

PLANNING COMMITTEE – 9th OCTOBER 2014

Report of the Head of Planning

PART 2

Applications for which **PERMISSION** is recommended.

2.1 SW/14/0329		Faversham
APPLICATION PROPOSAL Change of use of vulnerable victims suite back to residential dwelling and the erection of a single dwelling along with amended access on land at 82 London Road, Faversham, Kent, as amended by drawing no DHA/9117/04 Rev C received July 2014		
ADDRESS 82 London Road, Faversham, Kent, ME13 8TA		
RECOMMENDATION – PLANNING PERMISSION GRANTED subject to conditions		
REASON FOR REFERRAL TO COMMITTEE: contrary local representations		
SUMMARY OF REASONS FOR RECOMMENDATION: Proposal is on accordance with policy		
WARD Watling	PARISH/TOWN COUNCIL Faversham	APPLICANT Kent Police AGENT Mr John Collins
DECISION DUE DATE 09/05/14	PUBLICITY EXPIRY DATE 26/08/14	OFFICER SITE VISIT DATE 22/04/14
RELEVANT PLANNING HISTORY (including relevant history on adjoining site): SW/01/0884 APPROVED the change of use from residential dwelling to use as facilities in connection with Kent Police Authority. SW/80/1205 APPROVED Provision of new driveway and turning space		

MAIN REPORT

1.0 DESCRIPTION OF SITE

The site is located at 82 London Road, Faversham on one of the main routes into the town and is also located within the Faversham conservation area.

The application site comprises of a semi-detached, two storey building with a single storey side extension set in a large plot. It is set back some distance from the road with a large area to the west of the building and has a level frontage with the other properties on London Road.

Apart from the internal alterations to the property the only external change will be the demolition of a single storey small side extension at the property.

2.0 PROPOSAL

The application is for the change of use of Kent Police vulnerable victims unit back to a residential dwelling and the erection of a detached single dwelling at 82 London Road Faversham.

The proposed new dwelling would be located to the west of the pair of semis ,Nos 82 and 80, on land currently used for parking for no 82.

Following discussions with officers amended drawings were received in July 2014 which showed a much more sophisticated design of property with inspiration taken from other properties along London Road, it remains two storey but with an added chimney, bay windows on both the ground and first floor and a small gable ended section on the front elevation.

The proposed new dwelling would be located on the existing parking area to the west side of the site and within a large visual gap between the neighbouring property. This gap is mirrored with the other semi ,no 80 and its neighbour, no 78. No garaging is proposed for either property and all parking would be to the front of the properties. The amended plans now show a hedge to screen the proposed parking area.

No details of materials of the new dwelling are provided although a condition has been added to ensure this is agreed in advance.

3.0 PLANNING CONSTRAINTS

Archaeological Sites YES

Conservation Areas Faversham

Swale Borough Local Plan 2008 E15 - Dev. Affecting a Conservation Area

4.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF):

National Planning Practice Guidance (NPPG):

Development Plan: Swale Borough Local Plan 2008 policies E1, E15, E19, H2, T3

5.0 LOCAL REPRESENTATIONS

	COMMENTS RECEIVED
Parish/Town Council	Offered Support
Residential Objections	3 objectors to initial submission 0 objections to revised details
Number received:	

6.0 CONSULTATION RESPONSES

The Town Council offered no objection to the original scheme but support the amended scheme.

Following the submission of the original plans three letters of objection were received from local residents, they commented:

Not in keeping with dwellings of the surrounding neighbours
Creates severe over development of the plot
Development will cause severe overlooking of my property to the rear
The removal of an existing tree to the rear of no 82 and no 83 will result in overlooking from both properties to the rear properties.
The new dwellings first floor windows would look directly into the full length bedroom windows of the property to the rear
Not in keeping with other properties in the area with very little space between the existing and proposed property
Vehicles will park in Ospringe Place as there will be very little dedicated off road parking. This application should not be approved until the issue of possible parking in Ospringe Place and its restriction is addressed.

However following the submission of the revised drawing and re consultation with local residents no additional comments have been received.

Kent Highway Services notes that parking provision would be provided in accordance with current parking standards, and that a combined access to serve both dwellings would be appropriate. They offer no objection to the proposals but do recommend conditions to provide cycle facilities, to prevent mud on to the public highway, to create and retain the parking spaces, with the appropriate access surface materials and arrangements to be completed.

The Environmental Health Manager recommends conditions be imposed for hours of construction and for any asbestos removal.

7.0 APPRAISAL

The property is located within the defined built up area boundary of Faversham and as such the principle of a dwelling here is acceptable as is the proposed change of use of the vulnerable victims unit to a dwelling. Therefore the main issues to be assessed are whether the proposal "preserves or enhances the conservation area" and the impact on the amenity of local residents and the occupiers of the proposed new dwelling.

