

MC/14/2145

Date Received: 28 July, 2014

Location: Garages To Rear Of 17 - 31 Fleet Road, Rochester, ME1 2QB

Proposal: Demolition of existing garages and construction of 6 one bedroom flats, 5 two bedroom houses together with parking, bin storage and access

Applicant: MHS Homes

Agent: Mr Sharp Pellings Pellings 24 Widmore Road Bromley BR1 1RY

Ward Strood North

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 5 November 2014.

Recommendation – Approval subject to:

A. The applicant/owner entering into an agreement under S106 of the Town and Country Planning Act to secure:

- i) A contribution of £15, 679.86 towards open space and playground improvements at Copperfields Open Space to help meet the needs of the development.
- ii) A contribution of £1,503.81 towards enhancements to Woodside Community Centre in Strood.
- iii) A contribution of £5,147 towards enhancing healthcare needs within the NHS services.

B. And the following 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:

712 012 PL02A, 04A, 05, 06 and 07 received 1 August 2014 and 712 012 PL03B received 11 August 2014.

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, including bricks, tiles, rainwater goods, windows, doors, cills, roof coverings and timber feature panels 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 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping (hard and soft) and boundary treatment. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following first occupation of the buildings or 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 Local Planning 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 Policy BNE1 and BNE6 of the Medway Local Plan 2003.

- 5 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to the Local Planning Authority for approval in writing prior to the first occupation of the development. The landscape management plan shall be carried out as approved.

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.

- 6 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected including the details of the boundary treatment between the widened access and no.17 Fleet Road. The approved boundary treatment shall be completed before the first occupation of the development hereby approved and shall thereafter be retained.

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.

- 7 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 8 to 11 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 11 has been complied with in relation to that contamination.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 8 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,
- archaeological 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'.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 9 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.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 10 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 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 bringing into use of the development.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 11 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 8, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 9, 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 8 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 10.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 12 Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of: hours of construction working; noise and vibration limitation and monitoring regimes; access points; screening/mitigation; wheel cleaning/chassis cleaning facilities; dust control measures; protection of surface and groundwater resources, including arrangements for the storage of oils, fuels or chemicals; pollution incident control; site illumination including any cowls to be fitted to ensure that light spillage on sensitive areas is avoided and location of construction compounds/laydown areas and offices. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

Reason: In order to minimise the impact of the construction period on the amenities of local residents and with regard to Policy BNE2 of the Medway Local Plan 2003.

- 13 Prior to the commencement of development details of an external lighting scheme, including its height, position, external appearance, any shielding, light intensity and spillage (such as light contour or lux level plans showing the existing and proposed levels), together with a report to demonstrate its effect on nearby residential properties and how this effect has been minimised shall be submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed prior to the first occupation of the development and shall thereafter be retained.

Reason: In the interests of the safety of the prospective residents and in order to limit the impact of the lighting on the nearby residents to accord with Policies BNE2 and BNE8 of the Medway Local Plan 2003.

- 14 No part of the development shall be occupied until the existing access on to Fleet Road is widened and resurfaced in accordance with the submitted plans.

Reason: to ensure a safe means of vehicular and pedestrian access to the site, in accordance with Policies T2 and T3 of the Medway Local Plan.

- 15 Prior to commencement of the development and notwithstanding the submitted plans, details of traffic calming measures on the internal access roads shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be constructed prior to first occupation of the development and thereafter retained.

Reason: in the interests of pedestrian safety and to accord with Policy T3 of the Medway Local Plan.

- 16 Prior to commencement of the development, details of cycle storage for the flats shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be constructed and made available for use prior to first occupation of the development.

Reason: to provide cycle parking in accordance with the Council's Parking Standards, in accordance with Policy T13 of the Medway Local Plan.

- 17 Prior to commencement of the development, details of replacement car parking provision for number 17 Fleet Road, comprising two off-street spaces, shall be submitted to and approved in writing by the Local Planning Authority for approval. The approved spaces shall be provided prior to first occupation of the development and thereafter retained.

Reason: in order to provide a satisfactory off-street car parking provision for the dwelling, in accordance with the Council's adopted standards and Policy T13 of the Medway Local Plan.

- 18 Notwithstanding the submitted plans, prior to the commencement of development details of the provisions for refuse storage and collection, including the tracking of refuse vehicles and the relocation of the bin stores for the flats, shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse storage shall be provided prior to first occupation and thereafter retained.

