20b, 21 and 22).

The application property does not conform to the established character of Hillside Avenue, with low pitched hipped roofs and a long single storey side extension. The two storey element rises to a ridge height of 8m, compared to a ridge height of 11m for 3 and 15 Hillside Avenue. In designing the proposed extension with a ridge height of 10.6m and with projecting bays and dormers, the applicant is attempting to reflect the scale and mass of neighbouring properties rather than that of the existing development on the application site.

In street scene terms, the resulting development has the appearance of two linked detached properties, one of which (the proposed extension) reflects the character of the neighbouring property to the west, rather than that of the existing two storey building on the site. By designing a building of this nature, the applicant is attempting to restore the traditional character of the street scene and diminish a gap in the streetscape. Under the circumstances, it is considered that no objection can be raised in design terms under the afore-mentioned policies.
Amenity Considerations

Concerns have been raised at the potential loss of privacy that would result from the proposed development. The closest property to the proposed extension would be no. 3 Hillside Avenue; as previously stated, the proposed extension would come to within a metre of the boundary. However, there is a single storey garage and a gap of between 8m and 10m between the boundary and the flank wall to that property and the only window in the flank wall is within the roofspace. The only openings on the flank elevation of the proposed extension would be a door at ground floor level and bathroom windows, which could be conditioned to be obscure glazed, so there would be no overlooking. The building, as extended, would project no further than the rear of no. 3 and would not project as far to the front. There would, therefore, no loss of light or outlook to that property. The proposed extension would be 25 metres from the boundary to no. 15 Hillside Avenue and 25 metres from the nearest property to the rear (1 Millpond Close) and would have no impact on those properties.

A concern has also been raised regarding the impact on the property opposite the application site, 19 Honeypot Close in terms of overlooking. Allowing for the width of the road and the setback of the application property, the two storey element of the proposed extension would be approx. 28 metres from that property, in excess of the 21 metres minimum privacy distance specified in Kent Design which only applies to back to back distances. Therefore, no sustainable objection can be raised in terms of any loss of privacy to 19 Honeypot Close.

The application is, therefore acceptable in terms of light, outlook and privacy and accordingly, no objection is raised under Policy QL1 of the Structure Plan and Policy BNE2 of the Local Plan in this regard.

Highways

The adopted Vehicle Parking Standards require the provision of one space per six residents and one space per member of staff (maxima). Currently, the proposal would require the provision of up to 6 spaces (on the basis of 18 bedrooms and there being a maximum of 2-3 staff present at any one time. Under the proposed development, the maxima number of parking spaces required would increase to a maximum of 8 (2 additional spaces). 4 car parking spaces are currently provided and will be retained. In view of the shift arrangements of staff and available on street parking in the area it is considered that this increase in the requirement would not have an adverse impact in terms of additional on street parking and would not result in a traffic hazard or be detrimental to residential amenity. Accordingly, no objection is raised in terms of parking under Policy TP19 of the Structure Plan and Policy T13 of the Local Plan.

Conclusion and reasons for recommendation of approval

The application is considered to be acceptable in terms of principle, design, appearance and the effect on the character of the area, the effect on the amenities of the occupiers of neighbouring and nearby properties, highways and parking. The application is, therefore, considered to be in accordance with the relevant national planning policy guidance, Structure and Local Plan policies, and is accordingly recommended for approval.

This application would normally fall to be determined under Officers’ delegated powers but is reported for Members’ consideration because of the number of representations that have been received.
Recommendation - Approval with Conditions

(as amended by plans received on 31st October and 10th November 2008)

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

2. Notwithstanding the submitted plans, a plan showing the location of the bracket to hang the projecting sign, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. The bracket and sign shall thereafter be erected and maintained in the approved position.

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

Site Description

100 High Street, Rochester is situated in the retail core and within Rochester City Conservation Area. The properties are mixed in design and type and are a range of ages. There are a variety of signs visible in the close vicinity and many are hand painted with non-illuminated projecting signs on traditional brackets.

The application site is a Grade II listed, mid-terrace timber framed building dating back to the seventeenth century. The current signage is painted on to the timber facia which matches that at number 102 High Street. Number 98 has painted signage.

Proposal

This is an application for Listed Building Consent for a hand painted fascia sign and non-illuminated hand painted double sided projecting sign. The proposed lettering will be approx. 2m wide and 0.4m high. The projecting sign will be approx. 0.6m deep and 0.45m high.
Relevant Planning History

MC2008/1522  Listed Building Application for interior refurbishment and external alterations to shop front, siting of 2 external air conditioning condensers and erection of a 300mm extract duct to rear
Withdrawn

MC2008/1523  Installation of a new shop front together with 2 air conditioning units, 2 external condenser units and 1 extract grill to the rear
Withdrawn

MC2008/1610  Installation of hand painted sign and non-illuminated hand painted double sided projecting sign
Approved 20 November 2008.

