

06 MC/16/3296

Date Received: 2 August, 2016

Location: Romany Lodge, Romany Road, Twydall, Gillingham, ME8 6JH

Proposal: Demolition of existing bungalow and construction of a 4-bedroomed detached chalet bungalow; three link detached houses (2 x 3bed and 1 x 2 bed), and a 2-bedroom detached house with associated parking/garaging and access.

Applicant: Mr A Southgate

Agent: Mr B Best Cobden South Park Studio South Park Sevenoaks Kent TN13 1AN

Ward Twydall

Case Officer Alison Webster

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 14 December 2016.

Recommendation – Approval subject to:

A The applicants entering into a unilateral obligation to pay the bird mitigation contribution.

B The imposition of 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:

COB/14/720/02 received 2 August 2016 and COB/15/720/01B, 03A, 04A received 16 November 2016.

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

- 3 No development above ground floor 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no additional windows or similar openings shall be constructed in the western elevation of Plot 1.

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of amenity and privacy of adjoining property, in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 5 No development shall take place above ground floor slab level until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping (hard and soft) and this shall include information on the parking space to the front. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the dwelling or completion of the development, whichever is the earlier. Any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: Pursuant to condition 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Policy BNE1 and BNE6 of the Medway Local Plan 2003.

- 6 The buildings shall not be occupied, until the area shown on the submitted layout as vehicle parking space and garaging/carports have been provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority. 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) Order 1995 (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 and garaging.

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking and to accord with Policy T13 of the Medway Local Plan 2003.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no doors shall be attached to the car ports shown on Plots 3 and 4 without first obtaining written approval from the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of parking, in accordance with Policy T13 of the Medway Local Plan 2003.

- 8 The dwellings shall not be occupied until visibility splays of 2m x 2m have been provided either side of the vehicle access point at its junction with Romany Road. No obstruction of sight more than 0.6m above carriageway level shall be permitted within the visibility splays thereafter

Reason: To ensure that the development permitted does not prejudice conditions of highway safety or efficiency and to accord with Policy T1 of the Medway Local Plan 2003.

- 9 No development above ground floor 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. The approved boundary treatment shall be completed before the dwellings are occupied and shall thereafter be retained.

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.

- 10 Any dwelling sited with any part of its footprint in excess of 45m from the carriageway of Romany Road shall be fitted with a sprinkler system for fire-fighting purposes to meet the requirements of BS9251 or equivalent.

Reason: To ensure that the development permitted does not prejudice conditions of safety in accordance with Policy BNE2 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 demolition of the existing bungalow and construction of a 4-bedroomed detached chalet bungalow; three 3-bedroomed link detached houses and a 3-bedroomed detached house with associated parking/garaging and access.

Plot 1 is a detached bungalow. This will be a maximum of 10m deep and 12m wide. It will be approx. 2.5m high to the eaves and 6.5m high to the ridge. It will have a dormer to the front and rear. Downstairs there will be a lounge, kitchen/diner, two bedrooms, en suite and shower room. Upstairs there will be a third bedroom,

bathroom and a study.

Plots 2-4 are a block of three 3-bed linked dwellings. The overall width of the block will be approx. 22.5m and the depth will be approx. 9.4m. It will be approx. 5m high to the eaves and 7m high to the ridge. In between the plots will be attached car ports with a bedroom above. Each property has a living room and kitchen/diner and WC at ground floor and three bedrooms, study, en suite and bathroom at first floor with the exception of flat 2 which does not have a study.

Plot 5 is a detached property that will be approx. 5.5m wide and 9.5m deep. It will also be approx. 5m high to the eaves and 7m high to the ridge. This property will have the same layout as plot 2.

A double garage is proposed to serve both plot 1 and plot 2. This will be approx. 7.4m long and 6.6m wide. It will be approx. 4.8m high with a pitched roof.

