

MC/16/1140

Date Received: 11 March, 2016

Location: 2 Watson Avenue, Horsted, Chatham, ME5 9SH

Proposal: Construction of a 4-bedroomed detached dwelling with associated parking (demolition of existing bungalow)

Applicant: Mr Singh

Agent: Mr Edwards Edwards Planning Consultancy 83 Clock House Road Beckenham Kent BR3 4JU

Ward Rochester South & Horsted

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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 - 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:

Second floor plan 1515 7, roof plan 1515 8, front elevation 1515 9, rear elevation 1515 10, streetscene plan 1515 13 received 11 March 2016 and ground floor plan 1515 3A, ground floor/site plan 1515 4A, first floor plan 1515 5A, first floor plan 1515 6, side/west elevation 1515 11A, side/east elevation 1515 12A received 4 May 2016.

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

- 3 No development above slab level shall take place until details and samples of all materials to be used externally have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

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 Prior to the commencement of the development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, amongst other matters, details of: hours of construction/demolition working; measures to control noise affecting nearby residents; wheel cleaning/chassis cleaning facilities; dust control measures; pollution incident control and site contact details in case of complaints. The construction works shall thereafter be carried out at all times in accordance with the approved CEMP, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

Reason: Required prior to commencement of development to ensure that construction does not result in harm to the amenities of nearby properties in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 5 If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted a method statement, and obtained written approval from the Local Planning Authority. The Method Statement must detail how this unsuspected contamination shall be dealt with.

Reason: In accordance with the objectives of Policy BNE23 of the Medway Local Plan 2003.

- 6 The bedroom window and the ensuite window on the east facing wall at first floor level of the dwelling hereby approved shall be fitted with obscure glass and apart from any top-hung light, that has a cill height of not less than 1.7 metres above the internal finished floor level of the rooms they serve, shall be non-opening. This work shall be carried out and completed before the rooms are occupied and shall be retained at all times thereafter.

Reason: To ensure the development does not prejudice conditions of amenity by reason of unneighbourly overlooking of adjoining property, in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 7 No development above slab level shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected and that to be retained. The boundary treatment shall be completed before the use hereby permitted and shall thereafter be retained. Development shall be carried out in accordance with the approved details.

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**

The proposal is for the construction of a four-bedroomed detached dwelling with associated parking (demolition of existing five bedroomed bungalow).

The design incorporates a part-two storey, part-single storey dwelling with accommodation in the roof, with a bay window projection to the front elevation. Two roof-lights are proposed within the rear flat roof roof-space of the house. A mix of both gable and hipped roof form is proposed with a hidden flat roof element incorporated into the design to facilitate headroom space at second floor level. The proposed house would have a floor to eaves height of approx. 5.5m at its highest point and floor to ridge height of approx. 9.2m.

The ground floor is proposed to comprise a dining room, lounge, home office and utility rooms, four bedrooms at first floor level with associated en-suite rooms and bathroom and a loft space capable of being used as a fifth bedroom with storage /potential ensuite rooms. The applicants have confirmed that the intention is to use the loft area as storage space, but accept that it may be used at a later date as a bedroom by them or future occupiers of the property.

The dwelling would be set 10m approx. back from the edge of the highway and have a maximum depth of 20.8m approx. This is divided up in the form of 13.8 m being two storey and 7m approx. being single storey at the rear.

Parking for a minimum of three cars off-road would be provided within the front garden. A 17m depth rear garden would be maintained to the rear of the plot with access from the rear of the dwelling and to each side of the house.

## **Site Area/Density**

Site Area: 0.91 hectares (2.2 acres)

Site Density: 1.9 dph (0.4 dpa)

## **Relevant Planning History**

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|------------|---|
| MC/14/0783 | Increase in roof height and alterations including insertion of dormer windows to front and rear; roof light to front; single storey front extension and associated works (Resubmission of MC13/2731)<br>Decision Approval With Conditions<br>Decided 14/05/2014 |
| MC/13/2731 | Increase in roof height and alterations including insertion of dormer windows and roof light to front and rear; single storey front extension and associated works<br>Decision Approval With Conditions<br>Decided 24/12/2013                                   |

## **Representations**

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

Four letters of representation have been received, objecting to the proposal on the following grounds:

- Loss of privacy;
- Loss of outlook;
- Loss of light;
- Out of character with the area;
- Noise dust and vibration caused by construction;
- Concern over extent of construction period and impact on use of neighbouring gardens;
- Existing fencing on boundary could potentially be replaced;
- There is a restriction on increasing the height of buildings in the area and a dominant form of development; and
- Loss of bungalow housing suitable for the elderly.

## **Development Plan**

The Development Plan for the area comprises the Medway Local Plan 2003. The policies referred to within these documents 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*

Paragraphs 49 and 50 of the NPPF encourage development for housing in urban areas (where appropriate) with a presumption in favour of good quality housing and choice, with a caveat that development should be resisted where development would cause harm to the local area. The principle of a dwelling on the site is established as there is already a bungalow within the site.