MC2008/1851  Listed Building Application for interior refurbishment and external alterations to shop front, siting of two external air conditioning condensers and 2 cold room condensers and erection of 300mm extract duct to the rear
Approved 28 January 2009

MC2008/1852  Installation of a new shop front together with 2 air conditioning units and 1 extractor grill to the rear
Approved 28 January 2009

Representations

The application has been advertised on site and in the press. Neighbours notification letters have been sent to the owners and occupiers of Cutting Crew, 102 and 102, 105, Dental Surgery, 105, Ground Floor, 105 and 103 High Street and 98 and Cry Jewellers, 98 High Street and 41 La Providence, Rochester, Kent.

Three letters have been received raising the following objections:

- Allowing such a business in the High Street would be out of keeping with the character of the street and will degrade the area
- The bright orange colour of Subway signage would not be suitable in this conservation area. A projecting sign with the Subway logo would not sit happily with the historic flavour of the High Street

Development Plan Policies

Kent and Medway Structure Plan 2006

Policy QL1  (Quality of Development and Design)
Policy QL6  (Conservation Areas)
Policy QL8  (Buildings of Architectural or Historic Importance)
Medway Local Plan 2003

Policy BNE1 (General Principles for Built Development)
Policy BNE12 (Conservation Area)
Policy BNE17 (Alterations to Listed Buildings)
Policy BNE19 (Advertisements on Listed Buildings)

Planning Appraisal

Effect on Listed Building, its Setting and General Design

In terms of the effect on the listed building and its setting, the proposed hand painted sign, hand painted projecting sign and traditional bracket is considered in keeping with the character of the building, its setting and the conservation area. There are other hand painted signs which complement the character of the area in the vicinity and the proposal is considered to do the same. The proposed signage is considered appropriate in terms of its design and siting. The proposal will not result in the obscuring or alteration to any architectural details or traditional materials.

The application was originally for a non illuminated fascia sign and projecting sign however, this was not considered appropriate and negotiations were undertaken with the applicant and Conservation Officer to ensure the sign is hand painted directly onto the existing facia. However, the exact position of the proposed bracket still needs to be finalised and an appropriate condition is recommended. This will involve a site visit with the applicant.

The proposal complies with the objectives of Policies QL1 of the Kent and Medway Structure Plan 2006 and BNE1, BNE12, BNE17 and BNE19 of the Medway Local Plan 2003 with regards to the impacts on the listed building, its setting and design.

Conclusions and Reasons for Approval

The proposed signage as amended to be hand painted onto the existing fascia with a hand painted projecting sign, will reflect the quality of signage in the conservation area and be appropriate for this important listed building. The proposal accords with the above mentioned Development Plan policies and is recommended for approval.

This application would ordinarily fall to be determined under officers’ delegated powers but has been referred for Members’ consideration due to the number of objections received.

The application was considered by Members at the Development Control Committee on the 17th December 2008 when it was determined to defer a decision for further negotiations to secure appropriate hand painted sign, which is appropriate to the listed building and the historic conservation area within Rochester centre.
Since Committee

The agents have written advising that their clients have over 1400 outlets in the country, many in listed buildings and conservation areas and they have never had concerns expressed regarding corporate signage. They do understand the need to protect the conservation area and have provided pictures of similar signs to that proposed, in Melton Mowbray and Market Harborough. These will be included in the presentation.

In addition, photographs will be provided in the presentation of other Subway signs in similar areas such as Canterbury, taken by officers.
Date Received: 18th December 2008
Location: Land adjoining 28 Eden Avenue Chatham
Proposal: Construction of three storey block with accommodation in roof to provide two 2-bedroomed duplex apartments with associated parking
Applicant: Mr C Bhagwangi Kent Design Partnership Grove Dairy Farm Business Centre Bobbing Hill Bobbing Sittingbourne Kent ME9 8NY
Agent: Kent Design Partnership Grove Dairy Farm Business Centre Bobbing Hill Bobbing Sittingbourne Kent ME9 8NY
Ward: Luton & Wayfield

Recommendation - Approval with Conditions

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

2. Details and samples of any materials to be used externally and any means of enclosure shall be submitted to and agreed in writing by the Local Planning Authority before development is commenced and development shall be carried out in accordance with the approved details.

