

MC/13/2543

Date Received: 14 October, 2013

Location: 1 Rowland Avenue, Darland, Gillingham, ME7 3DL

Proposal: Construction of a detached three bedroomed dwelling with associated parking

Applicant: Kent Police Authority

Agent: Mr Collins DHA Planning Eclipse House Eclipse Park
Sittingbourne Road Maidstone Kent ME14 3EN

Ward Watling

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 8 January, 2014.

Recommendation - Approval with Conditions

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

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: DHA/9478/06, DHA/9478/03, DHA/9478/01, received on 11 October 2013, DHA/9478/05 rev A, DHA/9478/04 rev B, DHA/9478/07 rev A, DHA/9478/08 received on 27 November 2013,

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

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

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

- 4 The first floor bathroom window on the eastern elevation shall be fitted with obscure glass and, apart from any top-hung light shall be non-opening. This work shall be carried out and completed before the dwelling hereby approved is first occupied and shall be retained at all times thereafter.

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

- 5 The new dwelling herein approved shall not be occupied until details of landscaping of the front garden area have been submitted to and agreed in writing with the Local Planning Authority. Details shall include the surfacing and drainage of parking and path areas and the provision of soft planting beds, together with an initial planting scheme for the bed(s). The works shall be completed as agreed prior to the occupation of the dwelling other than planting in the planting beds which shall be implemented during the first planting season following occupation of the buildings or completion of the development, whichever is the earlier.

Reason: Pursuant to condition 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Policy BNE1 and BNE6 of the Medway Local Plan 2003.

- 6 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 the vehicular access point to serve the new dwelling and no obstruction of sight more than 0.6 metres above carriageway level shall be permitted within the splays thereafter.

Reason: To ensure that the development permitted does not prejudice conditions of highway safety or efficiency in accordance with Policies T1/T2 of the Medway Local Plan 2003.

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

Reason: To enable the Local Planning Authority to control such development in the interests of amenity, in accordance with Policies BNE1 and BNE2 of the Medway Local Plan 2003.

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

Proposal

The application is for the construction of a detached three bedroomed dwelling, with parking and garden area, by the sub-division of the existing residential plot of 1 Rowland Avenue.

The new plot will have a plot width ranging from about 7.4m at its frontage to

Rowland Avenue to about 11m at its rear boundary. The house itself is proposed with its front elevation to be in-line with that of the existing dwelling at 1 Rowland Avenue but to the rear projecting past the rear of 1 Rowland Avenue by about 3.4m. The proposed dwelling would measure about 5.7m wide by 9.5m depth and would have a gabled roof with an eaves height of 5m and a ridge height of 7.5m. The gap between the proposed dwelling and the existing dwelling on the plot would be around 2.8m (4.75m at first floor level) and from the proposed dwelling flank to its side boundary fence (eastern side) between about 1m and 1.8m.

The submitted plans also show the provision of 2 parking spaces in the front garden area of the proposed dwelling and the provision of 2 parking spaces in the front garden area of the original dwelling. A residential garden is to be provided to the rear of the proposed house of around 233sqm area.

The proposed dwelling will provide a kitchen, w.c., lounge/diner and under stairs storage at ground floor level and one double and two single bedrooms and a family bathroom at first floor level.

Site Area/Density

Site Area: 0.08 hectares (0.198 acres)

Site Density: 25.0 dph (10.0 dpa)

Representations

The application has been advertised on site and by individual neighbour notification to the owners and occupiers of neighbouring properties.

7 letters have been received raising the following objections (received prior to revisions to proposal):

- The proposal would be overdevelopment of a small area;
- The roof gables (front/back) and picket fence do not reflect the character of the area or adjacent properties;
- The house design is not high-quality and not in character with the area;
- Lack of parking will increase pressure for on-street parking;
- The site is too narrow to accommodate another house;
- More parking in the front garden areas will 'spoil the tone of the residential estate';
- Loss of privacy to the rear of properties in Darland Avenue.

All other matters raised not listed above are non material.

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003. The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework, 2012 and are considered to conform.

Planning Appraisal

1 Rowland Avenue is situated to the southern side of the street and close to the junction of Rowland Avenue with Darland Avenue. Numbers 1,3,5 and 7 Rowland Avenue are two pairs of semi-detached, two storey dwellings situated in generous plots. Some of these properties have extended to the side but 1 Rowland Avenue remains in its original form other than a narrow single storey side extension. In the wider area are a mix of bungalows and two-storey dwellings. Surrounding dwellings are primarily detached and semi-detached with terraced properties also close by in Darland Avenue.

