

MC/21/1897

Date Received: 25 June 2021

Location: Alpha House Laser Quay
Culpeper Close Medway City Estate

Proposal: Construction of additional third floor level with loft space accommodation for office use - resubmission of MC/20/1702

Applicant Mr Gerry Phoenix
Abbey Iconic Ltd

Agent Roger Ward Associates Limited
Mr Roger Ward The Hoo Wrotham Road
Meopham
DA13 0HP

Ward: Strood Rural Ward

Case Officer: Nick Roberts

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 8th December 2021.

Recommendation: Approval subject to:

A) The submission of a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 to secure:

- i) £4,017.46 towards highway improvements for the Medway City Estate roundabout.

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:

Received 5 October 2021

1820.WD.05F - Proposed Front Elevation

1820.WD.07D - Proposed SE Elevation

1820.WD.08D - Proposed NW Elevation

Received 29 June 2021

1820.WD.04B - Proposed Section

1820.WD.09B - Proposed Floor Plans

Received 25 June 2021

1820.WD.06C - Proposed Rear Elevation

1820.WD.10 - Overall River Elevation

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

- 3 No development shall take place until a Construction Environmental Management Plan (CEMP) that describes measures to control, amongst other matters, hours of working, noise, dust, access for construction traffic into the site and lighting arising from the construction phase of the development has been submitted to and approved in writing by the Local Planning Authority. The construction works shall be undertaken in accordance with this approved plan.

Reason: Required before commencement of development in order to minimise the impact of the construction period on the amenities of local residents with regard to Policy BNE2 of the Medway Local Plan 2003.

- 4 The additional third floor level and loft space accommodation herein approved shall not be brought into use until details of the provision of 4 electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. Details shall include the location, charging type (power output and charging speed), associated infrastructure and timetable for installation. The development shall be implemented in accordance with the approved details and shall thereafter be maintained in working order.

Reason: In the interests of sustainability in accordance with paragraph 112e of National Planning Policy Framework 2021.

- 5 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.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification) and the Town and Country Planning (Use Classes) Order 1987 (as amended) the development herein approved shall remain as detailed on the approved plan in uses falling within Class E(g)(i) and E(g)(ii) and no change of use shall be carried out unless planning permission has been granted on an application relating thereto.

Reason: To enable the Local Planning Authority to control such development in the interests of amenity and the impacts on the highway and/or retail centres, in accordance with Policies BNE2, T1 and T13 of the Medway Local Plan 2003.

Proposal

This application seeks planning permission for the construction of an additional storey with accommodation within the roof to create further office floorspace. In total the height of the existing building will be increased by approx. 5.2m with a pitched roof and cantilevered balconies, with materials that would match that of the existing building. The proposed gross internal floor area would be approx. 1357.1 sqm of which approx. 410.2 sqm would be generated as a result of this proposal.

Relevant Planning History

MC/20/1927	Construction of new balconies to the first and second floor offices. Decision: Approval with conditions Decided: 9 October 2020
MC/20/1702	Construction of additional third and fourth floors to create additional office space Decision: Withdrawn Decided: 4 September 2020

Representations

The application has been advertised on site and by individual neighbour notification to the owners and occupiers of neighbouring properties. Frindsbury Extra Parish Council and the Environment Agency have also been consulted.

One letter of representation has been received raising the following concerns.

- Insufficient parking
- Pedestrian safety associated with the access
- Impact during construction

One letter of support has also been received.

The **Environment Agency** have advised that as the proposal is to add a third floor to an existing building, they have no comments to make.

Frindsbury Extra Parish Council objects to the application on the basis that there would be insufficient on-site parking provision.

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 2021 (the NPPF) and are considered to conform.

Planning Appraisal

Principle

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

The application site is an existing office building within an established employment area (Frindsbury Peninsula) as identified under Policy ED1 of the Local Plan. Policy ED1 supports business (formerly B1 now(E(g)(i)), general industrial (B2) and storage and distribution (B8) uses on Medway City Estate. In addition, paragraph 81 of the NPPF places significant weight on the need to support economic growth and productivity by creating the conditions in which businesses can invest, expand and adapt. In view of the above the principle of the proposal is acceptable subject to further consideration of matters relating to the design and appearance, the impact on the amenities of the occupiers of neighbouring premises and highways.

Design

Policy BNE1 of the Local Plan states that development should be satisfactory in terms of scale and mass and should respect the visual amenity of the surrounding area and paragraphs 126 and 130 of the NPPF emphasises the importance of good design.

Alpha House sits within an enclave of office buildings that are predominantly three storeys in height with warehouse buildings of an equivalent height (Scotline and Vetee) located to the north and south. This includes silos and associated pipe structure that extend to approx. 20m and provide aesthetic diversity within Medway City Estate.