3. Prior to the first occupation of any part of the development the landing/stairwell and bathroom windows on the eastern and western flank elevations shall be fitted with obscure glass and shall be non-opening apart from any top hung fan light and thereafter be retained as such.

4. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include: - means of enclosure, hard surfacing materials; minor artifacts and structures (e.g. refuse or other storage units, signs, lighting etc). Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with grass and plant establishment, aftercare and maintenance); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and implementation programme.

5. The area shown on the permitted drawings for vehicle parking shall be provided in accordance with the approved plans prior to the first occupation of any part of the development and shall thereafter be kept available for such use and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and 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.
For the reasons for this recommendation for approval, please see the Planning Appraisal section and conclusions at the end of this report.

Site Description

The site relates to an overgrown parcel of land located on the north west side of Eden Avenue between numbers 28 and 30 with a public footpath between the two properties.

The surrounding area is almost entirely made up of residential properties dating from the mid-1930s and 1940s. The area is characterised by mainly semi-detached and terraced housing, typical of that era and previously owned by the Local Authority.

The site was previously part of the garden to number 28 Eden Avenue and has a road frontage of approximately 8 metres and a maximum depth of approximately 40 metres. The land slopes steeply from the front to the northern rear boundary. The site is currently overgrown and unkempt.

Proposal

The application seeks full planning permission for the construction of a 3-storey block with accommodation in the roof to provide 2-bedroomed duplex apartments with associated parking. The building would appear single storey at the front, with rooms in the roof, and 3 storey to the rear. Accommodation will be a master bedroom in the basement area, a livingroom/kitchen, 2nd bedroom and bathroom on the lower ground floor; a livingroom/kitchen, 2nd bedroom and bathroom on the upper ground floor and a master bedroom at first floor.

The front area will be hard paved providing parking for two vehicles and a refuse storage area.

Site Area/Density

Site area: 0.04 ha (0.09 acres)
Site density: 50 dph (20.2 dpa)

Relevant Planning History

MC2002/1196 Outline application for five 1 bedroomed retirement flats and car parking. Withdrawn 8 July 2002.


MC2007/0820 Erection of a pair of semi detached dwellings and pair of garages.

MC2008/0446 Construction of a 3-storey block comprising three 2-bed apartments with associated parking.
Refused 6 May 2008
Dismissed at Appeal 4 November 2008

Representations

The application has been advertised on site. Individual neighbour notification letters have been sent to the owner and occupiers of numbers 13, 15, 17, 19, 21, 23, 24, 25, 26, 27, 28 30 and 32 Eden Avenue and 24, 25, 26, and 27 Cunningham Crescent, Chatham.

Three Letters have been received raising the following concerns:

- The building will present an imposing feature from the rear of the site.
- Parking and noise from the car parking area could present an issue.
- Exit to the parking area adjacent to the ally will cause health and safety problems for pedestrians.
- Block of apartments is out of keeping with the area, which is predominantly 2-storey and 3-storey houses.
- Potential impact on loss of light, loss of outlook, closeness of development to neighbouring properties, and loss of privacy.
- Many other sites seeking planning consent for similar developments in and around the area, do we need another one?

Development Plan Policies

Kent and Medway Structure Plan, 2006:

Policy QL1 (Quality of Development and Design)
Policy HP4 (Housing: Quality and Density of Development)
Policy TP19 (Vehicle Parking Standards)

Medway Local Plan 2003:

Policy BNE1 (General Principles of Built Development).
Policy BNE2 (Amenity Protection)
Policy H4 (Housing in Urban Areas)
Policy T1 (Impact of Development)
Policy T13 (Vehicle Parking Standards)

Planning Appraisal

Principle

The application site is within the urban area. It is an overgrown and unused area of land. There is an extant permission for the construction of a detached house on the site. The principle of residential development has therefore been accepted and the principle therefore accords with Policy H4 of the Local Plan.
However, whilst seeking to maximise residential development opportunities within the urban area, the Council also has a duty to ensure protection of the street scene, character of an area and protection of the amenity of local neighbourhoods and to avoid over development of a site, therefore whilst the proposal is considered acceptable in principle consideration needs to be given to issues of design, scale and layout, along with neighbouring amenity and the development’s impact on the street scene.

Street Scene and Design

Under the provisions of Local Plan Policy BNE1 and H4 consent would normally only be given if a development within an urban area resisted the loss of open space and took into account the character and density of surrounding development when deciding upon the appropriate design and scale for individual sites.

