

MC/15/0576

Date Received: 23 February, 2015

Location: 142 & 142 A Napier Road, Gillingham, ME7 4HJ

Proposal: Conversion of existing residential house into a pair of semi-detached houses together with the construction of a single storey front extension to form 2 separate entrances (demolition of existing single storey front projection of 142 and detached warehouse 142a Napier Road)

Applicant: Mr R Gill

Agent: Mr M Phillips Architecture Design Limited The Joiners Shop The Historic Dockyard Chatham Kent ME4 4TZ

Ward Gillingham South

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**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 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:  
22.1/A.01;02;04 (existing);04 (proposed) received on 26 Feb 2015

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

- 3 All materials used externally shall match those of the existing building.

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 Prior to first occupation of the development hereby approved details of the layout, surfacing and drainage of the vehicle parking spaces to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The approved parking spaces shall be kept available for such use for each property 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 these reserved parking spaces .

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking and increased parking competition on the highway and to accord with Policies BNE2 and T13 of the Medway Local Plan 2003.

- 5 No part of the development shall be occupied 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. The approved boundary treatment shall be completed before the properties are occupied 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.

- 6 Prior to the first occupation of the development details of the refuse storage arrangements for the properties, including provision for the storage of recyclable materials, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided prior to first occupation and thereafter 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.

- 7 Prior to the commencement of development 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 and submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. 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,
- archeological 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: Required before commencement of development to avoid any irreversible detrimental impact on residential amenities and to ensure that the development is in accordance with the objectives of Policy BNE23 of the Medway Local Plan 2003

- 8 Prior to the commencement of development 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. 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: Required before commencement of development to avoid any irreversible detrimental impact on residential amenities to ensure that the development is in accordance with the objectives of Policy BNE23 of the Medway Local Plan 2003

- 9 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 (referred to in PPS23 as a validation 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: Reason: Required before commencement of development to avoid any irreversible detrimental impact on residential amenities to ensure that the

development is in accordance with the objectives of Policy BNE23 of the Medway Local Plan 2003

- 10 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 7, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 8, 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 9.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on residential amenities to ensure that the development is in accordance with the objectives of Policy BNE23 of the Medway Local Plan 2003

- 11 Prior to the first occupation of the development approved, the building shown on the approved drawings to be removed, shall be demolished and the resultant material removed from the site.

Reason: In the interests of the amenities of prospective occupiers and 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**

This application proposes the conversion of existing large residential house into a pair of semi-detached houses together with the construction of a modest single storey front extension to form 2 separate entrances. These works would require the demolition of the existing single storey front projection of 142 and the detached warehouse 142a Napier Road. The works would involve internal alterations to facilitate the change in layout with the provision of two windows (in replacement of one) to the front elevation to serve the stairwell of each property.

The existing property currently comprises a sitting room, kitchen/utility room, dining room, lounge, sauna and 2 bedrooms on the ground floor with 6 bedrooms (2 with en suite) and a bathroom at first floor. The proposal will provide 2 properties, unit 1 having a lounge, kitchen, utility, and dining room at ground floor with 4 bedrooms and a bathroom at first floor. Unit 2 will comprise a lounge, dining room and kitchen at ground floor with 3 bedrooms and a bathroom at first floor. The existing detached

building to the rear would be demolished to enable rear gardens to be provided for each property.

### **Site Area/Density**

Site Area: 00.48 hectares (10.1 acres)

Site Density:4.1 dph (0.19 dpa)

### **Relevant Planning History**

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|------------|--|
| MC/13/2484 | Outline application with all matters reserved for demolition of existing warehouse and construction of a new development of 9 dwellings<br><b>Decision Approval With Conditions</b><br><b>Decided 3 April, 2014</b>  |
| MC/13/1393 | Outline application with some matters reserved (scale, appearance and landscaping) for demolition of existing warehouse and 2 residential houses to be replaced with a new development of 20 houses with associated access and parking<br><b>Decision Withdrawn by Applicant</b><br><b>Decided 21 August, 2013</b> |

### **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.

**Two letters** have been received raising the following objections:

- The proposed development would increase additional vehicle movements from the site in addition to the proposed application approved for nine dwellings and the existing property
- The proposal would generate the need for two additional parking spaces on the site in addition to 33 already proposed
- Inadequate turning facilities for emergency vehicles and refuse vehicles
- The proposed front porch would encroach the turning circle for vehicles
- Increase in traffic and vehicle movement on a very narrow poorly constructed driveway without pedestrian access
- Noise and pollution generation
- Loss of privacy
- Increase in potential highway accidents
- Inadequate public consultation

All other comments received are not material planning considerations.

