

MC/17/4104

Date Received: 28 November, 2017

Location: 63 And 65 Binland Grove, Horsted, Chatham, ME5 9UT

Proposal: Construction of a two storey two bedroomed dwelling attached to number 63 and single storey rear extension to number 63; resiting of boundary lines and car parking arrangements to number 63 and 65 to accommodate the new dwelling

Applicant: Mr Jewiss

Agent: Mr Cross 29 Prince Charles Avenue Chatham ME5 8EX

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 14 February 2018.**

**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:

Drawing numbers 10 Rev A received 28 November 2017; L1 Rev A, 05 Rev B, 07 Rev B, 08 Rev B and 09 Rev C received on 3 January 2018; and 06 Rev D received on 22 January 2018.

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

- 3 All materials used externally shall match those of the existing dwelling at number 63 Binland Grove.

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 2015 (or any order amending, revoking and re-enacting that Order with or without modification) no development to the dwelling herein approved or to numbers 63 and 65 Binland Grove shall be carried out within Schedule 2, Part 1, Classes A, B, C, D, E and 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.

- 5 No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of: hours of construction working including delivery/collection times from the site; measures to prevent vehicles from idling when not in use/waiting; measures to control noise affecting nearby residents; parking plan for any associated vehicles; 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 Construction Environmental Management Plan.

Reason: Required prior to commencement of development to minimise the impact on the amenity of surrounding residents in accordance with the objectives of paragraph 17 of the National Planning Policy Framework 2012 and Policy BNE2 of the Medway Local Plan 2003.

- 6 Prior to the occupation of the dwelling herein approved, the proposed trellis to top the rear boundary treatment as shown on drawing number 10 rev A shall be erected and shall thereafter be maintained.

Reason: In the interests of amenity protection and the objectives of paragraph 17 of the National Planning Policy Framework 2012 and Policy BNE2 of the Medway Local Plan 2003.

- 7 The dwelling herein approved shall not be occupied, until the area shown on the submitted layout as vehicle parking spaces and garaging for each dwelling as shown on the approved plans have been provided, surfaced and drained. 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 increased parking competition on the public highway and in accordance with paragraph 17 of the National Planning Policy Framework 2012 and Policies T13 and BNE2 of the Medway Local Plan 2002.

- 8 The access and parking area serving the dwelling herein approved shall not be used until the boundary to the southern side of the plot has been reduced to a height no greater than 0.8m as shown on approved drawing number 06 rev D for the length marked out to be 795mm high. The boundary shall thereafter be retained at a height no greater than 0.8m high.

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

- 9 The dwelling herein approved shall not be occupied until the parking area to the front of the dwelling and to the front of number 63 Binland Grove are formed from permeable surfacing materials. The surfacing shall thereafter comprise permeable materials.

Reason: In the interests of sustainability.

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

## **Proposal**

Construction of a two storey, two bedroomed dwelling with single storey projection (attached to number 63 Binland Grove); single storey rear extension to number 63; re-siting of boundary lines and alterations car parking arrangements to front and rear.

The development proposes the erection of a two storey, two bedroom house as a new end of terrace property. The proposed dwelling would be attached to the existing property at 63 Binland Grove. The plot of No. 63 would be reduced in size with the rear garden shortened to a depth of approx. 10m. Parking for No. 63 would be replaced to the front by providing two parking spaces on an existing area of hard surfacing. The proposal includes a single storey extension to the rear of No.63. Existing windows within the side elevation of No.63 which currently serve the stairway and kitchen would be infilled to enable a new dwelling to be constructed to the side.

The two storey end of terrace dwelling would follow a similar line to the front and rear elevations of No.63. The dwelling would project approx. 6.3m to the side of No.63, have a max. depth of approx. 7.4m and would be approx. 7.5m high. The proposed dwelling is designed with a hipped roof and would also include a single storey projection at the rear to be in line with the proposed single storey rear extension to No.63. The dwelling would have a rear garden of a depth of approx. 10m as well as further garden area to the side. Two parking spaces would be provided to the front of proposed dwelling.

The proposal also incorporates the lowering in height of an existing front boundary wall close to the highway on the southern side of the plot down to approx. 795mm to

improve vision at the bend in the road.

The proposal would result in the provision of a larger private garden to the rear No. 65 Binland Grove as well as a parking space for one vehicle and a garage large enough to provide a vehicle parking space and storage.

Refuse storage areas are also proposed for all three properties.

### **Site Area/Density**

Site Area: 0.06hectares (0.14acres)  
Site Density: 50dph (21 dpa)

### **Relevant Planning History**

MC/15/2191	Construction of a detached 2 bedroom dwelling with associated amenity and parking area - Demolition of detached garage. Decision Refusal Decide 26 August 2015
MC/98/718/MG	Erection of a detached garage Decision Approval with Conditions Decided

### **Representations**

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

**Eight letters** of representation (including two from one household) have been received objecting to the proposal on the following grounds:-

- Adverse impact on highway safety caused by provision of four parking bays to the front and height of boundary wall to side/front
- Poor sight lines
- Increased parking competition on the highway due to inadequate parking
- Overdevelopment
- Out of character with the area
- Cramped form of development
- Vehicles would overhang the highway
- The proposed amenity space is too small for the occupants
- Overlooking
- Loss of light
- Overshadowing
- No objection to extension at rear and proposed boundary changes

**Binland Grove Residents Association** object on the following grounds:

- The parking changes from one to four spaces on this already dangerous and

accident prone bend would increase the probability of even more accidents

- A two storey dwelling in replacement of a garden would be detrimental to the area.

