

MC/14/1818

Date Received: 26 June, 2014

Location: Land Adjacent 23 Symons Avenue, Chatham ME4 5UP

Proposal: Construction of 2x one bedroom flats with parking

Applicant: MHS Homes

Agent: Mr Matthew Hedges Pellings 24 Widmore Road Bromley Kent
BR1 1RY

Ward Chatham Central

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 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: 712/018/SK1 A received on 27 June 2014 and 712/018/SK4 D, received on 22 July 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 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 residential unit shall be occupied within the development hereby permitted until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority pursuant to condition 5. 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 to accord with Policy T13.

- 5 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping (hard and soft) and this shall include information on drainage for the parking spaces to the front. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the dwelling 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.

- 6 If, during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until a method statement has been submitted to and approved in writing by the Local Planning Authority. The method statement must detail how the unsuspected contamination shall be dealt with and the approved method statement must be carried out in accordance with the approved details.

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

- 7 No residential unit shall be occupied within the development hereby permitted until details of the refuse storage arrangements and enclosure, including provision for the storage of recyclable materials, has been submitted to and approved in writing by the Local Planning Authority. No residential unit shall be occupied until the approved refuse storage arrangements have been implemented on site and all approved refuse storage arrangements shall thereafter be retained.

Reason: In the interests of visual amenity and to ensure a satisfactory provision for refuse and recycling in accordance 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

This application seeks planning permission for the construction of 2x one-bedroomed flats with two off-road parking spaces. The site has an existing crossover onto Buller Road. It is proposed to double the width of this crossover to allow for two-off street parking spaces in the same location.

The property would be two storeys in height with a brick face at ground floor level, a horizontal brick band detail with render to the first floor and a tiled, hipped roof. New shrub planting would be undertaken in front of a refuse store and along the boundary with Symons Avenue; and the site would be enclosed by close-boarding timber fencing.

Site Area/Density

Site Area: 0.0182 hectares (0.045 acres)

Site Density: 109 dph (44.7 dpa)

Relevant Planning History

- | | |
|-----------------------------|--|
| Case ref: MC/09/1123 | Demolition of one pre-fabricated bungalow & construction of one 2-bedroomed house with ancillary parking & storage facilities
Decision Withdrawn by Applicant
Decided 08/10/2009 |
| Case ref: 76/55/A | Continuation of use of one two-person bungalow for old persons
Decision Approval with Conditions
Decided 08/04/1981 |
| Case ref: 76/55 | Erection of 1 2-person bungalow for old persons
Decision Approval with Conditions
Decided 09/06/1976 |
| Case ref: 75/55/B | Renewal of temporary consent for one two person bungalow
Decision Approval with Conditions
Decided 16/04/1986 |

Representations

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

3 letters of representation have been received, raising the following concerns:-

- Kitchen/Living Room windows overlook 28 and 30 Symons Avenue
- This land has always been for one home, not two.
- Not in keeping with wider area
- No other flats within Buller Road/Symons Avenue
- Concerns regarding treeline on the Symons Avenue boundary, with fears that the trees would be neglected and may cause hazards to pedestrians.
- The site has been poorly maintained for last four years and has been subject to fly tipping, rodents and the temporary security fencing falling on parked cars, so we as a community are encouraging this site to not only be cared for in the meantime, but built on as soon as possible and well looked after in the future.

With regards to the comments in respect of the planning meeting chaired on the 13th November 2013. This meeting was arranged by the applicant and the Local Planning Authority had no involvement with this meeting.

In response to points made about correspondence from this Authority in relation to this application, the application only became valid on the 27 August 2014. Following that, a statutory consultation period of 21 days was undertaken.

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 key element of national housing policy is to minimise the loss of Greenfield sites for residential use by making the best use of development opportunities within urban areas. This is reflected in Policy H4 of the Medway Local Plan 2003. Given that the application site is located within a residential area and was previously developed and that the proposal is for residential purposes, the development is considered to be acceptable and in accordance with Policy H4 of the Medway Local Plan 2003 subject to further consideration of detailed matters set out below.

