

MC/15/0873

Date Received: 18 March, 2015

Location: 208 Windmill Road, Gillingham, ME7 5PE

Proposal: Application for approval of reserved matters (appearance and landscaping) pursuant to conditions 1 of Outline permission MC/11/1109 - for demolition of bungalow & construction of 10 flats

Applicant: Mr P Giles

Agent: Mr D Stoneman Architecture One LLP 69 Station Road Rainham Kent ME8 7SB

Ward Gillingham South

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 3 June, 2015.

Recommendation - Approval with Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
sk101, sk102, 2008/18/P02 rev G, P04 rev G, P05 rev F, P06 rev F, P07 rev F and P08 rev E received 18 March 2015.

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

- 2 No development shall take place above slab level 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.

- 3 Prior to the installation of any external lighting on the site details of such 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 its effect on nearby residential properties and of how this effect 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 landscaping of the site, the surrounding landscape, nearby residents and with regard to Policies BNE1, BNE2 and BNE5 of the Medway Local Plan 2003.

- 4 No development above slab level shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping (hard and soft). All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following 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 Prior to the commencement of the development hereby permitted, a construction code of practice covering noise, dust, air quality and lighting for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved construction code of practice.

Reason: In the interests of the amenities of nearby properties 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 approval of reserved matters (appearance and landscaping) pursuant to condition 1 of outline permission MC/11/1109 for the demolition of the bungalow and construction of 10 flats.

Site Area/Density

Site Area: 0.04 ha (0.113 acres)

Site Density: 218 dph (88 dpa)

Relevant Planning History

MC/11/1109	Outline application for demolition of bungalow & construction of 10 flats Decision Refusal Decided 13 July, 2011
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	<p>Appeal Allowed Decided 9 July 2012</p>
MC/10/3249	<p>Outline application for demolition of bungalow and construction of 9 apartments (resubmission of MC/10/2138) Decision Refusal Decided 29 October, 2010</p>
MC/10/2138	<p>Outline application for demolition of bungalow and construction of a block comprising 9 apartments (Resubmission of MC/09/2241) Decision Refusal Decided 9 August, 2010 Appeal Allowed Decide 26 January 2011</p>
MC/09/2241	<p>Outline application for demolition of bungalow and construction of a block comprising 7 apartments Decision Approval With Conditions Decided 13 May, 2010</p>
MC/09/0206	<p>Outline application for demolition of bungalow and construction of a block comprising 7 apartments Decision Refusal Decided 05/05/2009 Appeal Dismissed Decided 12/10/2009</p>
MC/08/1566	<p>Outline application for demolition of existing buildings and construction of nine apartments Decision Refusal Decided 19/12/2008 Appeal Dismissed Decided 12/10/2009</p>

Representations

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

7 letters have been received raising the following concerns:

- Overdevelopment
- Lack of parking
- Loss of light
- Access for the Fire Brigade
- Refuse collection
- Modern development with no access for wheelchairs
- Sewerage capacity
- Footings could compromise 206 Windmill Road

- Steep road hazardous in the snow
- Increase in noise and disturbance for neighbours
- Not sufficient amenity space for new residents
- Sets a precedent for overdevelopment with no parking
- Not in keeping with the street
- 216 Windmill Road will need underpinning
- Flats do not meet Medway Housing Standards internally or externally
- Plans do not show how adequate visual privacy to each home will be achieved
- Plans do not show where bin store is or what will surround it
- Holly tree should remain
- No details of the species of trees and shrubs have been provided
- Trees should remain
- Noise from flat 9 when the windows are open
- Noise within the flats
- Overlooking
- No bin store, cycle store, clothes drying area shown
- Where will extractor fans be?
- There should be s106 contributions
- Out of character with the area

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003. The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework, 2012 and are considered to conform.

Planning Appraisal

Background

The application site has outline planning permission approved with conditions by the Planning Inspectorate on 9 July 2012. The outline approval gave permission for access, layout and scale and while some of the objections relate to either matters of principle or to matters of scale, access or layout, these cannot be considered as part of this application as they have already been approved at Appeal. The current application is purely for reserved matters relating to external appearance and landscaping.

External Appearance

The application site is located within a residential part of Gillingham. The land slopes sharply down to the south and there is a residents parking scheme in force. The properties are a mixture of two and three storey, some detached, semi detached and terraced. The designs of the properties are significantly mixed.

The application site is a bungalow set at a higher level than the road. This application seeks approval for the appearance and landscaping for the proposed 10

flats which already has approval under reference MC/11/1109. The drawings show a three storey building which has the appearance of the semi detached property and an attached two storey building. The appearance of the flats gives an impression of houses and fits in well with the existing street scene. The front bay windows and gable roofs are also features that can be seen at neighbouring properties. The only difference between the submitted plan and that shown as indicative under reference MC/11/1109 is that the front entrance will have one large door rather than two separate doors and steps. No objection is raised to this and overall the appearance of the proposed development is considered to complement the street scene and neighbouring area. In terms of the rear, this has less detail and is more utilitarian in design however, it is not dissimilar to the rears of adjacent properties and will not be readily visible from any public vantage point. No details of materials have been submitted and therefore a condition is recommended to control this.

In terms of the landscaping, this is proposed to consist of what appears to be some grass and steps to the front, a path to the northeastern side which is tree lined, a patio to the rear and a lawn to the rest of the garden. Whilst this appears acceptable in principle the level of detail is poor, there are no details of species or materials. There is no key to the plan and therefore assumptions are needed to be made. While the principle of the areas of landscaping is acceptable further details are required and a condition is recommended that full details, including species of plants/trees and materials are submitted.

Boundary treatment, the covered cycle parking and refuse/recycling storage are all subject to a condition imposed on the outline consent.

The proposed appearance of the building and landscaping, subject to additional conditions, therefore accords with Policy BNE1 of the Medway Local Plan 2003 and the advice given in the NPPF (section 7).

Amenity

The impact of the proposed development in terms of amenity was considered under the outline consent MC/11/1109 and was deemed acceptable. In relation to appearance and landscaping there will be no loss of amenity.

Notwithstanding this it is considered necessary to control Construction practice and lighting in the interests of neighbouring amenity and additional conditions are recommended.

The proposed development therefore accords with Policy BNE2 of the Medway Local Plan 2003 and the fourth core planning principle in paragraph 17 of the NPPF.

Highways

The appearance and landscaping details that have been submitted show that there is no off road parking planned for this scheme. This was addressed within the original consent and deemed acceptable and therefore accords with Policies T1, T2 and T13 of the Local Plan.

Local Finance Considerations

None relevant.

Conclusions and Reasons for Approval

The proposed appearance and landscaping, subject to conditions is considered in keeping with the surrounding area without compromising neighbouring amenities or highway safety and is therefore 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 number of letters of representation 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/>