

MC/16/2376

Date Received: 1 June, 2016

Location: 10 The Ridgeway, Chatham ME4 6PD

Proposal: Demolition of existing bungalow and garage and construction of two 3-bedroomed detached dwellings with parking to the front

Applicant: Mr G Swain

Agent: Mr P Westrup Architectural Designs Providence Cottage
Stalisfield Road Stalisfield Faversham, Kent ME13 0HW

Ward Rochester South & Horsted

Case Officer Paul Ives

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 12 April 2017.

Recommendation - Approval subject to:

A. Section 106 agreement to secure:

i) £223.58 towards Bird mitigation

B. And 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:

Drawing numbers 473/01, 473/02, 473/03, 473/05 (Proposed Elevations Plot 1), 473/06, 473/07, 473/04 received 6 February 2017; drawing number 473/04 received 10 February 2017; and 473/05 (Proposed Street Scene) received 22 March 2017.

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

- 3 The development shall be carried out in materials consisting of brick work to the ground floor, render to the first floor and clay roof tiles.

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 The windows serving ensuite bathrooms as shown on the floorplans herein approved shall be fitted with obscure glass, bottom hung only fitted with locking ventilation mechanism restricted to 100mm opening only. This work shall be carried out and completed before the dwellings 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.

- 5 Prior to occupation of any dwelling herein approved, details of the boundary treatment including a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority . The boundary treatment shall be completed in accordance with the approved details prior to the occupation of any of the dwellings herein approved 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 and BNE2 of the Medway Local Plan 2003.

- 6 Notwithstanding the submitted plans, the front parking area shall not be brought into use until it has been formed from permeable surfacing materials in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The surfacing so provided shall be completed in accordance with any subsequent approved details prior to the parking being brought into use and following completion shall be maintained as such thereafter.

Reason: In the interests of sustainability.

- 7 No development shall take place until a construction environmental management plan that describes measures to control hours of construction, measures to control noise, dust control measures, wheel cleaning /chassis cleaning facilities, pollution incident control and site contact details in case of complaints arising from the construction phase of the development has been submitted to and approved in writing by the Local Planning Authority. All construction works shall be undertaken in accordance with this approved plan.

Reason: Required prior to commencement of development to avoid any irreversible detrimental impact of the construction period on the amenities of local residents with regard to Policies BNE2 of the Medway Local Plan 2003.

- 8 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 suspected contamination shall be dealt with and the mitigation should be carried out in accordance with any details approved.

Reason: In the interests of amenity protection in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 9 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) no development shall be carried out within of Schedule 2, Part 1, Classes B and C of that Order 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, in accordance with Policies BNE1 and 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 proposes the demolition of an existing bungalow and garage and the construction of two 3-bedroom dwellings with parking to the front with a shared drive.

Each dwelling would comprise hall, study, w/c, drawing room, dining room, utility room, and kitchen living space at ground floor level with three bedrooms all with en-suite facilities above.

Both properties would have a two storey front projection with a barn hip to the front and rear and a single storey projection to front. The main roof of each property is also of catslide design to the side boundaries of the site. Windows are proposed to all sides of both properties. The dwellings would have a depth of approx. 14.5m, a floor to eaves height of approx. 4m to each side and a maximum ground to ridge height of approx. 7.8m.

Both properties have slight variation in the design but to a common theme. Each is proposed to be finished in clay tile, painted render to first floor with brickwork at ground floor level and white upvc windows and doors.

Site Area/Density

Site Area: 0.1 hectares (0.24 acres)

Site Density: 20dph (8dpa)

Relevant Planning History

MC/08/1358	Conversion of garage to form habitable room Decision Approval with Conditions Decided 29/09/2008
NK1/57/201	Detached bungalow and garage Decision Approval with Conditions Decided 4 October, 1957

Representations

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

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

- loss of view and outlook
- Loss of privacy
- Out of character with the area which are all bungalow designs
- The rear projections are far greater than the existing bungalows
- The narrow frontage is out of character with the streetscape
- Dominant form of development
- Adverse impact on wildlife
- Poor quality plans

The original agent has been replaced and amended plans submitted reducing the scale of the proposal and re approaching the design overall.

One letter of representation was received in response to the revised plans objecting on the following grounds:

- Loss of privacy overlooking 24 Walderslade Road
- Loss of outlook
- Out of character with the surrounding street scene

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.

