

MC/17/0679

Date Received: 23 February, 2017

Location: 233 Hempstead Road, Hempstead, Gillingham, ME7 3QH

Proposal: Alterations to existing bungalow to include construction of side extensions, raising of roof height and insertion of rooflights to facilitate living accommodation in the roof space and detached double garage to front; construction of a detached two storey 4 bedroom dwelling to front of site with associated parking; formation of access road from front to rear of site - demolition of conservatory, garage and sheds.

Applicant: Mr Rogers

Agent: Mr Tony Rogers Seymour Rogers Associates 231 Hempstead Road Hempstead Gillingham ME7 3QH

Ward Hempstead & Wigmore

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 13 June 2017.

Recommendation – Approval subject to;

A. i) Secure £223.58 towards bird disturbance 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 WD/02/233/17, WD/03/233/17 and WD/04/233/17 received on 28 February 2017; and drawing numbers WD/05/233/17 and WD/06/233/17 received 2 May 2017.

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

3 The development shall be finished using the following materials for each plot:

Plot A

- Sussex Red stock walls and smooth painted rendered finish (where shown);
- Marley Plain Concrete Roof Tiles. Colour Old English Dark Red; and
- UPVC windows and rear doors and Oak Front door.

Plot B

- Smooth painted rendered finished over existing brick/roughcast/smooth rendering (where shown);
- New Marley Plain Concrete Roof Tiles. Colour Old English Dark Red;
- UPVC windows and rear doors and Oak Front door; and
- Oak framed Double garage with softwood stained boarding having Sussex Red stock walls and Marley plain 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 en-suite, bathroom and landing windows at first floor level to both side elevations of plot A as shown on plan WD/02/233/17 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 room it serves, shall be non-opening. This work shall be carried out and completed before the room is 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 The ensuite windows at first floor level to the front western elevation of plot B as shown on plan WD/02/233/17 shall have floor to cill height of no less than 1.7 metres above the internal finished floor level of the room they serve. 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.

- 6 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 on Plots A and B identified on the plans hereby approved within Schedule 2, Part 1, Classes A, B, C or E 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.

- 7 Notwithstanding the submitted plans, prior to the occupation of any of the dwellings herein approved, full details of the proposed boundary treatment to serve both plots 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 before the buildings 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.

- 8 Prior to the occupation of any dwelling herein approved, vision splays of 2.0 metres x 2.0 metres shall be provided on both sides of the vehicular access points and no obstruction of sight more than 900 metres above carriageway level shall be permitted within the splays thereafter.

Reason: To ensure that the development permitted does not prejudice conditions of highway safety or efficiency in accordance with Policies T2 and T3 of the Medway Local Plan 2003.

- 9 Prior to the occupation of any dwelling herein approved, the areas shown on the submitted layout as vehicle parking spaces and garaging shall be provided and surfaced using permeable materials. 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 2015 (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 in accordance with Policy T13 of the Medway Local Plan 2003.

- 10 No development shall commence until a construction environmental management plan that describes measures to control the hours of operation noise, dust, lighting impacts 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 throughout the construction period.

Reason: Required prior to commencement of development to minimise the impact of the construction period on the amenities of local residents regard to Policies 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

Alterations to existing bungalow to include construction of side extensions, raising of roof height and insertion of roof lights to facilitate living accommodation in the roof space and detached double garage to front; construction of a detached two storey 4 bedroom dwelling to front of site with associated parking; formation of access road from front to rear of site - demolition of conservatory, garage and sheds.

For the purpose of providing clarity, this report will refer to the existing dwelling and the proposed dwelling as two plots; plot A and plot B.

Plot A

To the front of the site on the southern side, a two storey detached dwelling is proposed with parking for two cars within a front garden served by an ingress and egress in part shared with the access to plot B. The dwelling would comprise a hallway, kitchen, utility, lounge, dining and study/homework area at ground floor level and four bedrooms with en suite and bathroom accommodation at first floor level. The dwelling is proposed of a hipped roof design with materials to be part brick, part render with plain tiles above. An oak dormer is proposed to the frontage and the property incorporates a single storey projection to the front which forms a porch. A garden is proposed to the rear on the eastern side of the property that ends adjacent to the proposed car port of Plot B which would remain situated behind. The garden is indicated to be enclosed by an approx. 1.8m boundary treatment. To the front garden, a brick wall/railing enclosure is proposed to the front garden of approx. 900mm maximum height and the garden would be finished in a permeable surface and soft landscaping.

Plot B

The proposal would involve the extension and enlargement of the existing detached bungalow located to the rear of the application site. The works would involve the increased footprint and height of the building to provide a three bedroomed property with two bedrooms in the roof space served by en suite accommodation. At ground floor level, a master bedroom (served by interlinking dressing room and en suite), hallway, bathroom, study, dining room/lounge and kitchen are proposed. The development would be of a hipped roof form set in approx. 1m from each side boundary with a garden behind to the eastern side of the plot finished in mainly render with a plain tile above. In front of the property, a double detached oak car port is proposed of barn hip design. Plot B would be served by a drive that would run to the northern side of the application site with access from the highway. A permeable block paved drive is proposed and the boundary treatment has been indicated as approx. 1.8m high boundary treatment. The driveway would be complimented by planting beds

and overall, the plot could accommodate two plus cars.

Site Area/Density

Site Area: 0.087hectares (0.214 acres)

Site Density: 23 dph (9 dpa)

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:

- Out of character with the surrounding area
- Tandem form of development that would set a precedent in the locality if allowed contrary to Policy H9 of the Local Plan.
- Insufficient parking and increased competition for parking on the highway

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

Principle

The site is relatively unique in that the existing bungalow is set deep into the plot with an extremely large front garden. This is very much out of character with the existing siting of dwellings in the road that are set closer to the highway with large rear gardens. Having considered the age of the property (approx. 1920s), this may be one of the last original plots where garden frontages were developed to form the street as we know it today.

