

MC/14/2467

Date Received: 21 August, 2014

Location: Garage Site Rear Of 23-29 Seagull Road, Strood, Rochester, ME2 2SQ

Proposal: Demolition of existing garages and construction of 10 one and two bedroom flats; undercroft and surface parking; landscaping and associated refuse and bin stores

Applicant: MHS Homes

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

Ward Strood South

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 7 January, 2015.

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 £12,059.04 towards open space provision (improvements to Knights Place recreation ground and open space off Albatross Avenue);
- ii) A contribution of £1,367.10 towards community centres and neighbourhood facilities (equipment upgrades at Woodside Community Centre, Strood); and
- iii) A contribution of £1,249.5 towards the Great Lines Heritage Park (footpath maintenance).

B. And the imposition of 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:

712 023 PL05 A, PL12 & PL13 received 21 August 2014, PL01 A & PL02 A received 5 September 2014, PL03 A, PL04 A, PL06 A, PL07, PL08, PL09, PL10 & PL11 received 23 September 2014 and PL03 B received 25 September 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 development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping (including surfacing materials, plant species, size at time of planting and numbers/spacing/density) together with a timescale for implementation. All hard landscaping and planting comprised in the approved scheme of landscaping shall be implemented in accordance with the approved timescale. The hard landscaping shall thereafter be retained as approved. 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.

Reason: Pursuant to condition 197 of the Town and Country Planning Act 1990 and to 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 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 (or retained), such details to include the existing and proposed ground levels on each side of the boundaries in order to demonstrate that the privacy of neighbours to the site will be achieved as part of the development and a timescale for the completion of the works. The approved boundary treatment shall be completed in accordance with the approved timescale and shall thereafter be retained.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual and residential amenity in the locality, in accordance with Policies BNE1 and BNE2 of the Medway Local Plan 2003.

- 6 No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP 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 CEMP.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety and with regard to Policy BNE2 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 first occupation 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 9 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 No development shall take place until details of the proposed means of foul and surface water sewerage disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details before the building is first occupied and shall be maintained as such thereafter.

Reason: In order to ensure that adequate sewerage disposal is catered for a part of the development in the interests of public health and amenity.

- 13 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To protect the underlying groundwater from the risk of pollution and in accordance with the requirements of the National Planning Policy Framework.

- 14 No development shall take place until a scheme of measures to minimise the risk of crime, according to the principles and physical security requirements of Crime Prevention Through Environmental Design, has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is first occupied and thereafter retained.

Reason: In the interests of security, crime prevention and community safety and with regard to Policy BNE8 of the Medway Local Plan 2003.

- 15 Notwithstanding the submitted plans no development shall commence until alternative details of refuse and recycling storage for the development have been submitted to and approved in writing by the Local Planning Authority, avoiding the visibility splays. The approved facilities shall be provided before the development is first occupied and thereafter retained.

Reason: To ensure that adequate refuse storage facilities are provided in the interests of amenity and highway safety with regard to Policies BNE2, T1 and T2 of the Medway Local Plan 2003.

- 16 No development shall take place until full details of the cycle parking

provision (to the rear of the undercroft parking area, underneath the building) have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is first occupied and thereafter retained available for this use.

Reason: To ensure that adequate cycle parking facilities are provided on the site with regard to Policy T4 of the Medway Local Plan 2003.

- 17 Prior to the first occupation of any of the flats hereby approved the area shown on the submitted layout for vehicle parking, turning and access shall be provided (including marking out), surfaced and drained. Thereafter it shall be kept available for such use by occupants of the ten flats (the 16 parking spaces) and for local residents (the 10 retained garages), 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 and turning space.

Reason: Development without provision of adequate access, turning and accommodation for the parking of vehicles is likely to lead to hazardous on-street manoeuvring and parking and a loss of amenity and in accordance with Policies BNE2, T1 and T13 of the Medway Local Plan 2003.

