

MC/14/0564

Date Received: 27 February, 2014

Location: Mayfield, The Street, Upper Halling, Rochester, ME2 1JD

Proposal: Application for approval of reserved matters being access, appearance, landscaping, layout and scale pursuant to condition 1 of outline application MC/10/1703 Outline application with all matters reserved for the construction of a terrace of four 2 bedroomed dwellings with associated parking

Applicant: Street Developments Ltd

Agent: Mr N Hatton 22 Hartlip Hill Sittingbourne Kent ME9 7PA

Ward Cuxton & Halling

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 13 August, 2014.

Recommendation - Approval with Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: GS-20140109_01 'B', GS-20140109_02 'C' and GS-20140109_03 'B' as received on 12 June 2014

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

- 2 All materials used externally shall accord with the approved plans unless otherwise agreed in writing by the Local Planning Authority.

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

- 3 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 south elevations of the buildings without the prior written approval of the Local Planning Authority

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.

- 4 The scheme of landscaping and boundary treatment shown on the approved plans shall be carried out in the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Authority gives written consent to any variation.

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

- 5 No development shall take place until details of the surfacing and drainage of the area shown on the submitted layout as vehicle parking have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied, until the area shown on the submitted layout as vehicle parking has been provided 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.

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking and to accord with Policy T13.

- 6 No development shall take place until an acoustic assessment, which shall include mitigation measures to reduce the impact of noise from the nearby industrial unit, has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the mitigation measures have been carried out as approved and they shall thereafter maintained.

Reason: In the interests of amenity for future occupants of the development in accordance with the provision of Policy BNE2 of the Local Plan.

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

Proposal

This application seeks permission for the approval of reserved matters (access, appearance, landscaping, layout and scale) which has been submitted pursuant to condition 1 of outline application MC/10/1703 (Outline application with all matters reserved for the construction of a terrace of four 2 bedroomed dwellings with

associated parking). The revised submission shows a terrace of four 2 bedroomed dwellings, set back from the edge of Bradley Road by between 6.8m and 3.4m. This area comprises 6 vehicle parking spaces, some soft landscaping and a footpath to serve the dwellings. The residential units measure approx. 5.3m in width, by approx. 8.5m in depth, with a height to the eaves and ridge of approx. 5.3m and approx. 8.8m respectively. Internally, the dwellings will comprise of an open plan living space and w/c at ground floor, two double bedrooms and a bathroom at first floor and a 'dressing / family area' within the roof. Two rear facing roof dormers are proposed to each dwelling. To the rear, private amenity space will measure a depth of between approx. 8m and approx. 8.4m and this will comprise a combination of patio and a grassed area.

Site Area/Density

Site Area: 0.12 hectares (0.3 acres)

Site Density: 41 dph (16.9 dpa)

Relevant Planning History

MC/10/1703	Outline application with all matters reserved for the construction of a terrace of four 2 bedroomed dwellings with associated parking Decision Approval With Conditions Decided 16 February, 2012
MC/05/0850	Retrospective application for the construction of detached garage Decision Approval with Conditions Decided 21 June, 2005
MC/99/5457	Demolition of garage and porch and construction of a single storey side and rear extension to provide laundry room and replacement garage. Decision Approval with Conditions Decided 14 September, 1999

Representations

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

Halling Parish Council has also been consulted on the proposal.

9 letters have been received raising the following objections:

- The off street parking proposed is not sufficient. There is nowhere for extra vehicles to park, which will affect existing car owners in the area.
- The building of houses in this location will displace the existing off-street parking facilities on site at present.
- Additional cars will have a serious impact on vehicle access to Bradley Road,

which is an unadapted road.

- HGVs gaining access and egress from the local pallet yard, which is situated on the same road already heavily occupy the road.
- Bradley Road is already in a poor state of repair and more traffic would make its current condition worse.
- There should not be any more than 2 houses on site, 4 are too many,
- The development results in the loss of private garden space,
- Building these houses will degrade the general outlook and compromise the ambience of the area.
- More houses would add to what is already an overdeveloped village.
- The level of noise will result in disturbance to neighbours,
- The development fails to meet the Medway Housing Design Standards on a number of grounds,
- Impact on neighbours privacy/loss of privacy.

A petition with **20 signatures** against the development has been submitted with the following objections;

- Bradley Road is already in a poor state of repair and more traffic would make its current condition worse,
- The off street parking proposed is not sufficient. There is nowhere for extra vehicles to park, which will affect existing car owners in the area.
- The building of houses in this location will displace the existing off-street parking facilities on site at present,
- The development is located in a semi-rural location,
- The development is out of character with the surrounding street scene.

The application was revised during the life of the submission and neighbour notification letters were sent to neighbouring properties.

All other matters raised not listed above are non-material.

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003 (Local Plan). 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

Principle

Outline planning permission for 4 dwellings was granted under planning reference MC/10/0703. The principle of development has therefore been accepted, in that the development represents a minor development within the village boundary, and thus the consideration of this application relates purely to the reserved matters relating to access, appearance, landscaping, layout and scale.