As the site is located within the main urban area and is for the replacement of an existing dwelling, the principle of development is considered acceptable, subject to consideration regarding design, amenity and highways considerations.

### *Design and impact on street-scene*

Good design is encouraged in Paragraph 56 of the NPPF which requires development to respond well to local character and Policy BNE1 emphasises the importance of design. The proposed house is in a mixed area where both bungalow and two-storey housing exists of different styles. Whilst the development would be greater in scale than the existing bungalow, the proposal would reflect the scale of the two-storey dwelling to the east and would not be considered harmful to the style and

character of housing in the area.

It is noted that building height was considered by an Inspector in 2015 (MC/15/2072) as part of proposed alterations to facilitate the addition of bedrooms to a care home at the junction of Watson Avenue and Thorndale Close. The Inspector concluded that the impact of the care-home development (no. 8) at its southern end (i.e the impact from Thorndale Close, not Watson Avenue) was unacceptable in both street-scene and amenity grounds, in terms of dominance and outlook impact. However, in terms of its impact along Watson Avenue, this proposal was considered acceptable in height, proportion, depth and roof pitch when compared to the adjacent two storey dwelling (no. 6).

Flat roofs are generally not encouraged; however, in this instance, as the flat roof rear extension would be to the rear of the property and would not be visible from the streetscene, it is not considered to be unacceptable.

Given the existing mixed character of the street scene, no objection is raised to the scheme in terms of design and appearance. Overall, the proposal is therefore considered to be in accordance with Paragraphs 49, 50 and 56 of the NPPF and Policy BNE1 of the Medway Local Plan 2003.

#### *Impact on residential amenities*

*Impact on no 4:* Due to siting, distance and orientation of the proposed dwelling to the west of no. 4, there would be limited impact from the development in terms of overshadowing, loss of sunlight and daylight. The increased scale and height of the proposed building on the site would not be considered unacceptable in amenity terms, particularly as the dwelling would be adjacent to no. 4. The dwelling would project past no. 4; however, this would be at single storey level, with a flat roof and as such is not considered to result in an unacceptable impact. The neighbour also has a detached outbuilding along the dividing boundary.

The dwelling is shown to have two first floor side windows; one of which would be an ensuite window. The other would serve a bedroom, but as it would face the side wall of no. 4, which has only obscure glazed windows at first floor, it is not considered that there would be unacceptable overlooking from this window. In addition, as the window would be a secondary window, it can be conditioned to be obscure glazed, as can the ensuite window. Rear facing windows would be provided at ground, first and second floor levels. This would result in oblique overlooking, which is not uncommon in residential areas.

*Impact on no. 301 and 303 Maidstone Road:* These properties have their rear boundaries adjoining the side boundary of this property. Given the depth of their rear gardens of around 20m, it is not considered that the dwelling would have an unacceptable impact on the residential amenity of these occupants whilst in their properties or within the private amenity garden areas. There are no windows proposed at first or second floor level on the west facing flank, so there would be no overlooking issues into these properties.

*Impact on surrounding properties:* Due to its siting and location, it is not considered

that the proposed dwelling would have an unacceptable impact on residential amenity of occupants of any other surrounding properties. The impact of the development through the construction process is one that would need to be managed. Due to the proximity of residential properties, it is considered appropriate that the applicant be required to submit a Construction and Environmental Management Plan to include hours of working, noise mitigation, wheel-cleaning, dust control measures and site contact details in case of complaints for example. In consideration of the above, the proposal is in accordance with policy BNE2 of the Medway Local Plan 2003.

#### *Highways impact and parking*

The development would comply with the minimum Medway Council Interim Residential Parking Standards where parking proposed to the front of the site for a minimum of 3 cars and as such the scheme is considered to be in accordance with Policy T13 of the Medway Local Plan 2003. Adequate visibility splays have been shown on the plans as existing and as such the scheme is considered to be in accordance with Policy T1 of the Medway Local Plan 2003.

#### *Potential land contamination*

Due to the proximity of proximity of potentially contaminated land, a watching brief condition is recommended to be imposed to ensure that this is addressed appropriately in the event of any contaminants found during the course of construction.

#### *Trees*

There are no trees within the site that have significant amenity value. Existing trees and planting to the rear of the site is proposed to be maintained and whilst this is encouraged, it is not considered appropriate to condition the protection of such planting that is set back from the highway, within the applicants control and not under threat from the development. The development would comply with the objectives of Policy BNE43 of the local plan.

#### *Local Finance Considerations*

None relevant to this application

#### **Conclusions and reasons for approval**

The proposed development would not be out of context with its surroundings and is not considered to cause any adverse negative impacts with regard to the neighbour amenities, trees or highways and it is considered to be acceptable for the reasons outlined above. It is therefore recommended that the proposal be approved subject to the imposition of appropriate conditions. The proposal therefore accords with the provisions of paragraphs 49, 50 and 56 of the NPPF and policies BNE1, BNE2, BNE43, T1 and T13 of the Medway Local Plan 2003.

This application is reported to Planning Committee due to more than two representations having been received against officer recommendation.

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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/>