

MC/18/0673

Date Received: 28 February 2018

Location: 85 Clandon Road Lordswood Chatham ME5 8UN

Proposal: Demolition of existing two garages to side to facilitate the construction of two bedroom end of terrace house with associated parking, together with single storey rear extension to replace conservatory on existing house

Applicant Mrs S McKenzie

Agent Mr D Harman 124A North Road
Hythe
CT21 5DY

Ward: Lordswood And Capstone Ward

Case Officer: Mary Smith

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 6th June 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 18009SM-PP-S-(13)03, 18009SM-PP-P-(03)00, 18009SM-PP-P-(03)01 and 18009SM-PP-P-(03)02, 18009SM-PP-P-(04)01, 18009SM-PP-P-(04)02, 18009SM-PP-P-(04)03 and 18009SM-PP-P-(04)04 received 28 February 2018 as amplified by drawing 18009SM-PP-S-(13)04 received 26 April 2018.

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

- 3 No development shall take place until a Construction Environmental Management Plan (CEMP) that describes measures to control, amongst other

matters, hours of working, deliveries to the site, noise, dust and lighting arising from the construction phase of the development has been submitted to and approved in writing by the Local Planning Authority. The construction works shall be undertaken in accordance with this approved plan.

Reason: Required before commencement of development in order to minimise the impact of the construction period on the amenities of local residents, and with regard to Policy BNE2 of the Medway Local Plan 2003.

- 4 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.

- 5 Prior to the first occupation of the new dwelling hereby approved details of boundary treatment (including the position, design and materials and allowing visibility for the proposed parking spaces) 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 dwelling is occupied and shall thereafter be retained as approved.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality and in the interests of safety, in accordance with Policies BNE1 and T2 of the Medway Local Plan 2003.

- 6 Prior to the first occupation of the dwelling hereby approved the bathroom and WC windows on the south facing elevation of the proposed house shall be fitted with obscure glass and, apart from any top-hung light shall be non-opening and they shall be retained as such 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.

- 7 The dwelling hereby approved shall not be occupied until:
 - (a) the site frontage including the areas shown on the submitted layout as vehicle parking space and as soft landscaping for both the existing and the proposed dwellings has been provided in accordance with the detailed hereby approved: and
 - (b) The road sign and lamp post have been relocated to allow unimpeded access to the proposed parking spaces.
Thereafter these areas shall be kept available for such use and no permanent development, whether or not permitted by the Town and

Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown for parking and soft landscaping or in such a position as to preclude vehicular access to this reserved parking space.

Reason: In the interests of visual amenity, as development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking and in accordance with Policies BNE1 BNE2 and T13 of the Medway Local Plan 2003.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) 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 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 visual, neighbour and occupant 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 is a resubmission of a previously approved scheme for the demolition of two garages to the side of no. 85 to facilitate the construction of a two bedroom end of terrace house with associated parking, together with a single storey rear extension to replace the conservatory on the existing house.

The proposed house would be approximately 4.35m wide by 10.7m deep leaving an approx. 1m wide strip between the proposed flank wall and the southern site boundary. The house would have the same building line to the front as no. 85 and would project the same distance to the rear as the existing conservatory to no. 85 which would be replaced by an approx. 2m deep single storey rear extension, although the proposed dwelling would all be two storey. The design to the front would be similar to no. 85 although the front porch would have a hipped rather than a gable roof. To the rear the new dwelling would include a hipped roof over the two storey projection whereas the single storey replacement extension to no. 85 would have a lean-to roof.

Two parking spaces are shown on the site frontage, one for no.85 and one for the proposed dwelling.

Site Area/Density

Site Area: 0.022 hectares (0.054 acres)

Site Density: 90 dph (36 dpa)

Relevant Planning History

- MC/14/1375 Demolition of existing two garages to side to facilitate the construction of two bedroom end of terrace house with associated parking, together with single storey rear extension to replace conservatory on existing house
Decision Approval with Conditions
Decided 22 July, 2014
- MC/05/0394 Construction of a part two part single storey side extension (demolition of garages to side)
Decision Approval with Conditions
Decided 26 April, 2005
- MC/01/2058 Application for Lawful Development Certificate (existing) for construction of conservatory to rear
Decision Approval with Conditions
Decided 7 December, 2001

Representations

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

Three letters of objection have been received on the following grounds:

- Extending the terrace up to the footpath will make the footpath more of an alleyway giving an oppressive feel, with less light and feeling less safe at night;
- The extension at two storey beyond the current rear building line makes it out of keeping;
- Loss of outlook and light to properties to the side;
- Exacerbation of parking problems on this bus route including as 5 spaces lost (2 garage, 2 in front and 1 due to new crossover) and only 2 provided whereas more will be needed;
- Parking spaces are too small;
- New drop kerb has not been applied for and lamp post and road sign would need to be removed to install it;
- Loss of vision from neighbours driveway;
- Adverse impact on neighbours during construction period.

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 (the NPPF) and are considered to conform.

Planning Appraisal

Background

Planning permission for this development was granted in 2014, reference MC/14/1375, however this permission was not implemented and has expired.

Principle

There is no objection in principle to the addition of a dwelling within this urban, primarily residential area including with regard to Policy H4 of the Local Plan and paragraph 49 of the NPPF. There has been no major change in planning policy advice since the previous approval in 2014.