Planning permission was refused and dismissed on appeal for a development comprising of 3 flats. This application seeks to address the concerns raised by the Council and the Inspector.

Whilst remaining at three storeys, the third storey is now incorporated into the roof space of the development and one flat has been omitted from the proposal, reducing the number of dwellings from 3 to 2. The proposed 3-storey building would now have an approximate eaves height of 3.2 metres above street level and a ridge height of approximately 6.8 metres above street level which is reflective of adjacent properties. Whilst the adjacent properties are semi detached in character and appear to be 2-storeys from the street they are effectively 3 storey to the rear and therefore the proposed design reflects this character.

The proposed building has been well designed to reflect the general character of the street scene. While the entire front area will be predominantly laid to hard standing providing for parking of two vehicles, a path to the front doors and a refuse area, it is not considered that this would be harmful to the character of the area and street scene in general.

In terms of visual amenity, the development’s fenestration has a much-improved appearance and will not result in a dominant form of development as was considered with the previous proposal. The height and vertical appearance of the rear of the development has been softened through the introduction of detail.

Whilst the area is made up of single occupancy dwellings and houses as opposed to purpose built flat developments, the proposal is not considered to represents overdevelopment of the site and is therefore considered to be an acceptable form of development in the area. The development would result in a density of approximately 50 dwellings per hectare, which is within the advised 30-50 dwellings per hectare guidelines set out within Planning Policy Statement 3 and Structure Plan Policy HP4.

The design of the development is considered sympathetic to its surroundings and the scale of development is appropriate to the site and as such the proposal is considered acceptable in terms of design and street scene terms and in accordance with the provisions of Local Plan Policy BNE1 and Structure Plan Policies QL1 and HP4.
Amenity Considerations

The applicant has set out to address the potential for overlooking and privacy issues that were of concern under application MC2008/0446. The stairwells are now internal resulting, with only two windows on the flank (western) elevation looking over to number 30 Eden Avenue. These provide light into non-habitable areas of the development but nevertheless will be conditioned to be fitted with obscure glazing. There is also only one window at third floor level on the opposite flank (eastern) wall, looking out to number 28 Eden Avenue. This provides light into an en-suite facility of Flat 2 and will also be conditioned to be fitted with obscure glazing with open top fanlight. As a result there are no concerns with regard to the development’s impact on privacy and overlooking in relation to this application.

The front building line sits slightly back from the building line of number 28 and 30 Eden Avenue. This is not considered to result in unnecessary impact on daylight and sunlight. The garden area of the site is north facing and as such the majority of sunshine enjoyed during daylight hours will be to the front to the properties on this side of Eden Avenue.

Whilst the site forms a steep hill, which runs north to south, the rear elevation will no longer result in an overbearing form of development given the reduction in its height and will not cause detriment to neighbour amenity.

It is not considered that the proposal would result in detriment to the amenity and as such the proposal is considered acceptable in terms of Local Plan Policy BNE2 and Structure Plan Policy QL1.

Highways

The proposal makes use of two existing parking spaces to be accessed via Eden Avenue. As the parking arrangements are as existing (currently used by residents at no 28 Eden Avenue) they are acceptable from a highway safety perspective. 2 spaces for two units is considered acceptable. While this will displace parking for the existing property at 28 Eden Road, it is considered that this can be satisfactorily accommodated on street without harm to parking and general amenity in the area.

The application is considered acceptable in terms of Local Plan Policies T1 and T13 and Structure Plan Policy TP19.

Conclusions and Reasons for Approval

The principle of residential development is considered acceptable under the provisions of Local Plan Policy H4 and the form of development proposed is considered much improved from that refused under application MC2008/0446. The proposal for two flats is not considered out of character with the street scene and will not result overdevelopment of the site as a whole. As such the proposal is considered acceptable in terms of Local Plan Policy BNE1 and Structure Plan Policy QL1 and HP4. The proposal is also acceptable under the guidance set out in Planning Policy Statement 3.

This application would normally fall to be determined under delegated powers but is being presented to Members at Committee due to the number of representations received.
Proposal: Advertisement consent for the installation of one hoarding facing Horsted Way and three banners on south elevation on new theatre building

Applicant: Mr R Latter Mid Kent College Horsted Centre Maidstone Road Chatham Kent ME5 9UQ

Agent:

Ward: Rochester South & Horsted

Recommendation - Approval with Conditions

1 No advertisement shall be sited or displayed so as to-

(a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

2 Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site

3 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public

4 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

5 This consent is granted for a limited period only expiring on 31 August 2009 whereupon the signs hereby permitted shall be removed from the site.
For the reasons for this recommendation for approval, please see the Planning Appraisal section and conclusions at the end of this report.