**Ward members Cllrs Clarke, Griffin and Turpin for Rochester South and Horsted** whilst recognising the improvement on the previous refused scheme under MC/15/2191, objection is raised on the following grounds

- Overdevelopment of a constrained site.
- Cramped form of development compared to broader character of area with insufficient private amenity spaces across all 3 properties.
- Impact on well-documented road safety issues (due to proximity of the two Horsted schools in Barberry Avenue) on this acute blind bend with potential impact to already restricted sight lines.
- Loss of outlook and light to occupants of no. 63 through blocking up of kitchen window and the side.
- Dominating impact upon and overlooking/overshadowing of revised amenity space to no. 65.
- Proposed new property appears to be under the minimum gross internal floor area for a 2 bed 3 person build.

## **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 2015, a planning application was refused for a two storey detached property within part of the site to the southern side. The remainder of the site was in separate ownership at the time. Only one parking space was to be provided and no private amenity space for future occupants. The dwelling would have been up to the southern boundary of the site which had been previously used as a parking area for the adjacent bungalow. The proposal was considered to be an overdevelopment and cramped form of development detrimental to the street scene; detrimental to amenity due to substandard bedroom size, no private amenity space provision and loss of parking to the bungalow. The applicant has since purchased both 63 and 65 Binland Grove which has enabled him to put forward this amended scheme.

### *Principle*

As the site within the urban area boundary of Chatham, the principle of development is considered acceptable where paragraph 49 of the NPPF and Policy H4 of the Local Plan supports the supply of housing in a sustainable form. Subject to assessment with the detailed matters of these policies which are subject to assessment below, the principle of the site for residential development is considered acceptable.

## *Design*

The proposed dwelling would be located on a prominent corner plot and clearly visible within the streetscene. The new dwelling would be of similar design and scale to the existing end of terrace dwelling at No.63. Space would be retained at the side of the new dwelling and a new larger garden area would result for the occupants of No.65. In terms of design and appearance of the new dwelling and the resultant layout of the plots, it is considered that the proposed development would respect the character and appearance of the existing dwelling at No.63 and the streetscene in general, including with regard to the appearance of parking to the front of No.63 and the proposed dwelling.

The combined single storey rear extension to the existing property at No. 63 and the proposed single storey rear projection to the proposed dwelling would be limited in depth and would respect the appearance of No.63 and the new dwelling.

The proposal is considered to be in accordance with paragraph 56 of the NPPF and Policy BNE1 of the Local Plan.

## *Amenity*

### Neighbouring Amenity

Due to the siting and distance from neighbouring properties outside the site, no objection is raised on amenity grounds in terms of potential loss of sunlight, daylight, privacy or outlook. However, given the smaller amenity area of the existing property at No. 63 and the new enlarged amenity area for the property at No.65, it is recommended that permitted development rights be removed to all three dwellings protect the amenities of surrounding residents.

The proposed development would retain appropriate garden space for the existing residents of No. 63 with a minimum depth garden of approx. 10m. The occupiers of No.65 would benefit from a larger private garden area and off road parking spaces as a result of the development.

The proposed layout would result in a degree of overlooking into the new enlarged garden of No. 65. However, it is considered that the benefit of the larger garden to No.65 as well as the significant improvement to outlook and daylight for the occupiers of No.63 outweighs any overlooking experienced.

### Future Occupiers

The proposed dwelling would have an overall floorspace of approx. 70m<sup>2</sup> which meets the requirements set out by the Technical Housing Standards – Nationally Described Space Standard for a two bedroom, three person (2b3p) unit over two storeys. The property at No.63 would increase in size at ground floor level by an approx. 2m<sup>2</sup> rear extension which would incorporate a patio door to allow daylight into the kitchen. This would compensate for the loss of the existing kitchen window to the side.

The proposed dwelling would have a rear garden of a depth of approx. 10m as well as

a side garden.

It is considered that the proposal is acceptable with regard to the residential amenities both in terms of the impact on any existing residents as well as the future occupiers.

A Construction Environmental Management Plan condition is recommended to manage the construction process in the event of an approval to protect the amenities of existing residents from construction works.

With the use of the suggested conditions, the proposal is considered to be in accordance with point 4 of paragraph 17 of the NPPF and Policy BNE2 of the Local Plan.

### *Highways*

Two off road parking spaces are proposed for both the existing properties at Nos. 63 and 65 and two off road parking spaces are proposed for the new dwelling. This parking provision is in accordance with Policy T13 of the Local Plan and therefore no objection is raised in this regard.

In terms of vision splays, the proposed lowering of the boundary wall on the corner would benefit the users of both the public highway and future occupants of the proposed dwelling in accordance with Policy T2 of the Local Plan.

### *Bird Mitigation*

The application site is outside the 6km zone of the North Kent Marshes SPA/Ramsar Sites and therefore is unlikely 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.

### *Local Finance Considerations*

There are local finance considerations.

## **Conclusions and Reasons for Approval**

As the site is located within the urban area, the principle of the proposed development is considered acceptable. The proposal has been designed to respect the character and appearance of the locality and to ensure there would be no detrimental impact on residential amenity or the highway. The proposal is considered to be in accordance with paragraphs 17, 49 and 56 of the NPPF and Policies H4, BNE1, BNE2, T2 and T13 of the NPPF.

The application would normally be determined under delegated powers but is being reported for Committee determination due to the number of representations received contrary to the recommendation and at the request of the Ward Councillors Clarke, Griffin and Turpin for Rochester South and Horsted.

---

## **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/>