

MC/17/3949

Date Received: 15 November, 2017

Location: 133 Luton Road, Luton, Chatham, ME4 5AE

Proposal: Conversion of existing house into two 2-bedroomed self-contained flats including the construction of a single storey rear extension, dormer to rear, rooflights to front and associated external alterations

Applicant: Miss A Mbugua

Agent: Mr O Falusi O A Falusi Ltd 10A Apsley Road South Norwood London SE25 4XS

Ward Luton & Wayfield

Case Officer Madeline Mead

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 14 March 2018.

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:

Drawing numbers JN/0048/Rev03 (proposed front rear and side elevations) received 7 February 2018; and JN/0048/Rev03 (proposed basement ground first and loft floor plan) and JN/0048/Rev05 (proposed roof plans) received 20 February 2018.

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.

For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.

Proposal

Conversion of existing house into two 2-bedroom self-contained flats including construction of a single storey rear extension, dormer to rear, rooflights to front and associated external alterations.

This application proposes the construction of a single storey rear extension, insertion of dormer to the rear and roof lights to the front roof slopes. To the front elevation at basement level the bay would have windows inserted to the front and both sides and the replacement of a window on the side elevation of the two storey rear projection with a door. The works to the building would facilitate the conversion of the three storey dwelling into two 2-bedroom flats.

The rear extension would have a width of approx. 3.3m, depth of approx. 2m and a height of up to approx. 3m. The extension would have a sloped roof.

The dormer to the rear would have a width of approx. 4.4m, depth of up to approx. 2.7m and height of approx. 2.4m. The lower ground and ground floor would be converted to a two bedroom flat with access from the front and would comprise a bedroom at lower ground level and a bedroom, living room, kitchen and bathroom at ground floor level. To the rear, the flat appears to have direct access to the garden area.

The first and roof level would be converted to a two bedroom flat with joint access from the front of the building. Accommodation would comprise living room, kitchen and a bedroom at first floor level and a further bedroom and bathroom within the roof space.

Relevant Planning History

MC/13/2506	Conversion of existing dwelling into 1no 1 bedroom and 2no 2 bedroom self contained flats together with the installation of 2 additional windows to front; construction of a single storey extension to rear Decision Refusal Decided 11 December 2013
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Representations

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

Eight letters of representation have been received (two of the letters are from the same person following amended drawings) with following comments:

- Strain on schools, parking, medical facilities and emergency services.

- Loss of property suitable for single family occupancy.
- Inadequate living space for future occupants.
- Increased demand for on street parking.
- Lack of space for refuse.
- Increased traffic on Luton Road.
- Lower ground floor area is dysfunctional space and lacks light to the room.

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 and are considered to conform.

Planning Appraisal

Principle

The application site is within the urban area of Chatham, Policy H4 of the Local Plan supports the redevelopment of existing residential areas. Policy H6 of the Local Plan provides advice regarding flat conversions more specifically and indicates flat conversions will be permitted except where the surrounding area is predominantly in single household occupation, the house is a size suitable for single household occupation (suggested 120m²), the proposal is likely to unacceptably increase on-street parking or they could adversely affect amenity. In this case the property as existing is approx. 125m² which would make the property a suitable size for a flat conversion. The street scene is a mixed character of residential dwellings in single household occupation and flats. The NPPF contains a presumption in favour of sustainable development (paragraph 14) and says that housing applications should be considered in this context and to provide for a mix of housing types (paragraphs 49-50). The NPPF would therefore support this development subject to the considerations of design, amenities and highways. The principle of the development is considered acceptable.

Design

The single storey rear extension and dormer would be seen from neighbouring properties and gardens. The extension is considered moderate in scale and with the proposed sloped roof is considered in keeping with other extensions within the vicinity. Within the rear roof slope of the main property would be a flat roofed dormer. The flat roofed dormer is not ideal with a boxy design, but in consideration that this element would only be viewed from neighbouring properties and gardens and that it would be set off the side boundaries and up from the eaves, in this case it is considered acceptable. The other external alterations to this property to facilitate its conversion to flats would be at basement level to the front of the building, ground floor level to the rear of the building and at roof level. To the front of the property at basement level, three windows would be inserted into the bay, which would replace an existing door and create openings on each side of the bay. On the rear two storey projection at ground floor level a window would be replaced with a door and within the front roof slope two rooflights would be inserted. Consequently the development is considered

to be in accordance with Policy BNE1 of the Medway Local Plan 2003 and paragraph 56 of the NPPF subject to a condition of matching materials.