- 18 Prior to the first occupation of the flats hereby approved, details of all external lighting, including its height, position, external appearance, any shielding, light intensity, colour, spillage (such as light contour or lux level plans showing the existing and proposed levels) and hours of use together with a report to demonstrate how its effect on nearby residential properties has been minimised shall be submitted to and approved in writing by the Local Planning Authority. Only the external lighting approved pursuant to this condition shall be used on the site and it shall only be used within the hours approved pursuant to this condition.

Reason: In order to limit the impact of the lighting on the nearby residents with regard to Policies BNE2 and BNE5 of the Medway Local Plan 2003.

- 19 All of the windows/openings on the east elevation of the building including the sides of the balconies shall be fitted with obscure glass/paneling up to a height of not less than 1.7 metres above the internal finished floor level of the room/balcony which it serves. The paneling shall be fixed in place and apart from any top-hung light that has a cill height of not less than 1.7 metres above the internal finished floor level of the room it serves the windows shall be non-opening. This work shall be carried out and completed before the flats are first occupied and shall be retained at all times thereafter.

Reason: To ensure the development does not prejudice conditions of amenity by reason of unneighbourly overlooking of adjoining property 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

It is proposed to demolish 50 of the 60 garages on this site and to construct a single block containing 8 1-bedroom and 2 2-bedroom flats. The site slopes significantly from the higher land at the south to the lower land at the north. It is proposed to provide 8 undercroft parking spaces beneath the northern side of the building, opposite the 10 garages which are to be retained by the northern site boundary. Above this, on the lower ground floor, would be 2 2-bedroom flats with their primary aspect to the north and 2 1-bedroom flats having their primary aspect to the south. Above this, on the upper ground floor, would be 4 1-bedroom flats together with a pedestrian link across to 8 parking spaces which would be positioned close to the southern site boundary. Finally, on the first floor would be a further 2 1-bedroom flats, these being positioned over the southern part of the building.

The proposed building would be approximately 16m by 21.6m and would be located fairly central to the site, 20m from the southern site boundary, 13.6m from the northern side boundary, a minimum of 4m from the eastern boundary and a minimum of 13.5m from the boundaries of the properties to the west. It is designed to step down the hill, with the northern section being one storey higher than the southern section. Externally it would have red brick walls with timber and composite panel features and a fairly shallow mono-pitch slate roof.

The existing access route from Seagull Road would be retained, the first and last spurs off to the existing garages kept to access the garages which are to remain and the proposed parking areas. The central spur would be removed as part of the landscaping. A communal refuse store is shown to be provided on an existing landscaped area near Seagull Road.

The application submissions include a parking study, a Phase 1 Desk Study (contamination) and a tree survey.

Site Area/Density

Site area: 0.203 hectares (0.5 acres)

Site density: 49.3 dph (20 dpa)

Representations

The application has been advertised on site and by individual neighbour notification to the owners and occupiers of neighbouring properties. Hoo St Werburgh Parish Council has also been consulted.

The **Environment Agency** consider that planning permission could be granted if planning conditions regarding unexpected contamination and surface water drainage infiltration are included, without these conditions they would object to the application

as the development may pose an unacceptable risk to the environment. The site overlies a principle aquifer used for public water supply and is in SPZ2. The NPPF says that the planning system should contribute to and enhance the natural and local environment by preventing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

Kent Police have considered the application with regard to the Crime Prevention Through Environmental Design matters. They confirm that the applicant/agent has considered crime prevention and has attempted to apply the seven attributes of this guidance, stating that Secured by Design accreditation will be obtained. This will enhance the security of the development and they look forward to working with the applicant should it proceed.

To date they have had no communication from the applicant/agent and in particular boundary treatments, securing the undercroft parking and access control measures need to be discussed. The applicant's attention should be drawn to the Kent Design Initiative which will also assist them with crime prevention and community safety. A meeting would be welcomed and this is preferable at an early stage as awarding secure by Design, BREEAM and Codes for Sustainable Homes retrospectively can prove difficult and costly. If contact is not made before the determination of the application a condition (or alternatively a letter or informative) is recommended to ensure that crime prevention is addressed effectively.

Southern Gas Networks have provided information on their mains records for the area and ask that these and their gas safety advice booklet be passed on to the senior person on the site.