Site Area/Density

Site Area: 0.174 hectares (0.43 acres)

Site Density: 29 dph (12 dpa)

Relevant Planning History

- | | |
|-------------------|--|
| MC/13/0138 | Application for a new planning permission to replace extant planning permission MC/09/2168 (Re-development of site to provide 3 three-bedroomed link detached houses and 1 three-bedroomed detached house with associated garages, parking spaces, access way and turning area)
Decision Approval With Conditions
Decided 08/03/2013 |
| MC/13/0142 | Construction of a 3-bedroomed detached bungalow with associated garage and parking space (demolition of existing bungalow)
Decision Approval With Conditions
Decided 7 March, 2013 |
| MC/09/2168 | Re-development of site to provide 3 three-bedroomed link detached houses and 1 three-bedroomed detached house with associated garages, parking spaces, access way and turning area
Decision Approval With Conditions
Decided 11 March, 2010 |
| MC/09/0366 | Application for approval of reserved matters [appearance, landscaping, layout & scale] pursuant to outline permission of appeal decision APP/A2280/A/08/2079364 for demolition of existing dwelling and construction of one 3-bedroomed detached bungalow, one 3-bedroomed detached house and two 4-bedroomed detached houses; associated garages; |

parking; access way and turning area
Decision Approval with Conditions
Decided 21 May, 2009

MC/08/0383

Outline application for demolition of existing dwelling and construction of one 3-bedroomed bungalow, one 3-bedroomed detached house and two 4-bedroomed detached houses; associated garages, parking, access and turning area
Decision Refusal
Decided 22 May, 2008
Appeal Allowed

MC/07/0656

Outline application for demolition of dwelling and construction of a pair of 3-bedroomed semi-detached, a detached 3-bedroomed and two 4-bedroomed detached houses with associated garages and parking
Decision Refusal
Decided 28 June, 2007

Representations

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

2 letters have been received, including one from the Head Teacher at the adjacent **St. Thomas of Canterbury Catholic Primary School** raising the following objections:

- Disruption during construction (not a material planning consideration)
- Ensuing traffic issues, inconsiderate parking
- Some trees will need to be removed as taller conifers are killing established trees
- There may be bats roosting in the trees

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

In 2013 an application was received (MC/13/0138) to renew the previously approved application MC/09/2168. This application for 3 x 3bed and 1 x 3bed properties to the rear of the site was approved. Alongside this was a separate application for a 3 bed bungalow to replace the original bungalow (MC/13/0142) which was also approved.

Both of these permissions have expired and the new application that has been submitted combines them with some amendments.

Principle

The application site is located within the urban area of Gillingham. The principle of redevelopment of the site is acceptable under the provisions of Policy H4 of the Medway Local Plan 2003. Permission in outline was allowed at appeal (reference APP/A2280/A/08/2079364) for the demolition of the existing dwelling and the construction of one 3 bed bungalow, one 3 bed detached house and two 4 bed detached houses, associated garages, parking, access and a turning area. Subsequent applications for reserved matters, and full applications on the site, including for a replacement bungalow, have been approved and permission has expired. The two most recent permissions were both approved in the policy context that exists today, i.e the same Local Plan and the NPPF 2012. The principle of development for five dwellings on the whole of the site is accepted subject to issues of design, neighbour amenity, tree issues and highways.

Design

The application site is an extended bungalow situated on a large plot. To the north and east are large school sites. The neighbour to the west is a bungalow set approx. 0.3m higher than the application site with flank wall windows facing the application site that relate to a hallway, dining room and living room.

The character of the area is mixed with both two storey and single storey semi-detached and detached dwellings built to different styles. To the front of the application site there are school 'keep clear' lines and pedestrian barriers on the opposite side of the road. The rear garden is mainly laid to lawn enclosed by a conifer hedge over 2m in height. There is a slight land difference in the rear garden or approx. 0.5m.

The existing bungalow is situated to the front/centre of the site with a side/rear extension to the east of the property. The proposed replacement bungalow will be sited further to the west of the site to enable an access road to be built to the east. The proposed bungalow is in the same position and has the same footprint as was approved under planning reference MC/13/0142. The difference between this approved bungalow and this application is an increase in the roof height of approx. 0.5m and the addition of a dormer to the front and rear. This will allow for an additional living room at the ground floor and a third bedroom, bathroom and en-suite on the first floor. In terms of design the street scene is mixed and no objection is raised to the appearance of the replacement bungalow. The increase in the ridge height will not appear out of character with the neighbouring property as this property is on slightly higher ground with a higher ridge height.