Background

As originally submitted this planning application for two dwellings raised concerns regarding design, impact on amenity and poor quality of plans. A different planning agent was appointed and a revised scheme submitted for consideration.

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 where development would not cause harm to the local area. Policy H4 of the Medway Local Plan 2003 allows for residential infilling in principle providing that a clear improvement in the local environment will result.

The principle of residential dwellings in this location is acceptable. In land use term, the development would comply with the objectives of Paragraphs 49 and 50 of the NPPF and Policy H4 (i) of the Medway Local Plan 2003.

Design

Good design is encouraged (paragraph. 56) requiring that development should respond well to local character and this is embodied in Policy BNE1 objectives of the Local Plan.

At two storeys in height, the development would be sited in between two bungalows but two storey development is visible within the locality. The proposed replacement dwellings would complement the varied style of houses in the surrounding area. The revised designs would add further variation to the streetscape in a positive way with elements of the design up to the boundary at ground floor level. Above however, the first floor of both properties would retain gaps to the boundary and the overall ridge heights would work well with adjacent properties. The properties have been scaled down in particular to the rear to pick up on surrounding development pattern and retain greater visual relief in turn when seen from neighbouring properties to that previously proposed. Accordingly, the design and siting would be appropriate within the site and would not cause harm to the character or appearance of the area.

The use of fenestration in part within the roof slopes reduces the amount of fenestration within the elevations. The angle of the catslide roof helps the development sit comfortably between existing dwellings and therefore within the street scene.

The parking area proposed to the front would retain the presence of hard surfacing and off-street parking across the full width of the site where front gardens on the road already have hard surfacing. Subject to good quality materials and a permeable means of construction no objection would be raised on this point.

The proposed garden sizes would be generous and would retain the character of the depth of gardens in the locality.

The proposed development would meet the objectives of paragraph 56 of the NPPF and Policy BNE1 of the Local Plan.

Amenity

Impact on neighbours amenity

The proposed development has been designed to ensure habitable room windows face to the front or rear of the property where overlooking between gardens is already present. Side windows can be controlled by condition to prevent direct overlooking of neighbouring gardens or windows.

In terms of outlook and dominance, the proposed cat slide roof design helps to minimise the dominance of each building to neighbouring plots. There would be no significant loss of sunlight or daylight taking account of the impact of the existing bungalow and boundary treatment in place; the orientation of the property and distance to neighbouring households.

Impact of future occupants of the proposed dwelling

Both dwellings have been reduced to three bedrooms from the previously proposed four that in effect has improved the internal layout and floorspace for the dwellings. The dwellings meet the minimum objectives of the National Technical standards in terms of area, room size and circulation space. The proposed garden provision is ideal and would provide excellent sized gardens for both family sized properties.

As the site is within a mainly residential area where development most likely will have an impact on amenity through construction, a construction environmental management plan condition is recommended to be imposed.

Overall, the development would comply with the objectives of Policy BNE2 of the Local Plan.

Contamination

The site is located on former military land and therefore there is potential for contamination. A watching brief condition is recommended to manage any potential contamination that may be found on site in order to comply with the objectives of Policy BNE23 of the Local Plan.

Highways

The development would make provision for two off-street parking spaces per dwelling to the front accessed by the two existing crossovers to the site. The proposal is considered to comply with the objectives of Policies BNE2, T1 and T13 of the Local Plan.

S106 Matters

The Community Infrastructure Levy Regulations 2010 provide that in relation to any decision on whether or not to grant planning permission to be made after 6 April 2010, a planning obligation (a s106 agreement) may only be taken in to account if the obligation is (a) necessary to make the development acceptable in planning terms;(b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development. The obligations proposed comply with these tests because for the above mentioned reasons.

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 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 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.

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Local Finance Considerations

There are no local finance considerations.

Conclusions and Reasons for Approval

The proposed development is considered acceptable in principle, of suitable design and without detriment to the amenities of the future occupiers and neighbouring residents. The proposal is in accordance with the objectives of paragraphs 17, 49, 50, 56, 109 and 118 of the National Planning Policy Framework 2012 and Policies BNE1, BNE2, BNE35, H4, T1, T13 and S6 of the Medway Local Plan 2003.

The application would normally be determined under delegated powers but is being referred to Committee due to the extent of the representations received expressing a view contrary to the recommendation.

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/>