Street Scene and Design

The site is located within an area of short terraces comprising two storey dwellings of distinct character and a pepper potting of semi-detached

properties. The prevailing character is of horizontal projecting brick band between ground and first floor levels, and hipped roofs. The plot appears to have been formerly part of the gardens of the adjacent dwellings 35 Buller Road and 23 Symons Avenue (which is the situation with other junction sites in the immediate location).

The proposal is for a single building to be constructed on the site to appear as a single dwelling house except for the two doors which would serve the individual flats. The building would sit comfortably within the plot with its associated parking and the design of the building itself is such that it would reflect the general design of other buildings within the locality.

The submitted scheme would effectively revitalise an otherwise unsightly gap in the street scene and is considered acceptable when given due consideration against Policies BNE1 and H4 of the Medway Local Plan 2003.

Amenity

The sitting, proportions and orientation of the dwelling is such that it is not considered to impinge upon outlook, sunlight and daylight of neighbouring properties. With regard to the impact upon the privacy of neighbouring dwellings, the proposed rear elevation (east-facing) includes two high-level windows which would inhibit direct overlooking into the amenity space to the side of 23 Symons Avenue. Whilst the outlook from these high-level windows would be poor, both habitable living/kitchen/dining areas are also served by sizable windows on the southern flank and as such, no objection is raised.

With regards to the other flanks, no objection is raised to privacy when you consider that both windows on the northern flank would be obscured glazed, serving the ground floor bathroom and staircase; nor to the south or western elevations, by virtue of the reasonable distance and (existing) mutual overlooking between properties on the southern half of Symons Avenue and western half of Buller Road.

The Medway Housing Design Standards (MHDS) represent reasonable universal minima that ensure that homes allow residents to comfortably undertake their day-to-day living activities. In terms of the amenities for future occupiers, the proposal is assessed against the MHDS in the table set out below:

	MDHS Min Gross Internal Floor Area (GIA)	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
Ground Floor Flat 1b2p	50sqm	50sqm	23sqm	24sqm	12sqm	13sqm
First Floor Flat 1b2p	50sqm	55sqm	23sqm	25sqm	12sqm	14sqm

The development would result in the 2 x 1 bed-2 person flats having a floorspace that would meet or exceed the minimum 50 sq m standard. In addition to that, the applicant has plotted furniture on the submitted drawings which indicates that the room is still able to comfortably contain the required furniture without compromising available space and both flats would comply with the baseline standards regarding circulation, storage and utility; and good practice standards relating to bedroom and living/dining/kitchen areas.

Overall, the development is acceptable with regards to both occupier and neighbouring amenities and as a result, is considered to comply with the objectives of Policy BNE2 of the Medway Local Plan 2003.

Highways

A parking area which could accommodate two vehicles is proposed to the front of the building. Some maneuvering would be necessary, but this would not be to the detriment of highway safety or to the amenity of the future occupiers. This level of provision is considered sufficient to provide off street parking to meet Medway Council's standards for the number of units proposed. To guarantee compliance, it is necessary to impose a condition securing the parking arrangement prior to occupation of the flats. In terms of visibility, it is evident from the submitted plans that there is adequate visual splays in both directions along Buller Road and the junction with Symons Avenue.

As such, the proposal is satisfactory from a parking and highway safety perspective and as such no objection is raised to the development under the provisions set out under Policies T1, T2 and T13 of the Medway Local Plan 2003.

Contaminated Land

No information has come forward with regards to potential contaminants. However, a condition could be applied to ensure that if contaminants are found during the course of the construction that this is dealt with appropriately.

Local Finance Considerations

None relevant to this application.

Conclusions and Reasons for this Recommendation

For the above reasons, the proposed dwelling represents an appropriately proportioned and designed dwelling which respects the surrounding character, neighbouring amenities, highway requirements and all other material considerations. The development complies with the objectives of the above-mentioned development plan policies and is recommended for approval.

This proposal would normally fall to the determined under delegated powers but is being reported to Planning Committee for determination due to the number 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://publicaccess.medway.gov.uk/online-applications/>