The proposed three 3-bed linked detached dwellings and one 3-bed detached dwelling are to be located to the rear of the proposed bungalow in the same position that was approved under planning reference MC/09/2168 (that was renewed under reference MC/13/0138). Plots 2, 3 and 4 are to be linked by car ports with a parking space to the front. They will have single storey porch projections to the front. The

plans have been amended since the last approval and now plots 3 and 4 have their third bedroom over the car port and an additional study at first floor. Plots 2 and 5 have two bedrooms on the first floor and a study. The result of this is the increase in roof heights above the garage. These roofs are still approx. 1.2m lower than the main ridge height. In terms of design, the proposed properties are not dissimilar to those that have already been approved and therefore are considered acceptable.

The proposed development is therefore considered to accord with Policy BNE1 of the Medway Local Plan 2003 and the objectives of the design principles set out in paragraphs 56 and 58 of the NPPF.

Amenity

The proposed bungalow will be situated to the west of the site. There is thick vegetation between the bungalow and the neighbour to the west. There are therefore no concerns regarding loss of outlook from this property. There will be no habitable rooms to the western flank of the proposed bungalow apart from one high level window serving the study and therefore no concerns are raised with regard to overlooking. Due to the path of the sun there will be no detrimental impact on sunlight or daylight from the new bungalow. Due to the distances between the proposed bungalow and the proposed houses, there will be no detrimental impact in terms of loss of amenity to either development.

The proposed block containing plots 2-4 and the detached plot 5 will be situated to the south of the site. The western boundary consists of high leylandi (approx. 3.5m high). This restricts views into the neighbouring garden to the west and therefore no overlooking will occur. If these were to be removed any overlooking will be to the rear most part of this neighbouring garden and therefore no objection is raised. Due to the position of plots 2-5, height of the boundary treatment (leylandi over 2m high) and distance between properties, there will be no loss of outlook from any neighbouring dwelling. Due to the path of the sun there will be no detrimental impact on any neighbouring dwellings in terms of sunlight or daylight from this development. The development is arranged in such a way that the new properties will sit well together without causing any loss of amenity between plots.

Occupier Amenity: Housing Design Standards

Plot no:	Bedrooms/ persons	DCLG standard	GIA sqm	Bedroom 1 sqm	Bedroom 2 sqm	Bedroom 3 sqm
1	3/6	102	123.33	13.26	11.3	10.89
2	2/4	79	85	10.2	9.6	n/a
3	3/5	93	97.5	10.5	9.45	12.8
4	3/5	93	97.5	10.5	9.45	12.8
5	2/4	79	85	10.2	9.6	n/a

The internal layout meets the National Design Standards and therefore are considered acceptable in amenity terms.

The proposed development therefore accords with Policy BNE2 of the Medway Local Plan 2003 and para. 17 of the NPPF.

Highways

Each property has been allocated carport and an off road parking space with the exception of plot 5 which has two off road parking spaces. Initially linked garages were proposed but they were not deep enough to meet with the Council's interim parking standards. The application has been amended to now provide two carports for these properties which will allow for the standards to be met. In order to control the addition of garage doors at a later date a condition is recommended to ensure planning permission is required for such development. The proposed double garage has also been increased in size in order to meet the Council's standards for garages and therefore is considered acceptable. The proposed development therefore accords with Policy T13 of the Medway Local Plan 2003.

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 affect, 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.

Local Finance Considerations

None relevant.

Conclusions and Reasons for Approval

The principle of the proposed development has already been considered acceptable

and the finer details in this application are considered to have no detrimental impact on the street scene, neighbouring amenities, highway safety or parking. The proposals therefore accord with the abovementioned Policies and are recommended for approval.

This application would normally be determined under delegated powers but is being referred for determination by Planning Committee due to the fact that the Committee considered the previous applications.

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/>