

MC/14/0243

Date Received: 28 January, 2014

Location: 5 Rochester Avenue, Rochester, ME1 2DW

Proposal: Retrospective application for conversion of existing private dwelling to 2no self contained flats

Applicant: Mr J Singh

Agent:
Ward Rochester East

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 23 April 2014.

Recommendation - Refusal

- 1 If permitted, the development would result in the loss of a residential unit capable of single family occupation. The proposed accommodation does not comply with the standards in the adopted Medway Housing Design Standards (2011) and the proposal would therefore result in a substandard form of accommodation providing an unacceptable level of internal amenity for prospective occupiers. The proposed development is therefore contrary to Policies H6 and BNE2 of the Medway Local Plan 2003 and the Medway Housing Design Standards (interim) (adopted Nov 2011).

Proposal

This application seeks planning permission for the conversion of an existing three-storey house into two dwellings (one 1-bedroom flat and one 2-bedroom flat). The two bedroom unit would occupy the ground and basement levels and the single bedroom flat the first floor and roof area.

Representations

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

Five letters of representation have been received (from four addresses) in support of the scheme.

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. The (Interim) Medway Housing Design Standards (November 2011) are also a material consideration in the determination of this application.

Planning Appraisal

Principle

The application site lies within the urban area, as defined in the Medway Local Plan 2003 (the Local Plan). As such this application needs to be assessed against policy H6 of the Local Plan, which states that the conversion of a large dwelling house into self contained flats will be permitted so long as the proposal does not fail any of the following 4 criteria:

- (i) the surrounding area is predominantly single household occupation;
- (ii) the house is of a size suitable for use for single household occupation;
- (iii) the proposals are likely to unacceptably increase on-street car parking; or
- (iv) the proposals could adversely affect the amenity of the area or adjoining occupiers.

When assessed against these criteria the proposal conforms to two of the requirements but fails in regard to criteria (i) and (ii) as the surrounding area is predominately in single household occupation and the dwelling proposed to be converted is considered to be suitable for single family occupation.

A review of Rochester Avenue has identified that 2.3% (4 out of 169 properties) have been converted into flats (Nos.10A/10B, 12A/12B, 68A/68B and 148A/148B) and therefore, the surrounding area remains predominately single household occupation (97.7%).

In addition, the dwelling has a gross internal floor area (GIFA) of approximately 107 square metres (sq.m). The preamble to policy H6 states that "...dwellings of less than 120sqm. gross floor area in predominately residential areas should be retained for families and single households, as conversion to smaller units is unlikely to be satisfactory."

As can be seen above, the unit is in a predominately single household occupation area and it is less than 120 sqm. It is noted that the applicant refers to other residential units converted to flats in Maidstone Road/Rochester Avenue. However, it must be noted that Maidstone Road does not have the same context as Rochester Avenue and the proposal needs to be considered in the context of the street within which it is situated. Therefore it is considered that the proposed development is unacceptable in principle, as it fails policy H6(i) and (ii) of the Local Plan 2003.

Design

No external alterations are proposed and therefore the proposal is acceptable in relation to Policy BNE1 of the Local Plan.

Amenity

Medway Council's adopted Interim Medway Housing Design Standards (MHDS) November 2011 are a material consideration.

The ground floor flat spans across both the ground floor and basement level and consists of a 2-bedrooms, a lounge/dinner, kitchen and showeroom. In terms of the amenities for future occupiers, the proposed 2-bedroom ground floor flat falls below the minimum standards set out in the MHDS as set out in the table below:

Number of Bedrooms	MDHS Min Gross Internal Floor Area	Gross Internal Floor Area (Approx)	MHDS Living/Dining/Kitchen good practice minimum	Living/Dining/Kitchen floor space proposed	MHDS Bedroom good practice minimum floor space(1 Db, 1 Single)	Bedroom Floor Space Proposed (1 Db, 1 Single)
2b3p	61sqm	58.5sqm	25sqm	17.95sqm	8sqm single 12sqm dble tot 20sqm	23.1sqm (Db - 15.1sqm) (Single - 8sqm)

Whilst it could be argued that the bedrooms, coupled together, meet the recommended standard; both the gross internal floor area and living/dining/kitchen area fall below the requirements as set out in the MHDS. In addition to that, the width of the proposed single bedroom of approx. 1.9m, falls short of the baseline figure of 2m and an objection is raised in terms of the poor level of outlook from the lightwell window that would be the only window serving the double bedroom, at basement level.

It is therefore considered that the level of amenities of occupiers of this flat would be significantly below the adopted standard and below a level which occupiers could reasonably expect to be able to enjoy.

The first floor flat consists of 1-bedroom, lounge/dinner, kitchen and a shower room. All windows of habitable rooms face to the front or the rear of the property. In terms of the amenities for future occupiers, the proposed 1 bedroom flat falls below the minimum standards set out in the Medway Housing Design Standards (MHDS). The proposal is assessed against the MHDS in the table set out below:

Number of Bedrooms	MDHS Min Gross Internal Floor Area	Gross Internal Floor Area (Approx)	MHDS Living/Dining/Kitchen good practice minimum	Living/Dining/Kitchen floor space proposed	MHDS Bedroom good practice minimum floor space (Double - 12sqm)	Bedroom Floor Space Proposed
1b2p	50sqm	48.9sqm	23sqm	25.6sqm	12sqm	16sqm (of which 9.4sqm is contained within that part of the room 2.4m in height, equating to 58% of the floor space)

The 1-bed flat falls short of the gross internal floor area (GIFA) but just exceeds the good practice minimum for the living, dining and kitchen area. With regards to the bedroom, the MHDS requires that 60% of the floor area of habitable rooms within roofspaces has a floor to ceiling height of 2.4m. In this case, approx. 9.45sqm of the total floor space meets that standard, equating to 58%.

In conclusion to this part, the house is not only less than 120sqm as set out in the preamble to Policy H6 but the 2 flats proposed do not provide a level of accommodation that meets the standards set out in the MHDS. The flats therefore will provide for a substandard and inadequate level of amenity for the prospective occupiers. The proposal is therefore contrary to Policies H6 and BNE2 of the Local Plan and the Medway Housing Design Standards 2011

Highways

Medway Council's parking standards for the existing dwelling is 2 spaces. The required parking standard for the proposed development would be 2.5 spaces. The difference in the parking standards required is very small and taking into consideration an average car ownership in the area of 0.69 per dwelling at the time of the last Census, it is considered that it is unlikely that the proposed development will have a material or unacceptable impact on on-street parking in the vicinity of the site, over that associated with the existing dwelling. On that basis, no objection is raised in respect of Policies BNE2 and T13 of the Medway Local Plan 2003.

Conclusions and Reasons for Refusal

Whilst the application is acceptable in terms of design and highway matters, the proposed conversion of a 3 bedroom mid terrace dwelling in to one 1-bedroom and one 2-bedroom flat would result in the loss of a unit capable of being used as a single family dwelling and fails to meet policy H6 (i) and (ii) of the Medway Local Plan 2003, as well as failing to meet the recommended standards set out in the MHDS and in so doing is also contrary to Policy BNE2 of the Local Plan. It is therefore recommended that this application be refused.

The application would normally be determined under delegated powers but is being referred to Committee for determination due to the extent of representations received expressing a view 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>