Both National and Local Policies support the efficient and effective use of land by making the best use of development opportunities within the urban areas whilst seeking to ensure that the amenity of local neighbourhoods is respected. Paragraphs 49 and 53 of the NPPF and Policy H4 of the Local Plan 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 H9 of the Local Plan is relevant as the proposal would result in tandem development where there is one dwelling on front of the other. Usually such tandem development would not be permitted under Policy H9 of the Local Plan as it 'generally causes disturbance and loss of privacy to the house at the front'. However in this

case it is the reverse situation, in that it is the house to the front which would be added such that potential occupants would be aware of the situation (including any impact from the existing dwelling) from the start and if necessary suitable mitigation measures can be built in. At present the property is at odds with its surroundings and the addition of a dwelling on the frontage would be a positive step in this regard. In principle the addition of a further dwelling in this urban is therefore considered acceptable including with regard to Policy H9 and paragraphs 49 and 53 of the NPPF.

Design

The addition of a dwelling on the site could have a positive impact on the character and appearance of the street scene, filling the current gap in frontage development. In respect of the frontage plot (Plot A), the two storey dwelling would be greater in height than properties either side. However, opposite and within the street as a whole, dwellings are both two storey, of chalet bungalow form and large in scale. The design approach taken by the applicant has been to enhance the two storey approach with features and materials that would contribute positively to the appearance of the street. Whilst a bungalow form of housing with accommodation in the roof would potentially be more desirable, in consideration of the mix of house types in the locality and range of scale, on balance, the proposed scheme would be considered acceptable in terms of design for this plot.

To the rear, the alterations proposed to the existing dwelling would significantly increase the foot print of the building when combined with the increase in height and carport proposed. However, the design is sensitive to the location and retains a bungalow form with hipped roof and again the quality of appearance anticipated would render the development acceptable in the form proposed where the presence of a detached bungalow already exists.

Overall both properties would have a greater presence within the plot and when seen from the road and neighbouring gardens but overall, the development would respect the streetscape in terms of design and quality housing that is considered in accordance with the objectives of Policy BNE1 of the Local Plan and paragraph 56 of the NPPF.

Amenity

There are two main amenity considerations, the impact on neighbours and the level of amenity which would be experienced by potential future occupants of the site itself.

The proposed development will be seen from neighbouring gardens and result in shadow from both properties throughout the day. However, in consideration of the existing impact from the dwelling and more so the siting and distance of both properties from habitable rooms and amenity space, no objection is raised in terms of loss light and shadow cast. In terms of privacy, where there is potential direct overlooking to private amenity space to the rear of neighbouring dwellings, a condition can be applied to mitigate the impact. In consideration of this and the siting of the existing dwelling, no objection is raised in terms of privacy implications.

The proposed development would provide a very good standard of accommodation

within both plots with generous room sizes, circulation and storage space. Whilst garden sizes would be smaller than those within the vicinity, owing to the combined depth and width of both gardens, they would provide sufficient amenity space for each dwelling as family homes in consideration of the number of bedrooms proposed. Due to the extent of garden sizes proposed and potential direct overlooking between plots and neighbouring houses, it is recommended that permitted development rights be removed for both plots to enable the authority to manage any changes to the properties in amenity terms in future.

The works are within a wholly residential area and the impact of construction works will have a potential impact on neighbouring amenity. To manage this, a Construction Management plan is recommended to be secured by condition.

In summary the impact of the development on amenity, both of neighbours and of future residents of the site itself, is considered acceptable including with regard to the advice given in Policy BNE2 of the Local Plan and point 4 of paragraph 17 of the NPPF.

Environmental Protection

The desk top study includes a site history, site walkover, information on the geology and hydrogeology at the site. A conceptual site model has been developed for the site. The desk top study concludes that based on the information available, no significant plausible pollutant linkages or significant uncertainties are considered to exist therefore no further investigation is considered to be needed. The report submitted is acceptable and in accordance with the objectives of Policy BNE23 of the Local Plan and paragraphs 120 and 121 of the NPPF.

Highways

The proposal would result in the net increase of one additional dwelling which would use a newly created vehicular crossover onto the highway. Whilst this is the case, both properties would have sufficient space for the parking of vehicles to meet Medway Councils Interim Parking standards, therefore the works would have no significant impact on highway safety or neighbouring amenity. Subject to the provision of a permeable surface to contain surface water run off within the site (by condition), the proposed development is considered acceptable in respect of Policies T1, T2 and Policy T13 of the Local Plan.

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 Policies S6 and BNE35 of the Local Plan and paragraphs 109 and 118 of the NPPF.

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 for the reasons explained above.

Local Finance Considerations

There are no local finance considerations.

Conclusions and Reasons for Approval

In summary, in the unusual site circumstances it is considered that the proposed dwelling could have a positive impact on the character and appearance of the area without resulting in significant harm to amenity. There are no highway concerns and subject to a contribution towards mitigation measures in respect of the impact of the additional residential unit on the coastal North Kent Special Protection Areas/Ramsar sites, to be secured by a unilateral undertaking, approval is therefore recommended including with regard to Policies S6, BNE1, BNE2, BNE23, BNE35, H4, H9, T1, T2 and T13 of the Local Plan and paragraphs 17, 49, 53, 56, 109, 118, 120 and 121 of the NPPF.

This application would normally fall to be determined under officers' delegated powers, but is being reported for Members' consideration, due to the number of representations received contrary to the officer's recommendation and on account of the previous decisions.

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/>