

MC/16/2843

Date Received: 1 July, 2016

Location: Land At Rear Of 48 Cambridge Road, Strood, Rochester, Kent
ME 2 3HW

Proposal: Demolition of existing detached commercial building (Class B8)
to facilitate the Construction of a 2 storey two-bedroomed
dwelling with associated garden/drying area

Applicant: Allen Wilson Shopfitters & Builders Ltd

Agent: Mr R Day GDM Architects The Masters House College Road
Maidstone Kent ME15 6YQ

Ward Strood North

Case Officer Paul Ives

Contact Number 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 21 September 2016.

Approval subject to:

A. Section 106 (unilateral) being submitted and agreed to provide a contribution of £223.58 towards wildlife mitigation, plus legal and monitoring costs.

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:

Drawings: 3408/p21; 3408/p22;3408/p23 rev A received on 1 July 2016

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

- 3 No development above ground floor slab level 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 The bathroom window at first floor level to the rear (south east facing) elevation shall be fitted with obscure glass 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, shall be non-opening. This work shall be carried out and completed before the development is first brought into use 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

The proposal is for the demolition of the existing detached commercial building (Class B8) to facilitate the Construction of a 2 storey two-bedroomed dwelling with associated garden/drying area.

The proposed dwelling would be located on the southern most side of the plot having a width of 7.3m and a depth of 8m comprising kitchen, hall, w/c, living room and dining room at ground floor level and two bedrooms and a bathroom above. A single storey element is incorporated into the frontage of the house design. The dwelling would be served by a garden on the northern most side of the property 2.6m approx. width by 7.8m deep finished by 2m boundary treatment (wall). The property would have a semi mansard type roof to be finished in concrete interlocking tiles and the building would have a mix of render and brick finish overall. The development is principally single aspect to the highway above ground floor level but with a high level bathroom window proposed to the rear elevation at first floor level. No parking off road is proposed. Pedestrian access would be retained around the proposed dwelling to the side and rear shared with immediate neighbours.

Site Area/Density

Site area: 0.009 hectares (0.0222 acres)

Site density: 111 dph (45 dpa)

Relevant Planning History

MC/15/4156

Demolition of existing two storey workshop/ancillary office building and construction of a two bedroom detached

dwelling with associated garden/drying area and refuse provisions
Decision Refusal
Decided 01/02/2016

MC/15/0212 Demolition of existing workshop/ancillary office building (Class B1 (a)(c)) and Change of use to Class C3 residential use with proposed construction of a three bedroomed detached dwelling with associated garden/drying area and refuse provisions
Decision Refusal
Decided 31/03/2015
Appeal Dismissed
Decided 08/09/2015

MC/13/3121 Demolition of existing two storey workshop/ancillary office building and construction of a two-bedroomed detached dwelling with associated garden/drying area and refuse store
Decision Refusal
Decided 19/06/2014

MC/13/1746 Demolition of existing two storey workshop/ancillary office building and construction of a two storey building comprising of one 1-bedroomed and one 2-bedroomed flats with associated garden/drying area and refuse store
Decision Withdrawn by Applicant
Decided 29/08/2013

Representations

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

Six letters of objection have been received making the following grounds:

- loss of sunlight
- overdevelopment
- loss of privacy
- out of character with the streetscape in terms of siting, design and rhythm
- dominant form of development
- noise and dust pollution and general disturbance to residents
- inadequate parking that would lead to increased parking competition on the highway
- disregard of appeal decision
- adverse impact on highway safety
- photos submitted do not show a true representation of the site circumstances and parking competition for residents

Development Plan Policies

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 (NPPF) and are considered to conform. The National Technical Space standards are a material planning consideration and compliment the objectives of amenity policy.

Planning Appraisal

Background

The site has been subject to numerous planning applications seeking the demolition of the existing building and replacement with a new dwelling. Most relevant to the site is an appeal decision made in 2015 for the demolition of the existing building and the erection of a three bedroomed dwelling. This was refused by the authority on 31 March 2015 under reference MC/15/0212 and the appeal later dismissed on 8 Sept 2015.

In this appeal, the Planning Inspector (PI) was concerned with the bulk of the development in that it would dominate the smaller scale terrace to the south west exacerbated also by the lack of detailing. The inspector had concerns regarding the two storey impact and potential loss of privacy from first floor windows to the rear and overbearing nature of the scheme. In terms of amenity space provision, the inspector considered that for a three bedroom family home, the proposed garden space would be insufficient for the dwelling for day to day activities. The inspector drew attention to the small bedroom being a sign that the development is cramped for a three bedroom property but discounted officers view regarding amenity impact from a window to the front of the property close to the highway. In terms of parking, the inspector drew attention to the existing activities that could potentially generate demand for parking and given that 1 parking space was provided; the sites sustainable location close to public transport and the town centre; and the limited impact of on street parking the development would generate, the proposal would not be a concern in terms of parking and impact on amenity. In summary too much accommodation was proposed on a limited site where the proposal was too dominant and would have an adverse impact on the streetscape and neighbours amenity.

