

MC/17/1342

Date Received: 18 April, 2017

Location: 104A, B And C Poplar Road, Strood, Rochester ME2 2NS

Proposal: Construction of a terrace of six 2-bedroomed dwellings (demolition of existing bungalows)

Applicant: Barry Foley Developments Ltd

Agent: Mr Zaffuto Salvatore Zaffuto Architecture 22 Berkley Avenue Waltham Cross EN8 8DW

Ward Strood South

Case Officer Hannah Gunner

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 30 August 2017.

Recommendation – Approval subject to;

A. The applicant entering into a Section 106 agreement to secure the following:

1) A contribution of £670.74 (£223.58 per unit of net gain) towards appropriate mitigation measures within Special Protection Areas.

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 D 381 00 and D 381 006 received on 18 April 2017; and D 381 005A received on 1 June 2017.

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

- 3 No development shall take place until details of the final land levels and boundary treatment shown in comparison to the existing land levels and boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the occupation of any dwelling herein approved. The levels and boundary treatment shall be retained thereafter.

Reason: Required prior to commencement of development to ensure the amenities of the occupiers of neighbouring properties can be maintained in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 4 The construction phase of the development herein approved shall be carried out in accordance with the details set out within the Construction Management Plan received on 18 April 2017.

Reason: To protect residential amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 5 No development shall take place above slab level 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.

- 6 No dwelling herein approved shall be occupied until details of secure cycle storage facilities have been submitted to and approved in writing by the Local Planning Authority. The cycle storage facilities shall be provided in accordance with the approved details and shall thereafter be retained.

Reason: To encourage alternative modes of transports to the car and in accordance with Policy T4 of the Medway Local Plan 2003.

- 7 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 Schedule 2, Part 1, Classes A, B, C, D, E or F 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.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows or similar openings shall

be constructed in the side elevations of the terrace.

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.

For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.

Proposal

This application seeks full planning permission for the construction of a terrace of six, 2-bedroom dwellings (demolition of existing bungalows).

The terrace would be located between the existing properties at Nos. 104 and 106 Poplar Road. The terrace would comprise of a group of six, two-storey houses in a staggered layout in an east west arrangement. The end houses on the east and west, adjacent to Nos. 104 and 106, would have their front elevations set behind that of these existing properties. Each of the other five houses would follow this light set back to create a staggered frontage. The existing footpath that provides access through the site and to Laburnum Road would be realigned and located adjacent to the existing dwelling at No. 104 and the end house of the new terrace. A second footpath would provide access from the Poplar Road to the frontage of the houses.

The proposed houses have been designed to fit within the area and share similarities in design, scale and height to neighbouring and nearby terraces within the area. The accommodation of each dwelling would comprise of a living room, w.c and kitchen on the ground floor and two double bedrooms and a bathroom on the first floor. The building would be constructed in gable end roof profile with ridge height matching those on neighbouring terraces. Each dwelling would be provided with a rear private garden.

Site Area/Density

Site Area: 0.127 hectares (0.3 acres)

Site Density: 47dph (20 dpa)

Relevant Planning History

75/856	Erection of three space way dwellings for sheltered accommodation Decision Approval with Conditions Decided 28/11/1975
--------	--

Representations

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

Seven letters have been received from residents of five addresses on Poplar Road and Laburnum Road raising the following objections:

- Loss of outlook
- Loss of privacy
- Loss of daylight
- Impact on amenity through lighting
- Increased parking pressure
- Safety impact on pedestrians through increased traffic movements
- Inappropriate place for relocated footpath

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 application site is located within the urban area of Strood as defined by the proposals map accompanying the Local Plan. Paragraph 49 of the NPPF and Policy H4 of the Local Plan support the provision of residential development, particularly in urban areas. The area is predominantly residential in character and whilst the proposal would result in the loss of three existing dwellings, the development would consist of six new dwellings therefore resulting in a net gain of three. The terrace would make a better and more efficient use of the land in comparison to the existing and this is supported by the NPPF. Therefore no objection is raised to the principle of the development.

