

MC/13/3182

Date Received: 2 December, 2013

Location: Building To Rear Of 2 Love Lane, Rochester, ME1 1TN

Proposal: Conversion of existing storage building together with construction of first floor extension to create 3 bedroomed dwelling with associated parking, garden, fencing and electric sliding gate

Applicant: Mr B Allum

Agent: Mr A Ward Alan Ward Architects Lion Boathouse Eel Pie Island Twickenham Middlesex TW1 3DY

Ward Rochester West

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 20 May 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: TP.01 'A', TP.02 'A', TP.06, TP.07 and 1222/ SITE SURVEY as received on 20 December 2013 and TP.03 'BP', TP.04 'BP' and TP.05 'BP' as received on 27 February 2014.

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

- 3 Notwithstanding the submitted plans and details, no development shall take place until the following documents / additional details and plans have been submitted to and approved in writing by the Local Planning Authority:

- Details of the mortar specification and pointing finish to Love Lane;
- Details of proposed windows;
- Details of coping finish to junction of roof extension and 2 Love Lane;
- Details of proposed vehicular access gates at a scale of 1:20;
- Sample of shiplap finish; and
- Sample of boundary wall to Love Lane.

The development shall be carried out in accordance with the details approved pursuant to this condition and they shall thereafter be retained.

Reason: To ensure that the architectural or historical character of the Grade II listed building is maintained, in accordance with Policies BNE1, BNE12 and BNE14 of the Medway Local Plan 2003.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no windows or similar openings shall be constructed in the north and west elevations of the building than as hereby approved.

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of amenity and privacy of adjoining property, in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 5 No development shall take place until details of the surface and drainage of the vehicle parking area has been submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied, until the area shown on the submitted layout as vehicle parking space and garaging has been provided, surfaced and drained in accordance with the approved details. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space and garaging.

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking and in accordance with Policy T13 of the Medway Local Plan 2003.

- 6 The revised boundary treatment location to Trevine, Boley Hill shall be completed before the building is occupied and shall thereafter be retained.

Reason: To ensure that the development maintains neighbouring amenities, in accordance with Policy BNE2 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 - H (inclusive) 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 proposal is to convert the existing storage building, together with construction of first floor extension, to create 3 bedroomed dwelling. The accommodation as extended would comprise three bedrooms (one with en-suite), two bathrooms and a utility room at ground floor and an open plan living space, a W/C and a study at first floor. As the west elevation of the building is below the prevailing ground level there are no windows in this elevation. The property will be predominately served by ground and first floor windows in the east elevation.

Currently the building rises to a flat roofed height of some 3.8m above the ground level of St. Margaret's Mews. The additional storey will increase the height of the building to some 5.9m. The site layout includes associated parking, garden, fencing and electric sliding gate. A single parking space, cycle storage and bin storage is proposed in front of the east facing elevation at ground floor. Access to the building will be through this area or through the garden from Love Lane. The courtyard area to the rear of no. 2 Love Lane will be enclosed by a 1.9m brick wall and this area will be given over to vehicle parking.

Relevant Planning History

MC/09/2378	Conversion of office into a detached 2 bedroomed dwelling Decision Approval With Conditions Decided 18 January, 2010
MC/08/1938	Conversion of existing store/warehouse into a 3-bedroomed dwelling with new pitched roof and associated parking Decision Refusal Decided 15 April 2009 Appeal Dismissed Decided 06 October 2009
MC/08/1542	Conversion of existing store/warehouse into a 2-bedroomed dwelling with associated parking Decision Withdrawn by applicant Decided 10 November, 2008
MC/08/1543	Conversion of existing offices to form 2 apartments with associated parking Decision Approval with Conditions Decided 31 October, 2008

Representations

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

Three letters of comment / objection have been raised with the following comments;

- The proposed 2m high wall will inhibit the flow of traffic along St. Margaret's Mews,
- No details have been provided for drainage,
- The proposed development would be out of character with the conservation area,
- The presence of flank windows will lead to a loss of privacy,

Three letters of support have been received with the following comments;

- The development would enhance the area and views from neighbouring properties,
- The proposal would not harm neighbouring amenities.