Site Description

Mid Kent College is situated along Maidstone Road in Chatham. The land is flat. To the west is Rochester Airport and there are residential properties to the northwest. To the northeast is Fort Horsted, a scheduled ancient monument and to the south, east and southwest are fields. The college is situated on a main road linking Chatham to the M2 motorway. There is one pole mounted sign to the front and a temporary banner advertising courses. There are no other advertisements in the near vicinity only highway signage.

The application site currently consists of various two storey buildings with car parking areas although there is a Committee resolution to grant outline consent for residential development. The existing buildings are dated and some are in poor condition.

Proposal

The application seeks advertisement consent for the temporary installation of one hoarding facing Horsted Way on the northern side of the site and three banners on the south elevation on the theatre building. The proposed hoarding will be 2.4m high and 0.6m from ground level. It will be 6m wide. The three banners will consist of one measuring 1.35m high and 11m wide, and two measuring 2.1m high and 0.66m wide. All of the signage is non-illuminated. The hoarding and banners will advertise the relocation of the college and will be temporarily displayed until 31 August 2009.

Relevant Planning History

There are various applications for extensions to the buildings and additional classrooms however there are no applications for advertisement consent that are relevant to this application.

MC2005/0229 Outline application for mixed residential, commercial (Class B1), retail (Class A1) and community (Class D1) development Resolution to grant subject to section 106 on 31 October 2007.

Representations

The application has been advertised by way of a site notice outside of the college.

No letters of representation received

Development Plan Policies

Medway Structure Plan 2006

Policy QL1 (Quality of Development and Design)
Policy TP19 (Vehicle Parking Standards)

Medway Local Plan 2003

Policy BNE1 (General Principles for Built Development)
Planning Appraisal

Mid Kent College is relocating to another site and this application is seeking express advertisement consent to advertise this. The buildings on the site are dated and in a poor condition and the proposed hoarding and banner signs will screen the appearance of these buildings from the main road which is a main road into Chatham from the M2.

The main issues arising from the proposal are the design and impact of the signs upon amenity including the street scene, the effect of the development on neighbouring properties and the resultant effect of the development on highway and pedestrian safety.

Street Scene and Design

The proposed hoarding will be to the front of the college building set approx. 14m back from the road. Owing to its size and siting, there are some reasoned concerns that the hoarding would be prominent and would add visual cluttering of the street scene. However the Council generally supports the aims and objectives of major regeneration projects within the area and considers that as the signs are only temporary any impact on visual amenities would only be temporary in nature. The proposed hoarding will screen the buildings to the rear which are poor in appearance and therefore accords with policy BNE11 of the Medway Local Plan 2003. The proposed banners will be situated on the southern elevation of the building approx. 15m away from the road. These banners are not considered to have a detrimental impact on the street scene due to their size and temporary nature. In order to ensure that the advertisements are displayed temporarily a condition is recommended to limit the consent until 31 August 2009 as requested by the applicant. A condition will be utilised to require the removal of the advertisement hoarding.

The proposal therefore complies with the objectives of Policies QL1 of the Kent and Medway Structure Plan 2006 and BNE1, BNE10 and BNE11 of the Medway Local Plan 2003 and with regards to the impacts on street scene and design.

Neighbouring Amenities

The proposed hoarding and banners are situated away from residential properties and are non-illuminated. They therefore will cause no detrimental impact in terms of loss of outlook, privacy, sunlight or daylight for any neighbouring property.

The proposal therefore complies with the objectives of Policies QL1 of the Kent and Medway Structure Plan 2006 and BNE2 of the Medway Local Plan 2003 with regards to the impacts on neighbours’ amenities.

Highways

The proposed hoarding and banners will be a sufficient distance away from the highway to not distract road users or obscure their vision. No objection is therefore raised with regards to highways.
Conclusions and Reasons for Approval

The hoarding and banners are a sufficient distance from the road against a backdrop of large buildings and therefore are not considered to cause a significant detrimental impact on the street scene. The advertisements will be temporary and therefore are considered acceptable in terms of the character of the area, impact on neighbouring amenity and highway safety. The proposal therefore considered to accord with the above mentioned Development Plan Policies and is recommended for approval.

This application would ordinarily fall to be determined under officers’ delegated powers but has been referred for Members’ consideration on request of Cllr Clarke as he does not see a necessity for a sign given the publicity that has surrounded the college move.