

MC/16/0996

Date Received: 1 March, 2016

Location: Land At 78 King George Road, Weeds Wood, Chatham, ME5  
OTT

Proposal: Construction of detached 3/4 bedroom chalet bungalow with  
integral garage and associated external works - resubmission of  
MC/15/3843

Applicant: Mr & Mrs Debell

Agent: Mr L Simmons LRD Simmons RIBA 46 Downsview Chatham  
Kent ME5 0AL

Ward Walderslade

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**Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 1 June 2016.**

### **Recommendation - Refusal**

- 1 The proposal, if permitted, would result in the loss of openness provided by the gap between development at the corner of King George Road and Brake Avenue, which currently provides an important role within the street scene. The proposed dwelling, due to its scale, height, design and prominent location, would fail to relate well to surrounding properties and would appear dominant and harmful to the character and appearance of the streetscene. The development would therefore be contrary to paragraphs 56, 57, 58 and 64 of the National Planning Policy Framework 2012 and Policies H4 and BNE1 of the Medway Local Plan 2003.

### **Proposal**

The application seeks full planning permission for the construction of a three/four bedroom detached dwelling, of a chalet bungalow design with accommodation within the roof space. The proposed dwelling would be two storeys with living accommodation within the gabled roof with half hip. The proposed dwelling is rectangular in shape and measures approx. 11.7m in width, approx. 9.5m in depth and approx. 2.4m and approx. 7.3m to eaves and ridge, respectively, when measured on the front elevation. Two dormer windows are proposed to the front roof slope. Whilst 3 roof lights and a sun-pipe roof light is shown on the rear facing roof slope. To the sides only ground floor windows / doors are proposed, with the exception of a window in the south-west elevation which would serve bedroom 1. The internal layout comprises a kitchen, lounge, bedroom/study, W/C, integral garage and hall at ground floor and three bedrooms, one with en-suite, a bathroom and a landing on the first

floor.

### **Site Area/Density**

Site Area: 0.0375ha / 0.093 acres

Site Density: 26.6 dpha / 10.8 dpa

### **Relevant Planning History**

MC/15/3843	Construction of detached 3/4 bedroom chalet bungalow with integral garage and associated external works Decision Refusal Decided 23 December, 2015
90/0091	Single storey rear extension and detached double garage Decision Approval with Conditions Decided 16 March, 1990
86/234	Increase of height of existing 3'9' wall to, 6'6' and erection of 6' high fence Decision Approval with Conditions Decided 1 May, 1986
1/49/193	Bungalow Decision Approval with Conditions Decided 11 October, 1949
1/49/156	Proposed W.C. Decision Approval with Conditions Decided 15 July, 1949

### **Development Plan**

The Development Plan for the area comprises the Medway Local Plan 2003. 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.

### **Representations**

The application has been advertised by site notice and individual neighbour notification to the owner/occupiers of neighbouring properties. Rochester Airport Ltd and Rochester Airport Consultative Committee were also consulted but no response was received from them.

**One letter** of objection from a local resident on the following summarised grounds has been received:

- Highway safety hazard

- Loss of light

## **Planning Appraisal**

### *Principle of the development and design*

The site is located within the urban boundary of Medway, as defined by the proposals map of the Medway Local Plan 2003. Both national and local policies support the efficient and effective use of land. It should be noted that the garden land or land within the curtilage of a dwelling has specifically been excluded from the definition of previously development land in Annex B of the NPPF.

The applicants have made reference in their submission to paragraph 14 of the NPPF which relates to sustainable development. Their submission then focuses on what they consider to be the relevant saved Local Plan Policies, including Policies H4, BNE1, BNE2, T1, T2 and T13. However, whilst they make specific reference to Paragraph 14 of the NPPF they have not referred to any element of the remaining document, which whilst making it clear that there is a presumption in sustainable development (paragraph 49 of the NPPF) also requires:

- Local planning authorities to consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area (paragraph 53 of the NPPF);
- ...good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people (paragraph 56 of the NPPF);
- 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 (paragraph 64 of the NPPF).

Policies BNE1 and H4 are reflective of the above advice and seeks to maximize residential opportunities, whilst ensuring that the amenity of local neighbourhood is respected and development proposed does not result in inappropriate development that is poorly designed and related to its surroundings.

In term of the current proposal, the development projects significantly into this corner plot and would result in a prominent form of development which is out of character and context with its surroundings. The siting, mass, form and bulk of the development are all such that they would have an over-dominant effect on this prominent plot location, which would adversely affect the character and appearance of the surrounding area and the streetscene in general. The proposed dwelling would be significantly taller than the adjacent bungalows with a half-hipped roof design, which would not relate well to adjacent properties and would exacerbate the cramped appearance of the proposed development. The development neither respects nor enhances the scale, appearance and location of buildings, spaces or visual amenities of the surrounding area and this being the case, this development is considered to be unacceptable in terms of Policies H4 or BNE1 of the Medway Local Plan 2003, as it does not provide a clear improvement to the local environment.

### *Amenity*

The siting, proportions and orientation are such that the proposed dwelling is not considered to impinge upon outlook, sunlight and daylight of neighbouring properties. In terms of the amenities of the occupiers of the proposed dwelling and the existing adjacent property, a suitable amount of external amenity space both internally and externally is provided and the future occupiers of the new dwelling are unlikely to experience overlooking or privacy issues from adjacent dwellings beyond the existing mutual overlooking. Furthermore, due to the design of the proposed development, adequate levels of light and outlook would be provided to future occupiers of the dwelling. This being the case, the development is considered acceptable, in terms of the amenities of neighbouring occupiers and the prospective occupiers of the development, under the provisions set out under Policy BNE2 of the Medway Local Plan 2003.

### *Highways*

The proposed off-street parking provides for a minimum of two off street parking spaces, which accords with the Council's adopted residential interim parking standards. The proportions of the off street parking provisions are acceptable and comply with the Council's standard and are considered to be acceptable to serve a dwelling of this size. The existing parking provisions for no. 78 King George Road would be unaffected by the development. In terms of the proposed new access, whilst the proposed access is located close to the junction of King George Road with Brake Avenue, it is considered to be acceptable in terms of its position, especially bearing in mind that Brake Avenue at this point is a one-way street that emerges out onto King George Road. With respect to the general impact on highway safety, one dwelling would generate a very small number of traffic movements and there would be satisfactory visibility from the access in both directions. Should permission be granted, conditions would be imposed regarding the provision and retention of adequate vision splays. Nevertheless, the proposal is satisfactory from a parking and highway safety perspective and as such no objection is raised to the development under the provisions set out under Policies T1, T2 and T13 of the Medway Local Plan 2003.

### *Recreational Bird Disturbance: Unilateral Undertaking*

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 this in order and on this basis, the proposal complies with the objectives of Paragraph 118 of the NPPF and Policies S6 and BNE35 of the Medway Local Plan 2003.

### **Conclusions and Reasons for this Recommendation**

The development, if permitted, would result in an unacceptable form of development in this prominent location which would be out of character with and detrimental to the amenities of the streetscene. This being the case, this development is considered to be unacceptable in terms of paragraphs 56, 57, 58 and 64 of the NPPF and Policies BNE1 and H4 of the Medway Local Plan 2003

This application has been referred to the Members of Planning Committee, for consideration, by Cllr Brake, a Ward Councillor for Walderslade, on the that he does not agree with the reason for the previous refusal of planning permission MC/15/3843 and consider this to be an appropriate site for a development that will not be harmful.

This application was considered by Members at the Planning Committee on 3 May 2016, when it was determined to defer a decision to enable a Members' site visit to be held.

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### **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/>