To the eastern side of the site runs a private access road that appears to give access to the rear of properties in Darland Avenue and also links through to Leyton Avenue to the south.

Main Issues

The main issues for consideration in this application are:

- Principle;
- Impact on character of area and street scene;
- Impact on amenities;
- Parking.

Principle

The site is within the built urban area as defined on the Proposals Map to the Local Plan. The proposed dwelling will be situated in the northern part of the garden of 60 Allison Avenue. Policy H4 allows the principle of residential development in garden areas and therefore there is no objection raised to the principle of the development under current policy.

Design and effect on the character of the area

The proposal falls to be assessed under Policies BNE1 of the Local Plan in terms of its impact on the street scene and character of the area.

This is a residential area with primarily detached and semi-detached dwellings of varying designs, both bungalows and two-storey dwellings. Plot sizes in the area vary greatly.

The current submission is for a detached two storey dwelling with a gabled roof to the front and rear. Whilst this roof design is not reflective of the design of immediately adjacent dwellings, housing design in this area varies greatly and it is considered overall that the scale and spacing of the proposed dwelling will not result in a dwelling that appears out of scale or cramped within the streetscene. The external design of the house itself is simple but is not considered to be unsuitable in this case as a single infill dwelling in a mixed area. A condition is recommended with regard to the proposed external materials to further safeguard the quality of the house.

The application has been amended to provide 2 parking spaces in the front garden area following concerns being raised by neighbours in relation to parking. However, for the proposed dwelling this will mean that less space is available for soft landscaping. However, at a minimum of about 7.4m wide by about 6.05m depth some soft landscaping is possible in the frontage area and a planning condition is recommended to ensure that this is provided. The provision of additional parking in the front garden area of the retained plot for the original house does still allow for a significant area of soft planting.

As such the proposed dwelling is considered to be of an acceptable design, without detriment to the street scene or the character of the area and is considered to be acceptable under the provisions of Policies BNE1 of the Local Plan.

Amenity considerations

Policy BNE2 of the Local Plan requires the amenities of both neighbours and future occupiers of the units be taken into account.

The proposed dwelling would be a distance of about 23.5m from adjacent dwellings in Darland Avenue and about 48m from dwellings to the rear (south). There are bathroom windows only being proposed in the eastern flank and as such, subject to a condition requiring obscure glazing, there will be no direct overlooking of properties in Darland Avenue. At a more oblique angle there will be overlooking from the rear of the dwelling but in this area there is already mutual overlooking and as such the proposal raises no new issues in this regard.

The proposal will not result in a significant overshadowing of surrounding properties and there will be no loss of direct sunlight to windows of other dwellings as a result of the proposal. In a similar way, due to the distance of the proposed dwelling from windows of adjacent dwellings and other plots the proposed dwelling will not dominate the outlook from surrounding properties.

In order to protect the amenity of surrounding residents from further development it is recommended that a condition be imposed to remove permitted development rights for the proposed dwelling.

The internal floor area of the property is about 91.8sqm, which exceeds the Medway Housing Design Standards (MHDS) minimum area of 87sqm for a two storey, three-bedroomed dwelling. The bedrooms and living spaces all meet or exceed the minimum room sizes in the MHDS.

The garden space is considered to be acceptable for a family dwelling and the remaining garden area for the original dwelling on the plot is also of a good size for family use.

As such the proposal complies with policy BNE2 of the Medway Local Plan 2003.

Highways

An additional section of cross over will be needed to accommodate the proposed parking for the new dwelling and the original dwelling. Each dwelling is to have 2 parking spaces which meets with the requirements of Medway Council's vehicle parking standards. Vision splays for the new parking spaces will need to be provided and as such the proposed fencing will need to be amended to accommodate these. An appropriate condition is recommended.

Subject to the recommended conditions no objection is raised to the proposal under policies T1/T2 or T13 of the Local Plan.

Local Finance Considerations

There are none that are relevant to this application.

Conclusions and Reasons for this Recommendation

This proposal to construct a two- storey detached dwelling within the site of 1 Rowland Avenue is acceptable in terms of its design, its impact on the character of the area and street scene and on the living conditions of neighbours. Future occupiers of the new dwelling and the existing dwelling on the plot will each enjoy a suitable level of internal and external space for the intended level of occupation. The proposal is considered to comply with Local Plan policies H4, BNE1, BNE2, BNE6, T1/T2 and T13 and is recommended for approval.

The application would normally be determined under delegated powers but is being referred to Committee for determination due to the extent of the representations received expressing views contrary to the recommendation.

Background Papers

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://planning.medway.gov.uk/dconline/AcolNetCGI.gov>