Amenity

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

Due to the scale and position of the proposed extension and dormer in relation to the habitable windows of neighbouring properties, it is not considered they would have a detrimental impact on these properties in terms of daylight, outlook, sunlight and privacy. The proposed windows to the bay at the front of the building, the proposed door within the two storey rear projection and proposed rooflights are also not considered to have any detrimental impact to neighbouring properties in terms of outlook, daylight, sunlight and privacy. There may be some increase in comings and goings as a result of the conversion of the property into two units however it is not considered that this would result in harmful levels of additional noise and disturbance to neighbours in this fairly busy locality.

With regard to the living conditions of potential occupants of the flats, the proposal has been assessed with regards to the Technical housing standards - nationally described space standard. The basement/ground floor flat would be classed as a 2-bedroom four person dwelling and would have a gross internal floor area of approx. 87m². This would comply with the 70m² as set out in the space standards. The first floor/roof flat would have a gross internal floor area of approx. 72m². This would comply with the 61m² as set out in the space standards. The double bedroom, located within the roof would meet the standards of 11.5m² internal floor area, however, it is acknowledged that the width of this bedroom is staggered and meets the width standard of 2.75m at most parts with a small amount of the room falling short of this width, however, it is not considered significant enough to warrant a refusal of the application.

The proposal is therefore considered acceptable in terms of amenity and complies with the fourth core planning principle in paragraph 17 of the NPPF and Policy BNE2 of the Local Plan.

With regards to the amenity of the future occupiers, this property is within the Central Medway Air Quality Management Area (AQMA). Air quality monitoring along this section of the road has shown that levels of nitrogen dioxide are close to the annual mean objective. With regards to noise the site is subject of considerable levels of road traffic noise. However as the application property is already in residential use, it is not considered that additional mitigation would be necessary. No objection is raised to the proposal with regard to air quality and road traffic noise and the proposal is considered to comply with paragraph 124 of the NPPF and Policy BNE24 of the Local Plan.

Highways

The Medway Council Interim Residential Parking Standards require a minimum of 2 parking spaces for the existing dwelling and 3 for the proposed development. The existing property does not have the benefit of any off street parking and no off street

parking would be provided. The Parking Standards note that reductions will be considered 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. The site is located close to the Chatham town centre with its service facilities and public transport links. In addition there is some on street parking available on Luton Road, although this is already heavily used. In these circumstances, bearing in mind that any additional parking demand from the proposed use in comparison with the current use of the site would be likely to be very minor, it is not considered that an objection to the development on parking and highway safety grounds can be substantiated including with regard to Policies T1 and T13 of the Local Plan.

Bird Mitigation

As the application site is within 6km of the North Kent Marshes SPA/Ramsar Sites, the proposed development is likely to have a significant effect, either alone or in-combination, on the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites from recreational disturbance on the over-wintering bird interest. Natural England has advised that an appropriate tariff of £223.58 per dwelling (excluding legal and monitoring officer's costs, which separately total £550) should be collected to fund strategic measures across the Thames, Medway and Swale Estuaries. The strategic measures are in the process of being developed, but are likely to be in accordance with the Category A measures identified in the Thames, Medway & Swale Estuaries Strategic Access Management and Monitoring Strategy (SAMM) produced by Footprint Ecology in July 2014. The interim tariff stated above should be collected for new dwellings, either as new builds or conversions (which includes HMOs and student accommodation), 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 applicants have agreed to pay this tariff and are in the process of submitting a unilateral undertaking. No objection is therefore raised under Paragraphs 109 and 118 of the NPPF and Policies S6 and BNE35 of the Local Plan.

Conclusions and Reasons for Approval

The proposed conversion of the dwelling into two flats would respect the character of the area and neighbouring amenity. The proposal would comply with the objectives of paragraphs 14, 17, 49, 50, 56, 109, 118 and 124 of the National Planning Policy Framework 2012 and Policies BNE1, BNE2, BNE24, BNE35, H4, H6, S6, T1 and T13 of the Medway Local Plan 2003.

This application would normally fall to be determined under officers' 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/>