I am mindful of Policy E15 which states that development within conservation areas "*will preserve or enhance all features that contribute positively to the area's special character or appearance*" and para 64 of the NPPF which states that "*permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions*"

I was concerned about the quality of the initial design submission. However, the final amended drawing submitted in July 2014 provides a greater architectural and visual link to the semi detached properties to the east and thus is more in line with the character of the area. The new design acknowledges and respects the simple neutral

architectural character within the area and as such I consider it to be acceptable and thus the property would make a positive contribution to the conservation area.

Whilst no new comments were received from local residents regarding the new design I have considered some of the original comments from local residents regarding their concerns. In terms of overlooking, both the proposed property and the converted property are over 40m away from the properties to the rear and as such I consider the distance to be sufficient to mitigate any views. Furthermore the loss of a view from a dwelling is not a material planning consideration and as such should not be given weight.

I note that the parking provision for each dwelling is in accordance with the current parking standards, given the size of the units and their location. Furthermore that the proposals include the relocation of the existing access to a central position, and this is considered to be an appropriate form of access to serve both dwellings.

8.0 CONCLUSION

I am of the opinion that most of the factors to consider in judging this case would not lead to any negative impact. Although residents who have objected to the proposal have concerns regarding potential overlooking, for the reasons given above I do not consider that there is sufficient justification to justify refusal on this ground and therefore consider that planning permission should be granted for the proposed development.

9.0 RECOMMENDATION – GRANT subject to the following conditions:

CONDITIONS

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Grounds: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

2. The development hereby approved shall be carried out in accordance with the following approved drawings: DHA/9117/03 and DHA/9117/04 Rev C

Grounds: For the avoidance of doubt and in the interests of proper planning

3. Prior to the commencement of any development on site details of properly consolidated and surfaced access and turning space areas shall be submitted to and approved by the Local Planning Authority and upon approval these areas shall be provided, surfaced and drained prior to the first occupation of the dwellings hereby approved.

Grounds: In the interests of highway safety and convenience.

4. Prior to the commencement of development hereby approved, full details of both hard and soft landscape works shall be submitted to and approved in writing by the

Local Planning Authority. These details shall include existing trees, shrubs and other features, planting schedules of plants, noting species, plant sizes and numbers where appropriate, means of enclosure, hard surfacing materials, and an implementation programme.

Grounds: In the interests of the visual amenities of the area

5. Prior to the commencement of development hereby approved, details of the external finishing materials to be used on the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and works shall be implemented in accordance with the approved details.

Grounds: In the interest of visual amenity

6. Prior to the commencement of development hereby approved, details shall be submitted to the Local Planning Authority and approved in writing, which set out what measures have been taken to ensure that the development incorporates sustainable construction techniques such as water conservation and recycling, renewable energy production including the inclusion of solar thermal or solar photo voltaic installations, and energy efficiency. Upon approval, the details shall be incorporated into the development as approved.

Grounds: In the interest of promoting energy efficiency and sustainable development, and in pursuance of policies E1 and U3 of the Swale Borough Local Plan 2008.

7. As an initial operation on site adequate precautions shall be taken during the progress of the works to guard against the deposit of mud and similar substances on the public highway.

Grounds: In the interests of amenity and road safety.

8. The area shown as vehicle parking and turning space area shall be retained for the use of the occupiers of, and visitors to, the premises, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Grounds: Development without provision of adequate accommodation for the parking and turning of vehicles is likely to lead to parking inconvenient to other road users and be detrimental to highway safety and amenity.

9. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Grounds: In the interests of the visual amenities of the area

10. Neither dwelling shall be occupied until space has been laid out within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority for cycles to be securely stored and sheltered.

Grounds: To ensure the provision and retention of adequate off-street parking facilities for cycles in the interests of sustainable development and promoting cycling.

11. Before the dwellings hereby approved are first occupied, the existing vehicular crossing shall be removed and the footway and verge reinstated in accordance with a design and specification to be submitted to and approved in writing by the Local Planning Authority.

Grounds: In the interests of highway safety and convenience.

12. Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Grounds: In the interests of the visual amenities of the area

13. No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:- Monday to Friday 0730 – 1900 hours, Saturdays 0730 – 1300 hours unless in association with an emergency or with the prior written approval of the District Planning Authority.

Grounds: In the interests of residential amenity and in pursuance of policy E1 of the Swale Borough Local Plan 2008.

14. Any asbestos found during the demolition of the extension shall be removed in accordance with an agreed programme of works with the Council's Environmental Health Officer unless otherwise agreed in writing with the Local Planning Authority.

Grounds: In the interests of appropriate contamination control and in pursuance of policy E1 of the Swale Borough Local Plan 2008.

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The applicant/agent was advised of the changes required to the application and these were made and agreed.