

MC/18/0412

Date Received: 5 February 2018

Location: 1 Pepys Way Strood Rochester ME2 3LH

Proposal: Change of use from a ground floor shop to a 3x bedroom flat together with a 2 storey rear extension and excavation to basement to create a 3x bedroom unit

Applicant Mr A Akpinar

Agent Mr T Khan 18 Grenadier Close
Rainham
Kent
ME8 8NQ

Ward: Strood North Ward

Case Officer: Robert Neave

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 6th June 2018.

Recommendation - Approval subject to:

A) The applicant entering into a Section 106 agreement to secure a contribution of £239.61 (£239.61 per unit) towards appropriate mitigation measures within Special Protection Areas;

B) 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:

SD/AA03 and SD/AA04 received 5 February 2018, and SD/AA05 received 21 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.

- 4 No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of: hours of demolition and construction working; measures to control noise affecting nearby residents; dust control measures; pollution incident control and site contact details in case of complaints. The construction and demolition works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan.

Reason: Required before the commencement of the development to avoid irreversible detrimental impact on interests of public safety and good living conditions for nearby residents in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 5 The residential unit herein approved shall not be occupied until the area shown on the submitted layout as vehicle parking space for the proposed dwelling has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking and in accordance with Policy T13 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 is for the change of use from a ground floor shop to residential use together with a 2 storey rear extension and excavation to basement to create a 3-bedroom unit (arranged over the basement and ground level).

The rear extension would project approx. 3.1m from the rear elevation and would have a hipped roof with an eaves height of 5.3m and ridge height of 7.5m. The front extension

would project approx. 1.7m with a mono-pitch roof with a ridge height of 3.6. The proposal would involve excavation works to create a basement level with new windows to the front, side and rear to serve the new bedrooms in the basement forming a split level unit with accommodation on the ground floor. To the side elevation, the steps that currently provide access to the residential unit above the shop would be removed.

Within the rear garden, two parking spaces would be created to provide additional parking for the property.

Site Area/Density

Site Area: 0.068 hectares (0.17 acres)

Site Density: 29 dph (0.80 dpa)

Relevant Planning History

- | | |
|------------|---|
| MC/07/0969 | Change of use from ground floor shop to residential together with construction of a single storey extension to front and two storey extension to rear
Decision Date: 11 October 2007
Decision: Approved with Conditions |
| MC/07/0969 | Change of use from ground floor shop to residential together with construction of a single storey extension to front and two storey extension to rear
Decision Date: 11 October 2007
Decision: Approved with Conditions |
| 97/0640 | Description: Conversion of former shop together with, construction of single storey front and, two storey rear extensions to provide, new ground floor flat and improvements, to existing first floor flat
Decision Date: 3 December 1997
Decision: Approved with Conditions |
| 96/0177 | Change of use of ground floor from, shop to flat
Decision Date: 15 May 1996
Decision: Approved with Conditions |

Representations

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

Six letters of representation have been received, **5 letters** raised concerns to the proposal and **one letter** raised concerns that are considered non material.

- Impact to highways

All other matters not listed above are considered non material planning considerations and therefore not taken into account when determining the application.

- Subsidence
- Legal ownership of rear access road

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

Background

Previous planning permission (MC/07/0969) was granted for the change of use from ground floor shop to residential unit together with construction of a single storey extension to front and two storey extensions to rear.

Principle

The ground floor unit was formerly a hairdresser, A1 use, with a flat on the upper floor. This retail unit is one of many which still are dotted around this mainly residential area of Strood. Policy R10 of the Local Plan seeks to avoid the loss of existing shopping facilities in local and neighbourhood centres and villages however the site is not located within one of these designated locations that are protected by this policy. In these circumstances the loss of the retail unit is considered acceptable.

The use of the site for residential purposes is acceptable within the context of Policy H4 of the Local Plan. In addition the high density is considered acceptable with regard to Policy H5 of the Local Plan. The site is well related to Strood town centre and its related services, including excellent public transport links.