Design

Paragraph 56 of the NPPF and Policy BNE1 of the Local Plan support and promote good design. The application site currently accommodates three space-way bungalows. The proposal for the terrace of six, two storey dwellings to be located between the existing dwellings at Nos. 104 and 106, would be more reflective of the character of the area in terms of the layout and spatial pattern of development. The terraced dwellings would be located towards the front of each plot with a garden depth similar to surrounding properties. The proportion of the proposed dwellings, in terms of the width, is also more characteristic of the existing properties at Nos. 104 and 106. The proposal is therefore considered to be acceptable and in accordance with Paragraph 56 of the NPPF and Policy BNE1 of the Local Plan.

Amenity

Point 4 of paragraph 17 of the NPPF and Policy BNE2 of the Local Plan seek to protect the amenity of existing residents as well as to ensure the amenity of future occupiers is

adequate.

Existing Residential Amenity

The proposed terrace would be located between the existing terraces to the east and west. The side elevations of the end house to the east would be set in from the site boundary by approx. 1.9m to the boundary with No. 104, but with a distance of approx. 4.5m between elevations and, the end house to the west would be set in approx. 2m from the boundary with No. 106, but with a distance of approx. 3m between elevations. There would be no windows in these side elevations. Taking account of the siting and orientation of the properties in the terrace in relation to existing properties and that there would be no windows in the side elevations, it is considered that there would be no detrimental impact on existing residents in terms of loss outlook, daylight, privacy and overshadowing.

The site slopes significantly up towards Laburnum Road to the rear. The rear gardens of the proposed dwellings would be set on two main levels, the patio area to be located immediately to the rear of the dwellings and the upper garden area for soft landscaping. The submitted sections show the level of the upper rear garden in relation to the retaining wall that would provide the boundary to the footpath up to Laburnum Road. It appears that there would be some areas which would potentially overlook the realigned footpath and the rear garden of No. 104. This could be overcome by reducing the upper garden levels further so it is therefore recommended that a condition be appended to any forthcoming planning permission to require final levels of the land to be submitted and approved in conjunction with boundary treatment. It is also recommended that permitted development rights be removed as given the significant changes in levels across the site, development that is allowed under permitted development rights could potentially cause harm to neighbouring occupiers. A condition is therefore recommended.

Amenity for Future Occupiers

Each dwelling would comply with the Technical Housing Standard - Nationally Described Space Standard in terms of the overall floorspace for a two storey, two bedroom, four person (2b4p) dwelling (being approx. 96sqm) as well as the bedroom sizes. In terms of the garden depth, the Medway Housing Design Standards (MHDS) is used as a guide as the national standard only relates to internal floorspace. The MHDS sets a garden depth of 10m and 7m in urban areas. The garden depth for each dwelling clearly meets this standard and is therefore considered acceptable.

Subject to the suggested conditions, the proposal is considered to comply with point 4 of Paragraph 17 of the NPPF and Policy BNE2 of the Local Plan.

Highways

The proposal does not offer any off road parking. Parking is available on street within the surrounding roads but is congested particularly during the evenings. Secure cycle storage can be provided under the stairs and within the rear garden, to encourage other modes of transport, however, this is not sufficient to address the potential impact of the development in terms of parking vehicles. Whilst the parking situation is not

ideal, it is considered that the benefits of the development in terms of housing provision and the improvement to the appearance of the street scene outweighs the impact in terms of lack of off road parking. The proposal is therefore considered to be in accordance with Policies T1 and T4 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. As such, subject to the S106, 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 to this application.

Conclusions and Reasons for Approval

The proposal is acceptable in principle making better and more efficient use of land in the urban area. The layout and design of the development is considered acceptable and without harm to the amenity of the surrounding residents or the future occupiers. The proposal is therefore in accordance with Paragraphs 14, 49, 56, 109 and 118 of the NPPF and Policies S6, BNE1, BNE2, BNE35 and T1 of the Local Plan.

The application would normally be determined under delegated powers but is being referred to the Planning Committee due to the number of representations received expressing a view contrary to officer's 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/>