Reason: To ensure that the development provides for satisfactory refuse collection and storage to comply with Policy 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 for the demolition of the garages and erection of a two storey building comprising 6 x 1 bedroom flats and a two storey terrace of 5 x 2 bedroom houses. All the units would be for social rent at affordable rents.

The building comprising the flats would be sited at the northern end of the site close to the existing vehicular access between 15 and 17 Fleet Road. Pedestrian access paths and soft landscaping would be formed around the building including steps up the gradient of the site. The two bedroom houses would be sited in a 41m wide, 5.8m deep terrace towards the rear of the site, extending from north to south. The houses would have parking/access road in front (on the eastern side of the site) and individual gardens measuring 10m in depth (min) and 8m in width in the middle of the site. Parking spaces would also be provided on the western side of the site. A total of 27 car parking spaces (for the flats and houses) would be provided. The

existing access between 11 and 13 Fairlead Road would be retained and the existing hard surfaced access around the site would be retained, enabling access to all the proposed parking spaces. The new buildings, both the houses and flats, would be of yellow brick walls with timber panels to add interest and Trespa window surrounds. The terraced block would have a traditional pitched, tiled roof and the flats would feature a flat roof and sloped roof section, both with green sedum. The existing brick walls and garden fences enclosing the site would be retained. New garden fences would be provided to enclose the rear garden of the proposed houses. New soft landscaping would be provided along the western boundary with the rear gardens of the houses in Fleet Road.

An enclosed, lockable cycle store would be provided to the rear of the flats and four waste/recycling enclosures would be provided within the site. New planting would be provided to the frontages and communal areas. The gardens would be laid to lawn.

Site Area/Density

Site Area: 0.34 hectares (0.84 acres)

Site Density: 32.35 dph (13 dpa)

Representations

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

Five letters of objection have been received raising the following concerns:

- There should be no encroachment on number 17 Fleet Road for heavy goods and large vehicles;
- Disruption, noise, dust, pollution during construction;
- The bin storage should not be next to number 19 as it will cause pests and odours as well as potential to facilitate break ins and vandalism;
- Effect on vehicle, pedestrian and cycle safety;
- Pressure on on-street parking due to loss of garages;
- The two access points are inadequate;
- Arriva buses should be consulted;
- The plans do not allow for loading access to properties on St Williams Way;
- The proposed number of parking spaces fails to take into account modern car ownership;
- Balconies on block B will overlook rear gardens of those on St Williams Way;
- Kent Fire and Rescue should be consulted;
- No mention of street lighting;
- Yellow brick is out of keeping with surrounding buildings which are red brick

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

Principle

The site lies on the east side of Fleet Road to the rear of nos. 17 – 31. It is also adjoined on its southern and eastern sides by the rear gardens of neighbouring houses in Fairlead Road and St Williams Way. The northern boundary of the site adjoins open space which is designated for protection under policy L3 of the Medway Local Plan. The site is broadly rectangular, measuring 73m in length and 41m in width. It is comprised of hardstanding and has 86 garages and it is accessed by way of two driveways (2.5m wide and 3.5m wide) between nos. 15 and 17 Fleet Road and 11 and 13 Fairlead Road.

The site is not designated for any particular purposes in the Medway Local Plan and is located within the urban area where policy H4 applies. This states that within the urban area, as defined on the proposals map, residential development will be permitted consisting of:

- (i) the use of vacant or derelict land or the change of use or redevelopment of existing buildings no longer required for non-residential use; or
- (ii) the redevelopment of existing residential areas and infilling in such areas (providing that a clear improvement in the local environment will result); or
- (iii) mixed commercial and residential uses in proximity to town centres; or
- (iv) the use of upper floors above commercial premises

The existing garages hold no particular architectural merit and the remaining area is laid to concrete with no soft landscaping. The principle of development is therefore considered acceptable under criterion (ii) of policy H4 where infilling is supported providing a clear improvement in the local environment will result.

Design

The site slopes up steeply from front (west) to the rear (east). The neighbouring dwellings, which are also on a slope up from west to east, are two storey semi-detached with front and rear gardens. Both on street and off road parking is available.

The proposal provides 5 two storey houses to the east of the site and a two storey building comprising 6 one bed flats to the north. The siting of the buildings within the middle of the site and separated from adjoining gardens by the access road would help safeguard the visual amenities of surrounding occupiers and not be overbearing or unduly cramped on the site. The shortest distance between the rear elevations of the new and existing houses would be 26m (to the east). Existing houses to the west and south would be at least 30m from the new houses and to the north the new houses would adjoin designated open space. The provision of private gardens to the houses would be consistent with the 'grain' of development in the area.