Design

The design of the extension reflects the character of the existing building. The proposal whilst visible from the alleyway to the side and access track to the rear is considered to be of an appropriate size and scale.

The front extension is proposed to mirror the front elevation of the neighbouring property and therefore no objection is raised with this aspect of the proposal.

Accordingly no objection is raised with regard to design under paragraphs 17 and 56 of the NPPF and Policy BNE1 of the Medway Local Plan 2003.

Amenity of Neighbours

The proposed front extension would be of the same projection as the neighbouring property (No.3 Pepys Way) and would therefore have no impact on the amenities of that property. The extension to rear would have a similar extent of projection to the conservatory of No.3 Pepys Way and would be set off the boundary at first floor level, thereby preventing any significant loss of outlook or daylight. There would be some additional overshadowing as a result of the extension. However, the existing property already casts a shadow during the morning, and the extra loss of sunlight would only affect a small area of the garden. In the afternoon, when there is currently no overshadowing, the shadowing of the extension would be over the roof of the conservatory and therefore have minimal impact on the amenities of the occupiers of the property, as sunlight would still be available through the rear elevation glazing. No windows are proposed on the rear extension and there would be no loss of privacy.

The rear extension would be over 45m from the rear elevations of properties in Broom Hill Road (over 35m from their gardens) and it is considered that this distance is sufficient to prevent any loss of outlook, light or privacy to these properties. All other properties are likewise considered to be at sufficient distance that there would be no significant impact as a result of the extensions.

Amenity of Future Occupiers

In terms of future residents, consideration as to whether adequate habitable space would be provided in compliance with the Technical housing standards (Nationally Described Space Standards March 2015) is set out below.

Recommended minimum gross internal floor area expected against the proposed dwelling floor areas.

Accommodation	Number of bedrooms	Number of bed spaces(person)	Space standard required m2	Space proposed m2
1(Basement/ground floor)	3b	5p	93	157

The table shows compliance with the National Standards and therefore the living conditions for the future occupiers of the site are considered acceptable. By reason of the proposed extension, the existing first floor flat would be provided with an increased floor area and as such would improve the living accommodation for the unit.

A condition is also recommended requiring the submission and approval of a Construction Environmental Management Plan (CEMP) to address issues of noise arising from the construction phase of the development.

Subject to the suggested conditions, no objection is raised with regard to the impact on residential amenity under paragraphs 17 and 123 of the NPPF and Policy BNE2 of the Medway Local Plan 2003.

Highways

Due to the properties previous use as a hairdresser, it is not considered that the change to residential use would result in additional vehicle movements above what has been previously experienced.

The applicant has provided two parking spaces to the rear of the property, accessed via Broom Hill Road and therefore the property would meet parking standards as set out within the Medway Interim Parking Standards 2010. Due to the concerns raised from the representation received regarding highways and increase competition for parking, it is recommended that a condition is attached to ensure that the vehicle parking spaces are provided before occupation of the new flat.

Subject to the suggested conditions, no objection is raised with regard to the impact on highway and highway safety under Policy T1 and T13 of the Local Plan.

Other Matters

Comments regarding subsidence are noted. The structural aspects of the proposal are controlled by Building Regulations and this would be considered during that process. However, as it is clearly a known problem, an informative is recommended drawing this to the applicant's attention.

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 site is within the urban area and as such the principle of the proposed development is acceptable. The proposal would relate positively to the character of the area and appearance of the streetscene. In addition, it is considered that the proposal would not cause adverse harm to the occupiers of the adjoining properties. The proposed access and on-site car parking provision would be acceptable for the proposal and no objection is raised in this regard.

The proposal is considered to be acceptable in terms of design, neighbour amenity and highways, in line with Policies S6, H4, BNE1, BNE2, T1 and T13 of the Medway Local Plan 2003 and with the NPPF and is therefore recommended for approval.

This application would normally be determined under delegated powers however has been referred to the Planning Committee for determination due to the number of representations received expressing views contrary to 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://publicaccess1.medway.gov.uk/online-applications/>