Southern Water have provided the approximate position of a public water distribution main within the access of the site together with advice regarding this, advising the applicant to contact them direct. They also provide advice should any sewer be found on the site and request informatives regarding the need to apply to them for formal connection to a public foul sewer, as well as regarding the detailed design of the proposed drainage system. Their initial investigations indicate that there are no public water surface sewers in the area to serve the development and they request a condition regarding the need to gain approval for details of foul and surface water sewerage disposal before any development starts.

A petition with 44 signatures (representing 118 householders from 44 addresses) together with 1 individual representation objecting to the proposals have been received, in summary raising the following concerns:

- Encroaching on neighbours by overlooking, loss of privacy;
- Some surroundings already have poor light and this would be further impeded;
- View from neighbouring properties would be dismal;
- Three storey is totally inappropriate for the site due to the amount of properties proposed and the height, out of keeping with the area;
- Not enough parking at present or for the new build, the parking study is not an accurate appraisal, further parking congestion;

- Rise in crime rate, this type of build tends to attract nuisance people and groups that have no regard for local properties;
- Seagull Road is already very dangerous, this would worsen;
- The location of the refuse facility would be a severe issue to neighbours due to smell and increased vermin and pests;
- Access to private garages may become blocked by new residents and visitors;
- Children may not be able to play safely where they do at present due to increased traffic and parking;
- No mention of where extra parking is to be sited and residents fear a loss of green spaces by their homes;
- The drainage system is already inadequate with drains blocking and overflowing, this would be worsened;
- If there has to be new properties it should not be three storey flats;
- There was only one pre-application consultation and objections were not taken into account;
- The notification and site notice were inadequate.

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003 (the 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 (the NPPF) and are considered to conform.

Planning Appraisal

Principle

The site is located within a primarily residential urban area and there is no overriding objection in principle to its development for residential purposes including with regard to Policy H4 of the Local Plan and the advice given in the NPPF, paragraph 49 advising that housing applications should be considered in the context of the presumption in favour of sustainable development. However the site is also a form of backland development being to the rear of a number of existing properties, although due to its form and size the access from Seagull Road in effect gives the site a public frontage. Policy H9 of the Local Plan advises that backland development will only be permitted when it does not constitute piecemeal development that would threaten the comprehensive development of a wider area, and this would not happen in the current case. This Policy then goes on to give detailed assessment criteria and these will be examined in the sections below.

Street Scene and Design

The site is located in an area which mainly consists of semi-detached and terraced two storey brick and tiled houses, all of a similar character. However it forms a small enclave, which is to some extent tucked away within this estate, although it is clearly visible from surrounding dwellings. At present the site, containing garage blocks, is of very little visual merit. Due to the site constraints, particularly the level changes,

an opportunity has been taken to design an individual development in order to meet the applicants' requirements. The proposed building, a stepped, three storey structure with a shallow mono-pitched roof, is quite different from surrounding houses in scale and bulk, however in itself it is considered to be an interesting building with well-proportioned large windows and a picturesque profile that steps down the steep slope on which it would stand. Due to its backland position it would not impinge greatly on the character of the area but would add variety to what is otherwise a uniform area. From further afield the building would be visible in distance views from the north however it is not considered that this would be harmful, despite its difference to existing buildings, the stepping down the hill being helpful in mitigating its impact.

In summary the visual impact and design of the development is considered acceptable including with regard to Policies BNE1 and H9 of the Local Plan and to the advice given in the NPPF (section 7).

Amenity Considerations

There are two main amenity considerations, the impact on neighbours and the standard of amenity which would be experienced by potential residents of the site itself.

As discussed above the building has been individually designed taking into account the site location and levels. It is not considered that this general appearance in itself will be harmful to the outlook of neighbours, although obviously it will be a significant change in what they are used to seeing, a large garage site.

The proposed building would be located fairly central to the site, 20m from the southern site boundary, 13.6m from the northern side boundary, a minimum of 4m from the eastern boundary and a minimum of 13.5m from the boundaries of the properties to the west, being designed to step down the hill.