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

Background

The application site was subject to a planning application for the erection of a hipped roof over the existing store building and subsequent conversion to a three bedroomed dwelling. The application was refused by Members in 2009 on the grounds that the proposal represented an over development of the site and would fail to provide adequate amenity space for future occupiers. Furthermore, Members raised concern that the development would adversely impact upon the occupiers of Trevine Cottage. The decision was appealed, and whilst the Inspector accepted the impact of the development upon the Conservation Area he agreed with Members on the detrimental impact upon the residential amenities of Trevine Cottage.

Principle

The site is located within the urban boundary as defined by the proposals map of the Medway Local Plan 2003 (Local Plan). Both national advice and local policies support the efficient and effective use of land. Indeed the National Planning Policy Framework (NPPF) notes that 'local planning authorities should.... resist inappropriate development of residential gardens, for example where development would cause harm to the local area.' However the NPPF notes that sustainable development should be approved where it accords with the development plan.

Therefore the redevelopment of this plot needs to be considered in the context of whether the proposal would result in the most effective and efficient reuse of urban land and would provide a 'clear improvement to the local environment'. In general terms an additional dwelling on this site is in accordance with the provisions of Policy H4 of the Local Plan and the NPPF. However, further consideration needs to be given to the impact of the development in terms of design and impact on the conservation character, the impact upon neighbouring amenities and parking provisions.

Design

The site is within the Rochester City Centre Conservation Area and therefore the proposal falls to be assessed against Policies BNE12 and BNE14 of the Local Plan. In design terms, it is considered that the building, in its present condition, makes little contribution to the character of the Conservation Area. The development proposes an attractive and contemporary addition to the immediate street scene. The proposal is certainly an improvement over the 2008 planning application in which no objection was raised to the visual impact of the development. The use of horizontal shiplap boarding will complement the character of the area and subject to a range of conditions relating to external materials, the development will enhance the conservation area. The development therefore complies with the objectives of Policies BNE1, BNE12 and BNE14 of the Local Plan.

Amenity

The property that would be most directly affected by the proposal is Trevine Cottage, immediately opposite the application property in St. Margaret's Mews. Concern was previously raised by Members in 2009 whereby it was considered that the tightly constrained development pattern and the design and siting of the previously proposed development would, on aggregate, 'significantly detract from the level of residential amenity currently enjoyed by the occupiers of Trevine Cottage'. This was supported by the Inspector at appeal. To overcome the previous objection, this proposal has reduced the height of the development by some 0.5m and moved the western, first floor elevation of the building in by some 2m. This has the effect of retaining those current amenities enjoyed by Trevine Cottage that would have been eroded by the previous application. The development is sited, designed and detailed in such a manner that the amenities of all other surrounding properties are maintained as a result of the proposal.

With regard to the amenities of the occupiers of the proposed dwelling, a suitable amount of external amenity space both internally and externally will be provided to meet the Medway Housing Design Standards and the future occupiers of the new dwelling are unlikely to experience overlooking and privacy issues from adjacent dwellings.

	Number of Bedrooms	MHDS Min Gross Internal Floor Area	Gross Internal Floor Area Proposed	MHDS Living / Dining / Kitchen Good Practice Minimum Floorspace	Living / Dining / Kitchen Floorspace Proposed	MHDS Bedroom Good Practice Minimum Floorspace	Bedroom Floorspace Proposed
Dwelling	3b 4p	87	130	27	47	8 or 12	9, 12 and 16.8

The development therefore complies with the objectives of Policy BNE2 of the Local Plan.

Highways

The adopted vehicle parking standards require the provision of a minimum of two spaces for this three bedroom dwelling. One space is shown on the submitted block plan. The application site is located in a particularly sustainable location, and it has the benefit of being close to day-to-day facilities along Rochester High Street and transport links in the form of the relocated Rochester train station. The development also provides cycle storage and a suitable vehicular access is provided along the shared St. Margaret's Mews. On this basis, the development is considered acceptable under Policies T1 and T13 of the Local Plan

Local Finance Considerations

None relevant.

Conclusions and Reasons for Approval

The proposed dwelling represents an appropriate addition to the character of the street scene and Conservation Area. Furthermore, the development maintains all neighbouring amenities and is acceptable on highway grounds.

This application would normally fall to be considered under officers' delegated powers but has been reported to Planning Committee for determination due to Members consideration of a previous application on this site and the number of objections and comments received contrary to the officer 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/donline/AcolNetCGI.gov>