The proposed building would be less than 6 storeys and under 20m and therefore no specific assessment would be required under Medway Councils Building Height Policy (May 2006). The design of the proposed extension with its pitched roof, recessed glazed balcony and roof lights would add interest to what is currently a relatively bland purpose-built office building, whilst mirroring the existing brickwork, detailing and windows. Furthermore, the proposed works will upgrade the appearance of the office

block and will balance the appearance of the block by replicating the buildings horizontal emphasis and adding matching balconies to those already present on the building, whilst providing additional space that would allow the business to expand.

In addition, whilst the buildings height will be increased by approx. 5.2m, the applicant has submitted a wider overall river view elevation that demonstrates its height would not be overly intrusive on its wider setting. There are also a number of taller buildings in the vicinity, and most notably on the other side of the river (Rochester Riverside scheme) which contribute to this vertical emphasis.

In view of the above, the proposed development is considered acceptable with regards to Policy BNE1 of the Local Plan and paragraph 126 and 130 of the NPPF.

Amenity

Policy BNE2 of the Local Plan states that all development should secure the amenities of its future occupants and protect those amenities enjoyed by neighbouring properties, and paragraph 130 of the NPPF asserts that achieving well-designed places should include creating a high standard of amenity for existing and future users. The design of the development should therefore have regard to privacy, daylight and sunlight, noise, vibration, light, heat, smell and airborne emissions and activity levels and traffic generation.

Although this application proposes to increase the height of the existing building, the adjacent building (Beta House) is also in office use. Whilst the proposed height increase would have an impact on the windows located on the western elevation of Beta House, in recognising the impact that Alpha House already has on these windows given its proximity to this building, as well as the fact that Beta House would also benefit from windows spanning the full width of both the south and west facing elevation this would not be considered detrimental. The proposal would have no adverse impact on neighbouring residential amenity by virtue of its siting and distance in relation to the nearest residential properties.

In this instance it is considered appropriate to impose a condition requiring the submission of a Construction Environment Management Plan due to the nature of the proposal and the impact that the construction period could have on the adjacent office blocks. In addition, and when taking into account the buildings location within an industrial estate, and the adjacent buildings uses, a condition is also recommended restricting any future use of the third and fourth floors in the interests of amenity and highway/parking capacity. Subject to these conditions, no objection is raised in terms of amenity under Policy BNE2 of the Local Plan and paragraph 130 of the NPPF.

Flood Risk

According to the Environment Agency's flood maps for planning the application site is located within flood zone 3. However, the application is for an upward extension to the existing building and as such there will be no increased risk of flooding. The application is therefore in accordance with Policy CF13 of the Local Plan and paragraph 161 of the NPPF.

Highways

Policies T1 and T2 of the Local Plan relate to the highways impact of development and access to the Highway. Policy T13 of the Local Plan states development proposals will be expected to make vehicle parking provision in accordance with the adopted standards. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Overall, a total of 43 car parking spaces would be provided to serve both the existing and proposed development. In recognising that the Parking Standards require a maximum parking provision of 45 parking spaces for this type of use, the number of spaces proposed would be considered acceptable. It should be noted that the NPPF has put sustainable development as a central core and paragraph 112e outlines that development should provide electric charging facilities, therefore a suitably worded condition has been attached to fulfil this objective.

In terms of the highway impact, the development is creating an additional 410 sqm of floor space. This would increase the capacity of the existing office building, which could then add additional pressure on the main site access onto the Medway City Estate, in terms of increased vehicle numbers. It is therefore considered that a contribution of £4017.46 towards highway improvements for the Medway City Estate roundabout would be required to mitigate against the impact of the development.

Following concerns raised regarding pedestrian access into the building the applicant has removed the porch and replaced it with a storm canopy. In addition, the applicant has also confirmed that the entrance doors would be changed so they would be inward opening, and therefore would not block the footpath. This is confirmed as an annotation on the approved drawings.

In view of the above the application is considered to be acceptable in respect of the transport and parking Policies T1, T2 and T13 of the Local Plan and paragraphs 111 and 112e of the NPPF.

Conclusions and Reasons for Approval

The principle, scale and design of the proposed development is acceptable, and there would be no detrimental impact on the amenities of future occupiers, neighbouring residential amenities, flood risk or highways safety. The application is therefore in accordance with Policies BNE1, BNE2, CF13, ED1, T1, T2 and T13 of the Medway Local Plan 2003 and the advice set out in paragraphs 81, 111, 112E, 126, 130 and 161 of the National Planning Policy Framework 2021.

The application would normally fall to be determined under delegated powers but has been referred to Committee due to an objection received from Frindsbury Extra Parish Council.

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 on Medway Council's Website <https://publicaccess1.medway.gov.uk/online-applications/>