Taking each side in turn, the houses to the south of the site are at a higher ground level and there would be a minimum separation distance of approximately 24m between the buildings, the proposed flats appearing two storey from this side and the intervening land including access, parking and amenity land within the site.

To the east the lower ground floor is set off the boundary with the rear of neighbouring back gardens by a minimum of 4m, the upper floors being set off by 5.5m. The neighbouring houses on this side are at an angle, with the closest building to building distance being 20m. There are windows and also the side of balconies on this eastern elevation of the proposed building, however the windows are at high level with paneling below in order to prevent an outlook across neighbouring gardens. An obscured panel is also shown to the side of the first floor balcony however it is considered that this would need to be raised in height in order to ensure there were no views in this direction – this would be secured by condition.

To the north the lower ground floor (with the undercroft parking below) would be 13.6m from the site boundary with the floor above being set further back at 15m away and the upper floor stepped even further back approximately 21.5m away. The

neighbours on this side in Bligh Way are at a much lower level, although the garage block along this boundary is to be retained which will aid in separating the existing and proposed dwellings. The floor level of the proposed lower ground floor is approximately level with the roof height of these garages and there would be 26.5m between it and the rear of the houses behind in Bligh Way, the higher floors stepping away such that the upper ground floor would be 28m away and the first floor would be 34.5m away.

To the west the neighbouring properties also fall in level from north to south. The proposed flats would be a minimum of 13.5m from the boundaries of these houses, with a minimum of 19.5m corner to corner on the lower ground floor, 22.5m to the upper ground floor with a greater separation distance from the first floor.

The Medway Housing Standards (MHS) require a minimum distance of 20m between new and existing dwellings. This is achieved by the majority of the development and where the separation distance is just under (19.5m) the dwellings are angled such that for the most part 20m separation is still achieved. In these circumstances, and with regard to the above, on balance it is considered that the impact on neighbours will be acceptable, including with regard to privacy, light and outlook.

As the site is closely related to neighbouring properties a condition requiring a Construction Environmental Management Plan is recommended in order to help limit the impact on the construction period on the amenities of local residents. Whilst any buildings works are likely to cause some degree of noise and disturbance this will help to limit the impact to an acceptable level.

In summary there is therefore no objection to the development in respect of its impact on the living conditions of neighbours, including their light, privacy and outlook.

With regard to the amenities of future occupants of the development itself the proposed dwellings have been assessed with regard to the MHS:

Number of bedrooms /occupancy	Number of units	MHS minimum Gross Internal Area	Gross Internal Area proposed
2 bedroom 4 person	2 flats	70m ²	70m ²
1 bedroom 2 person	8 flats	50m ²	6 x 50m ² 1 x 51m ² 1 x 52m ²

The size of the proposed units complies with the internal floor areas required by the MHS. In addition each flat would have a terrace or balcony to provide a small outside amenity area. Although one of the balconies for the 2 bedroom units is 6 rather than the required 7sqm it not considered that refusal on this basis would be reasonable, including as there are additional communal landscaped areas around the proposed building.

In summary the amenity implications of the development are considered to be

acceptable including with regard to Policy BNE2 of the Local Plan and the fourth core planning principle in paragraph 17 of the NPPF.

Highways and Parking

There are two main issues, the impact of the loss of the existing garages and the impact of the proposed development.

The application submissions include a parking survey and associated information. This says that 47 of the 50 garages which would be lost as a result of the development are currently in use, 12 of these being let out to people within the local area. In addition one resident of Penguin Close would lose their garage in Albatross Avenue as a result of the development there (MC/14/2431). Assuming that all of these 13 locally-used garages are used for car parking on a regular basis, the knock-on impact of their loss of on-street parking in the local area needs to be considered.