Neighbouring dwellings are two storey semi-detached. The new buildings would be

of a similar scale and profile as surrounding buildings with paved and landscaped parking and grassed areas in front and a pitched roof in keeping with the roofscape of the area. The flats, referred to as Block B, will have a flat roof. Whilst this is not in character with surrounding properties, the building is located behind existing buildings and will not be readily visible from Fleet Road and Fairfield Road. Whilst it differs in design to other residential dwellings, it is not considered to have a detrimental appearance on the character of the area. The sedum roof adds interest and a modern element to the proposal whilst keeping the roof at a lower level and is sustainable.

The submitted design and access statement states that the style and materials of the new blocks would be a modern interpretation of the surrounding traditional forms and works with the topography of the site to ensure that the development is subtle and in keeping with the urban grain of the area. The two blocks are different in design, giving variety to the development and working with the existing topography.

The provision of planting and trees would soften the parking and hard landscaped areas and give the edge of the park a suitably defined edge. Private amenity space will add to the green space and give the development an attractive green residential feel, together with the retained connection to the existing park.

The proposed development therefore accords with policy BNE1 in terms of design and impact on the street scene.

Amenity

The front of the proposed houses will be a minimum of 30m from the rear facades of the properties to the east. The eastern flank of the flats will be over 25m from the rear elevation of the houses on St William's Way. The western flank of the flats will be over 30m from the rear facades of the properties to the west on Fleet Road and the southern most flank of the houses will be over 30m from the rear elevation of those properties on Fairlead Road. Due to the distances involved the proposed development will have no detrimental impact in terms of loss of outlook, privacy, sunlight or daylight.

The Medway Housing Design Standards (the Standards) provide planning guidance that expands upon the existing Medway Local Plan policies S2: *maintaining and improving environmental quality and design standards*; BNE1: *General Principles for Built Development*, BNE2: *Amenity Protection* and H6: *Flat Conversions*.

The standards are provided as baseline requirements, which new residential developments should meet and 'good' requirements, which it is desirable to meet.

The gross internal floor area of the two bedroom (four person) houses would be 83 sq m and the standards recommend 83sqm. The six one bedroom (two person) flats are between 50sqm and 56sqm and the standards require 50sqm. This criterion is therefore met.

The living/kitchen/dining area required as good practice for a two bed (4 person) house is 27sqm which is met. This should be 23sqm for a 2 person flat and this is

also met.

The minimum widths of the single bedrooms would be 2m and the minimum width of the double bedrooms would be 2.75m, and therefore meet the standards. A minimum distance of 20m would be achieved between the rear facades of the homes in the new development and between the nearest neighbouring dwellings. Private gardens with a minimum length of 10m will be achieved and a minimum floor to ceiling height of 2.4m will be achieved in all habitable rooms. The flats would have balconies with a minimum area of 5 sqm and a minimum depth of 1.5m. The main habitable rooms of all the proposed dwellings would be dual aspect.

The site arrangement has been designed to ensure that there is effective overlooking across the gardens, car parking and access areas. This provides a high level of security for both property and residents. New boundary fences would provide a high level of security for future occupiers. The applicants have confirmed a Secure-by-Design Accreditation will be obtained.

The proposed development therefore accords with policy BNE2 and BNE8 of the Medway Local Plan 2003.

Highways

The trip generation database indicates that the proposed development is likely to generate in the region of 5 vehicle trips during each peak period and a total of 48 trips over the course of a day, which equates to just over 4 trips per dwelling. The site currently provides access to 86 rented garages and rear access to a number of properties on Fleet Road. The existing use of the site therefore has the potential to generate more trips than the proposed development of 11 dwellings.

The application includes a Parking Study that considers the impact on kerbside parking in the vicinity of the site if the garages were removed. In order to establish existing demand, an overnight parking survey was undertaken on streets within 200 metres of the site. A total of 242 unrestricted kerbside parking opportunities were identified within the study area, with an average of 132 vehicles parked at the time of the surveys. Whilst two of the streets had high levels of kerbside parking, other areas had significant spare capacity, with a total of 110 spaces available across the study area. The applicant states that, of the 76 garages that are currently rented out, (10 are not rented at present) only 23 are let to people from the local area. Assuming that all 23 garages are used for car parking on a regular basis, the parking survey demonstrates that there are sufficient on-street opportunities to absorb this level of displaced parking demand.