Design

Although the application was submitted in outline form previously, sufficient information was provided with the application to state that;

'While the illustrative plans are not for approval and would still require work regarding siting and detailing, they do provide a clear indication that a terrace of 4 dwellings can be accommodated on site in principle and would not detract from the character of the area'

The reserved matters submission maintains this opinion and the proposed dwellings would be neither intrusive nor harmful to the street scene. The surrounding street scene comprises simple gable roofed two storey properties and this broad design is reflected. The choice of materials is appropriate, as is the detailing (fenestration, porch and front projecting dormers). Lastly, the landscaping to the front is an appropriate combination of soft landscaping and hard landscaping for pedestrian access and car parking. As such, the development is visually acceptable in, both within its own site and when seen in the context of the street scene. Accordingly, for the reasons above, the dwellings are considered to be in character with the area and accords with the provisions of Policies H11, BNE1 and BNE30 of the Local Plan.

Amenity

The siting, proportions and orientation of the dwellings are such that it is not considered to impinge upon the outlook, sunlight and daylight of neighbouring properties. In respect of the privacy, the outline permission restricts windows in the flanks of the two end of terrace dwellings. A sufficient distance will exist between the rear elevation windows in the proposed development to that within Mayfield. Furthermore, although the proposal would result in the loss of part of Mayfield's garden area, it is considered that the property would continue to have a reasonable level of private amenity space and no objection is raised to this aspect of the scheme.

With regard to the amenities of the occupiers of the proposed dwellings, the committee report relating to the outline permission stated that;

The indicative layout plan submitted with the application illustrates that there is the potential to ensure each unit is provided with approximately 8 metre deep gardens, which is comparable with several others serving similar properties in the immediate vicinity. Any reserved matters application will need to be assessed against the Medway Council's Housing Design Standards (Interim), 2011 (MHDS) in terms of internal and external amenity space.

The internally and externally amenity space has been considered against the now adopted MHDS and in this instance both are considered acceptable. With regards to the latter consideration, the rear gardens measure of depth of between approx. 8m to approx. 8.4m. This is below the 'baseline' figure of 10m set out in the MHDS but is in excess of the figure accepted where a site is constrained. Furthermore, the proposed garden depth is in excess of the indicative outline provision and the development maintains visual privacy considerations of future occupiers and the

residents of neighbouring properties. With particular reference to the extant outline permission, the private amenity areas are considered acceptable.

Moving towards the internal space, the Gross Internal Floor Area (GIFA) is inline with baseline figure for a 2 bed, 3 person dwelling as set out in the Standards. The revised scheme slightly enlarges the dwellings, thus giving more floorspace, and on reflection to the outline permission this proposal reflects the most appropriate scheme for this site.

	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	2b3p	77m ²	80m ²	27m ²	26.7m ²	Double 12m ² and Single 8m ²	14.7m ² and 10.5m ²

In considering the outline permission, it was felt that the close proximity of industrial units could potentially poses a risk in relation to amenity to the closest dwellings by way of noise and dust. The concern regarding noise was sufficient enough for a condition to be included to the outline planning permission requiring a noise assessment to be carried out and submitted for approval. The noise assessment has not been submitted with this application and so it will be necessary to impose a condition to this permission (should it be forthcoming) to ensure that any mitigation measures that may be required are implemented on site. No objection is raised with regard to any impact from dust.

* The drawings include a 'Dressing / Family Area' within the roof space, and to be included within the GIFA, only floorspace which has an internal height of 2.4m or above (as directed by Appendix 1 of the MHDS) is considered.

Highways

The highway matters were considered at the outline stage, and the committee report stated that;

The site is accessed from a private road that forms two junctions with The Street to the north and south. The geometry of the road only permits single file traffic at certain points. However, its irregular alignment and width, together with the uneven surface, encourages very low vehicle speeds. It could also be argued that the overall appearance and condition of the road is somewhat compatible with rural surroundings. On this basis it is considered that the low level of intensification proposed by this development will not have a significant material impact on conditions of highway safety and the free-flow of traffic.

The Council's vehicle parking standards require a provision of 1.5 parking spaces

per dwelling. The indicative plan shows a possible way that parking to serve the development can be accommodated. Similarly there may be alternative ways of achieving this level which could come through within a reserved matters submission. In principle parking can be secured to meet the Council's standards and accordingly no objection is raised with respect to Local Plan Policies T1 and T13 and South East Plan Policy T4.

The LPA retains its position with regards to the vehicular access, however the reserved matters submission is materially different from the outline submission. Rather than providing two spaces per dwelling as per the outline scheme, this revised reserved matter layout proposes six unallocated spaces (5.2m² x 2.5m²) across the site. This meets the Council's Parking Standards, which in this case is a minimum of six spaces. This Standard is supported by data from the last Census, which indicates that average car ownership in the immediate vicinity of the site was 1.45 per dwelling. A number of representations have been received which have highlighted the lack of parking in the area, and the officer has made early morning visits to the site to assess this. There was a degree of competition for parking but not to extent that any overspill parking from these dwellings would cause significant problems to residential amenity or to highway safety. As the revised scheme meets the minimum Standards, the development complies with Policy T13 of the Local Plan.

Local Finance Considerations

None relevant to this application.

Conclusions and Reasons for Approval

The proposed dwellings would be sited within the village boundary and is considered acceptable on amenity and highway grounds. Furthermore the development is reflective of the character of the area in terms of the scale and proportion of the proposed dwellings in relation to the size of the plot. Accordingly the development accords with all the aforementioned development plan policies and is recommended for approval.

This application would normally fall to be considered under officers' delegated powers but has been reported to Planning Committee for determination due to the representations that have been 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/dconline/AcolNetCGI.gov>