A Parking Study has been submitted with the application in order to help assess the potential impact on kerbside parking in the vicinity of the site. In order to establish existing demand overnight parking surveys were undertaken on streets within 200 metres of the site - Seagull Road, Bligh Way, Scholars Rise, Tern Crescent, Penguin Close and Widgeon Road. The surveys indicate that there is not a high demand for on-street parking in the vicinity of the site. Of the 181 unrestricted kerbside parking opportunities identified within the study area an average of 107 vehicles were parked at the time of the surveys (which were undertaken midweek at 1am), leaving 74 spaces available. It is considered that these surveys adequately demonstrate that there are sufficient local on-street parking opportunities to absorb the level of local parking demand which would be displaced by the development.

With regard to the development itself the Council's Parking Standards require the provision of a minimum of 13 off-street spaces to serve the development. It is proposed to provide 16 parking spaces which would comply with these Standards. Cycle storage in accordance with the Standards is also provided, this being positioned behind the undercroft parking underneath the building.

The development proposes to retain the existing access arrangements onto the public highway which is acceptable. However the proposed refuse and recycling store is positioned within the visibility splay and therefore needs to be repositioned. A condition to address this is recommended.

The trip generation database indicates that the proposed development is likely to generate around 2 vehicle trips during each peak period and a total of 23 trips over the course of a day, which equates to between 2 and 3 trips per dwelling. This low level of traffic would not have a material impact on conditions of highway capacity or safety, also taking into consideration potential vehicle trips generated by the 50 rented garages currently on the site which would be removed.

In summary in the above circumstances the proposals are considered acceptable with regard to parking matters as there is local on-street capacity for the local residents cars displaced by the loss of the garages and there would be sufficient parking on site for the proposed flats. In addition the proposed access arrangements

are considered satisfactory and it is not considered that any change in the traffic levels generated by the site as a whole will cause a danger to highway safety. There are no objections with regard to Policies T1, T2, T4 and T13 of the Local Plan.

Other Matters

As the site is currently used for garages a desk top study to assess any potential contamination risks has been undertaken. The desk top study recommends that a site investigation is undertaken to support the conceptual site model and this would need to 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. This will be required by planning conditions with regard to Policy BNE23 of the Local Plan and paragraph 121 of the NPPF.

Both Southern Water and the Environment Agency have provided comments on the application and their requested conditions and informatives are included in the recommendation, including with regard to Policy CF12 of the Local Plan and paragraph 109 of the NPPF.

Kent Police have commented on the proposals with regard to Crime Prevention Through Environmental Design matters. They confirm that the applicant/agent has considered crime prevention as part of the scheme but that further details will need to be addressed. A condition is therefore recommended in order to ensure that this is undertaken, including with regard to Policy BNE8 of the Local Plan.

There is no vegetation of note on the site and whilst there are some trees in neighbouring gardens no vegetation of special merit would be affected by the development. The Tree Survey submitted with the application recommended some protection measures by the northwest corner of the site, however the scheme has changed since this was prepared, with the adjacent garage block no longer to be removed. In these circumstances the protection measures are no longer considered necessary. New planting will be required by condition which will help soften the impact of the proposed flats within their surroundings.

Concern has been raised regarding a lack of consultation but all neighbours who immediately adjoin the site have been individually consulted and two site notices erected.

Neighbours have raised concern about the position of the bin stores close to their properties. A revised position is needed as it would obstruct visibility and so the concerns of neighbours can be taken into account when this is considered (pursuant to a condition).

Local Finance Considerations

None considered relevant to the current application.

Conclusions and Reasons for Recommendation

In summary there is no overriding objection in principle to the redevelopment of this

garage site for residential purposes. In addition it is considered that the criteria given for allowing backland development in Policy H9 of the Local Plan are met, such that it is not unacceptable in this respect. The individual design is considered acceptable for the setting and would not unacceptably harm the amenities of neighbours. The standard of accommodation would provide a suitable living environment for potential occupants and the parking and highway impacts are considered acceptable. There are no objections with regard to Policies BNE1, BNE2, BNE8, BNE23, H4, H9, T1, T2, T3, T13 and CF12 of the Local Plan and the NPPF and the application is recommended for approval.

This application would normally fall to be determined under officer's delegated powers but is being reported for Members' consideration due to the petition expressing a view contrary to the 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/>