Design

The design of the proposed house would be similar to the adjoining property, no. 85, and it would form a new end of terrace. Although the proposed porch would have a gable rather than a lean-to roof it is not considered that this difference would appear harmful. Similarly it is not considered that the rear the single storey extension to no. 85 (in place of the existing conservatory) and the two storey rear projection to the proposed dwelling would appear out of place.

The proposed works would result in a larger, higher development between the southern flank wall of no. 85 and the frontages of the houses which face towards it across the footpath to the south. The existing garages project right up to the site boundary with the footpath whereas the proposed house would be set in by 1m but with the two storey house being higher and deeper than the existing garages. However it is not considered that this relationship would appear cramped or harmful to the character of the area.

In summary, as at the time of the previous application, the design and the visual impact of the development are considered acceptable including with regard to Policies H4 and BNE1 of the Local Plan and paragraph 56 of the NPPF.

Amenity

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

The neighbours most closely affected by the development are those across the footpath to the south in Bentley Close. The proposed house would be set off the site boundary by approx. 1m and would be approx. 10m from the main frontages of these nearby houses. It is not considered that this would result in a significant loss of light to these properties, including sunlight as the site is to the north of them. Similarly, as at the time of the previous application, it is not considered that the development would result in an overbearing impact or the unacceptable 'hemming-in' of the adjacent footpath to Bentley Close. The site boundary to this footpath currently consists of the side of the garages and privacy fencing rather than being an open aspect. With regard to privacy a ground floor WC and a first floor bathroom window are proposed in the side wall of the house,

facing these neighbours, however they would be obscured glazing, avoiding a loss of privacy.

The existing house, 85 Clandon Road, would also be affected by the development. However as the proposed two storey rear projection for the new dwelling would only project the same distance back as the single storey extension to this property (which is to replace its existing conservatory) it is not considered that this relationship would cause an unacceptable loss of amenity to the occupants of no. 85. As the replacement extension for the conservatory at no. 85 would be the same depth, there would be no significant increase in impact on no. 83 to the north of that.

Although the construction period of any development may result in a temporary adverse impact on the living conditions of local residents it would be unreasonable to refuse permission on this basis. However a condition to require the agreement of a construction environmental management plan is proposed in order to help reduce any such potential impacts to an acceptable level.

With regard to the amenities of future occupants of the development itself the proposals have been assessed against the technical housing standards – nationally described space standard (the national standard) and, for matters not covered by this, with regard to the Medway Housing Design Standards 2011. The internal gross floor area of the proposed dwelling and the bedroom sizes would meet the national standard for a 2 bed/4 person two storey dwelling. The MHDS recommend that houses should have a private garden with a minimum length of 7m, with 10m normally being expected. The proposed rear garden would only be approx. 5m in depth, as would the remaining garden area of no. 85. Whilst this is not ideal this is an area where many rear gardens are fairly small and the development is for a two bedroom house rather than a large family house. There has been no change in significant circumstances since the previous approval for this arrangement and therefore, on balance, it is considered satisfactory.

In summary the amenity impacts of the development are considered acceptable including with regard to Policy BNE2 of the Local Plan and paragraph 17 (point 4) of the NPPF.

Highways

At present the site contains two garages with a parking space in front of each although one garage appears unused with the driveway in front partly overgrown. In addition the garages are below the size which would be counted as a parking space by the adopted Interim Residential Parking Standards. These Standards require a minimum of 1.5 spaces for a two bedroom dwelling, a total requirement of 3 spaces for the existing and proposed dwellings. The proposals show one parking space for each dwelling, a shortfall of one across the two houses. However whilst there would be sufficient space to secure a third space, the layout has been designed to provide a planted area on each frontage, rather than to completely hardsurface it. In addition occupants would be able to parking on-street partly blocking their driveways if pressure for on-street spaces was high. On balance this arrangement is considered satisfactory.

An additional plan has been provided to show details of the proposed frontage layout, including the size of the proposed parking spaces which is adequate. It is noted that the

road sign and lamppost would need to be re-located and it would be for the developer to secure this prior to occupation of the development (as it would be necessary in order to provide access to the proposed parking spaces which would be a requirement of a condition).

It is considered that visibility to the spaces would be acceptable and that there would not be any unacceptable harm to the visibility of other driveways nearby.

In summary the parking and highway impacts of the development are considered acceptable including with regard to Policies T1, T2 and T13 of the Local Plan.

Other Matters

The application site is not within 6km of the North Kent Marshes SPA/Ramsar Sites therefore a contribution towards bird disturbance mitigation is not required in accordance with the advice of Natural England.

Due to the compact nature of the development a condition to remove permitted development rights for extensions is recommended.

Local Finance Considerations

There are no local finance considerations raised by this application.

Conclusions and Reasons for Approval

There is no objection in principle to the addition of a dwelling in this urban area and the visual amenity and highways/parking impacts of the development are considered acceptable, there being no significant change in policy advice or circumstances since the previous approval for this development. Approval is therefore recommended including with regard to Policies BNE1, BNE2, H4, T1, T2 and T13 of the Local Plan and paragraphs 17, 49 and 56 of the NPPF.

The application would normally be determined under delegated powers but is being referred to Planning 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://publicaccess1.medway.gov.uk/online-applications/>