**Ex Cllr G Juby** (while he was a Councillor) wrote with concerns as to whether the submitted application will affect existing applications on the site and asking for it to be determined by Committee..

## **Development Plan**

The Development Plan for the area comprises the Medway Local Plan 2003. The policies referred to within these documents 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 and principle*

This site lies to the west of Napier road, Gillingham with access between 144, 138 and 136 Napier road (set behind 138) and forms part of a parcel of land 0.48 hectares (1.11 acres) in size overall. The wider site was subject of an outline application (MC/13/2484) approved by members for the construction of 9 new dwellings with the retention of the existing large dwellinghouse and the demolition of the building to the rear of the dwellinghouse. That outline permission is still extant although reserved matters applications have not as yet been submitted.

The current application only relates to the existing large house and proposes to subdivide it into 2 units. To facilitate this two bay windows and a porch on the front elevation will be removed to be replaced with an extension to effectively provide 2 porches to serve the two new units. The proposal will not impact on the deliverability of the outline approved scheme.

There are no specific Development Plan policies that cover the subdivision of one exceptionally large house into 2 houses (there would if it were to flats) , while the additional unit will contribute to meeting add (albeit it very limited) to the housing need in Medway. The existing property is exceptionally large and, as set out above provides for 8 bedrooms. Its subdivision to provide two smaller family units (4 and 3 bedroom) seems eminently sensible and is acceptable in principle.

### *Design*

In design terms the property is not readily visible from Napier Road but will be more visible when the approved development of 9 houses progresses. However, the external changes are relatively small and are in keeping with the appearance of the existing property. The removal of the building to the rear will enhance the setting and appearance of the area.

The proposal therefore accords with the provisions of Policy BNE1 of the Medway Local Plan 2003.

### *Amenity Considerations*

The subdivision of the property does not raise any amenity issues regarding overlooking. The front extension similarly will not cause any impact on surrounding residential amenity. Internally the two units will provide accommodation that exceeds the Medway Housing Design Standards guidance and therefore provides

acceptable internal amenity.

The demolition of the building to the rear will improve the amenity of surrounding residents by removing both the building and a non conforming employment use, while also providing gardens of a size suitable to serve the needs of occupiers of a family home.

While the proposal will potential have some impact on the access, this was deemed acceptable to serve 9 new dwellings and a large family home and it is not considered that the proposal will result in any material detrimental impact to neighbours from any material increase in the use of the access, particularly as the non conforming business use will be removed.

The proposal is therefore acceptable in amenity terms and complies with Policy BNE2 of the Medway Local Plan 2003.

### *Trees*

The application does not raise any issues regarding trees that have not already been addressed through consideration of the outline application for the wider site.

### *Contamination*

The removal of the building to the rear may raise issues of contamination and appropriate conditions are recommended. Subject to compliance with these conditions the proposal accords with Policy BNE23 of the Local Plan.

### *Highways*

The use of the access from Napier Road was fully considered under the outline approval. This proposal will secure the removal of the business use and is for the subdivision of an 8 bed property to provide 2 properties of 3 and 4 bed. The impact on the use of the access will be negligible and indeed may be improved both from highway safety and amenity perspective.

In terms of car parking the submitted plans appear to indicate the availability of 6 parking spaces, which would exceed Medway Council's standards but an appropriate condition is recommended to secure these.

No objection is raised in respect of the Policies T1, T2, T3 and T13 of the Local Plan.

### *Local Finance Considerations*

There are no local finance considerations due to the extent of works proposed

## **Conclusions and Reasons for Approval**

The proposal is considered acceptable in terms of design, amenity and highway aspects and with regard to all other material planning considerations. The proposal accords with the provisions of policies BNE1, BNE2, T1, T2, T3, T13, H1, H4 and H9

of the Medway Local Plan and the application is accordingly recommended for approval.

The application would normally be determined under delegated powers but is being referred for Committee determination at the request of Ex Cllr Juby who was concerned at the impact of the proposal on the existing permission on site.

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### **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/>