The existing access on to Fleet Road is proposed to be widened to 4.8 metres in order to better accommodate both pedestrian and vehicle movements, and to improve visibility along the adjoining footway. In this regard, it is requested that details of the boundary treatment between the widened access and number 17 Fleet Road be secured by planning condition, in order to ensure that it does not compromise visibility for vehicles leaving the site. The access on to Fairlead Road is proposed to be retained at its current width of 3.5 metres which, taking in to consideration the improvements to the main access and the relatively low level of

traffic generated by the development, is considered acceptable. Whilst a traffic calming rumble strip on the Fleet Road access is shown, it is suggested this be positioned closer to Fleet Road than shown on the submitted plan, in order to slow vehicles before they emerge on to the footway. A rumble strip on the Fairlead Road access is also considered appropriate. For these reasons, it is recommended that details of traffic calming measures be secured by planning condition.

The application does not demonstrate that the geometry of the access on to Fleet Road/Fairlead Road, together with the internal layout, could accommodate refuse vehicles. It is therefore recommended that vehicle tracking diagrams be submitted for assessment.

In light of the relatively low number of vehicle movements generated by the development, and subject to the provision of vehicle tracking diagrams, it is considered that the proposed access arrangements are acceptable and comply with Policy T2 of the Local Plan.

The Council's Parking Standards require a provision of 16 off-street spaces to serve the development. The proposal for 21 parking spaces exceeds this and therefore no objection is raised in respect of Policy T13 of the Local Plan. In order to widen the site access, the garage serving number 17 Fleet Road is proposed to be demolished. It is recommended that details of a replacement off-street parking space for this dwelling, which may require changes to the front area of the property and the wall along the frontage, be secured by planning condition.

The proposed development therefore accords with policies T1, T2 and T13 of the Medway Local Plan 2003.

Other Matters

Refuse:

The proposals show four waste collection areas within the site. Whilst no objection is raised to those which serve the houses it is not clear why these are required and could not be incorporated within the site of each property. The position of the bin store for the flats to the rear of the rear gardens of 17 and 19 Fleet Road is not ideal firstly due to the position adjacent to these neighbours gardens and secondly it is not within easy reach of the flats and require the occupants to cross the road. It would be preferable to accommodate the bin store within or adjacent to the building. As a consequence a condition is recommended to ensure amended plans are submitted showing alternative bin storage arrangements.

Contamination:

The application has been supported by the following reports in support of their planning application:

Phase I Desk Study undertaken by Soils Limited dated June 2014 (report reference: 14342/DS)

The desk top study includes a site history, site walkover, information on the geology and hydrogeology at the site. A conceptual site model has been developed for the site. The desk top study recommends that a site investigation is undertaken to support the conceptual site model.

The site investigation should include testing of samples for a general suite of contaminants and hydrocarbons as well as asbestos, due to the previous use of the site as garages.

Subject to conditions the proposal accords with policy BNE23 of the Medway Local Plan 2003.

Noise

It is recommended that a condition dealing with the construction phase of the works be applied if the application is approved. This will be to protect the amenity of residents living close to the proposed development site.

Subject to this condition the proposal is considered to accord with policy BNE2 of the Medway Local Plan 2003.

Trees:

There are no trees on the site. A Tree Survey has been undertaken and this indicates the root protection areas which should be observed in the interests of surrounding trees. These take account of buildings, paved areas and structures such as retaining walls that will prevent root growth. The Tree Survey drawing shows all the tree protection considerations in the context of the proposed development. It also shows a practical drawing for use during construction, to install the protective measures and show the tree protection requirements for the entire period of construction.

S106 matters -

The Community Infrastructure Levy Regulations 2010 provide that in relation to any decision on whether or not to grant planning permission to be made after 6 April 2010, a planning obligation (a s106 agreement) may only be taken in to account if the obligation is;

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

A need has been identified for contributions towards open space and playground improvements at Copperfields Open Space to help meet the needs of the development, towards enhancements to Woodside Community Centre in Strood and towards enhancing healthcare needs within the NHS services.

Local Finance Considerations

None relevant

Conclusions and Reasons for Approval

The proposed development is considered to complement the street scene in terms of design and scale, will have no significant detrimental impact on neighbouring amenities, trees, contamination and highways safety and parking and therefore accords with the above-mentioned policies and is recommended for approval.

The application would normally be determined under delegated powers but is being reported to Committee due to the number of letters of representation received contrary to Officers' 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://publicaccess.medway.gov.uk/online-applications/>