Principle of development

The application site is located within the settlement boundary of Strood in a predominantly residential area. Policy H4 of the Local Plan sets out four criteria were residential development in the urban area is acceptable. These include the use of a vacant or derelict site or the change of use or redevelopment of existing buildings no longer required for non residential use.. The proposed use will bring a brown field site back into use, thus extinguishing a non conforming use class within a predominantly residential area. In addition the PI did not raise concerns regarding the principle of residential redevelopment of the site. As such, the proposal falls to be considered on detailed matters related to the impact of the development on the character and appearance of the streetscene and the surrounding area in general, the impact on the

amenities of adjoining and prospective occupiers and highway matters.

Street Scene and Design

The current application has reduced the development proposing a 2 bedroom rather than 3 bedroom property and this in turn has enabled the layout to be amended to remove habitable windows to the side and rear. The detailing of fenestration has been altered to make it more in keeping with surrounding properties and create interest. Finally, the garden has been increased in size through the removal of any on site parking.

The layout of Cambridge Road and the surrounding streets generally has terraced or semi-detached properties arranged in regular width, narrow and deep plots with frontages in Cambridge Road set back from the highway with single storey front bay projections. The proposed house design is considered to respect the plot width and scale of dwellings in the vicinity and in particular the terrace to the south west. The appearance and detailing of the proposal contributes positively and is considered acceptable. The proportion and size of the fenestration in particular respects the terrace of properties immediately to the southwest and combined with the use of materials and feature windows would respect the character of the area. Overall, the development is in character with the surrounding streetscape where seen from the highway and neighbouring properties in accordance with the design objectives set out in paragraph 56 of the NPPF and the objectives of Policy BNE1 and Policy H4 of the Local Plan.

Impact on neighbouring occupants

The proposed development would be seen from neighbouring properties but the proposed revised design addresses the concerns of the PI on the appeal and accordingly no objection is raised in terms of dominance/outlook or sunlight loss. In terms of privacy, the proposal addresses the PI concerns subject to a condition which restricts the bathroom window proposes within the first floor rear elevation. The development would therefore respect the amenities of existing residents and would comply with the amenity objectives of Policy BNE2 for existing residents.

Impact on future occupants

The proposal for a two bedroomed unit would meet the national standard for minimum room sizes. The proposed garden would be small but adequate for a small 2 bedroom property. The occupiers of the property would experience the garden in shade for greater parts of the day but on balance, this would be considered acceptable and a choice for any future occupant to make. No objection is raised to potential overlooking where gardens are generally overlooked in the vicinity.

The proposal would comply with the objectives of Policy BNE2 of the Medway Local Plan 2003 and the National Technical Standards used as a tool for assessment alongside Policy BNE2 in terms of room size and circulation space.

Environmental protection

The previous use of the land may have resulted in contamination of the land which may affect the final end user in terms of potential contamination. An appropriate condition is therefore recommended.

Highways

Medway Councils Interim Parking Standards require the provision of 1.5 parking spaces minimum. The applicants have provided a traffic survey to show the extent of parking situation mainly during the day within close proximity to the site over the course of a four week period. This is helpful but no doubt demand for parking is increased into the evening period and at weekends. The proposed schemes does not provide for off street parking as a balance towards providing reasonable garden space. Reductions of the standard can be considered favourably if the development is within an urban area that has good links to sustainable transport and where day to day facilities are within easy walking distance as noted by the inspector in consideration of the appeal. The loss of an on street parking space from the previous scheme is considered acceptable in this instance particularly reflecting the benefit from the removal of the non conforming use and the associated traffic and parking implications of that business use continuing.

The development would comply with the objectives of Policy T13 and BNE2 of the Medway Local Plan 2003.

S106 matters

In January 2014, Natural England (NE), the Government adviser for the natural environment in England, wrote to members of the North Kent Environmental Planning Group confirming advice that a significant effect, either alone or in-combination, is likely to occur on the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites from recreational disturbance on the over-wintering bird interest from new development proposals.

Natural England has also advised that an appropriate tariff is collected on the basis that it can be used to fund strategic measures across the Thames, Medway and Swale Estuaries. This interim tariff should be collected, for new builds, in anticipation of:

- An administrative body being identified to manage the strategic tariff collected by
The local authorities
- A memorandum of understanding or legal agreement between the local authorities and administrative body to underpin the strategic approach
- Ensure that a delivery mechanism for the agreed SAMM measures is secured and the SAMM strategy is being implemented from the first occupation of the dwellings, proportionate to the level of the housing development.

The tariff which has been agreed across all of the local authorities and Natural England currently stands at £223.58 for the dwelling, excl. legal and monitoring officers costs which separately total £550. The applicants have agreed to pay this tariff in principle, which could be secured in the form of a unilateral undertaking.

Local Finance Considerations

There are none considered relevant to this application.

Conclusion and reasons for Approval

The proposed development would comply with the objectives of Paragraph 56 of the NPPF and Policy BNE1, Policy BNE2, Policy H4, and Policy T13 of the Medway Local Plan 2003.

This application is reported to Planning Committee for Members consideration in view of more than three letters of representation having been received against officer recommendation and at the request of Cllr Chitty who considers that the development does not address the previous reasons for refusal.

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/>