

MC/18/0799

Date Received: 12 March 2018

Location: 2 View Road Cliffe Woods Rochester ME3 8JQ

Proposal: Partial demolition of existing dwelling and construction of a 4-bedroomed detached dwelling with associated parking, amenity space and landscaping

Applicant Mr D Luke

Agent Ms S Jadhav Barron Edwards
39 Wrotham Road
Gravesend
DA11 0PN

Ward: Strood Rural Ward

Case Officer: Doug Coleman

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 4th July 2018.

Recommendation - Approved Subject to S106

- 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: VR-18-P1, VR-18-P2 & VR-18 P3 received on 12 March 2018.

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

- 3 No development above slab level shall take place until details and samples of all materials to be used externally have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented 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.

- 4 No development shall take place until a Construction Environmental Management Plan (CEMP) that describes measures to control, amongst other matters, hours of working, parking of operatives vehicles, deliveries to the site, noise, dust and lighting, wheel/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. 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, the countryside, wildlife and habitat and with regard to of the Medway Local Plan 2003.

- 5 Prior to first occupation of detached dwelling, the area shown on the submitted layout as vehicle parking spaces for these properties shall be provided, surfaced and drained. Thereafter the parking area 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.

Reason: To ensure the provision of adequate accommodation for the parking of vehicles to avoid the potential for hazardous on-street parking and in accordance with Policies T1 and T13 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 within Schedule 2, Part 1 Classes A, B, C and E of that Order, to the 'dwellings' unless planning permission has been granted on an application relating thereto. The dwellings being "Dwelling A and Dwelling B" as shown on drawing number VR-18-P3.

Reason: To enable the Local Planning Authority to control such development in the interests of visual and neighbouring amenity in accordance with Policies BNE1 and BNE2 of the Medway Local Plan 2003.

- 7 Prior to first occupation of the new detached dwelling hereby approved, details of secure cycle storage to serve this property shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be implemented in accordance with the approved details prior to the occupation of the development.

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 T4 of the Medway Local Plan 2003

- 8 No development above slab level shall take place until details of the foul and surface water drainage to serve the development, including the surface water drainage to the vehicle parking area, have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details before the development is brought into use and shall be so retained at all times thereafter.

Reason: No such details have been supplied and to ensure that the development permitted does not prejudice conditions of amenity and highway safety in accordance with Policies BNE2 and T2 of the Medway Local Plan 2003.

- 9 The landing/stair windows on the east elevations of the dwellings 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 completed before the room it serves is occupied and shall be retained 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.

- 10 Prior to the full occupation of the development, details of the hard and soft landscaping to the front garden / off street-parking area, including the details of boundary treatments, shall be submitted to and approved by the Local Planning Authority. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following first occupation of the building or completion of the development, whichever is the earlier. Any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: Pursuant to condition 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Policy BNE1 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 relates to a site on the corner of View Road and Town Road currently occupied by a large detached house, measuring approx. 12.5m wide by 8m deep. The house has been extended and comprises an entrance hall, living area, dining area, kitchen and study on the ground floor, with five bedrooms (one en-suite) and a bathroom on the first floor.

In September 2017 planning permission was granted for extensions to the dwelling house to facilitate its conversion to form a pair of semi-detached dwellings.

The current proposal seeks a partial demolition of the dwelling (reduction in width to 9.5m) and the construction a 2 storey detached house, measuring 8.5m wide by 9.5m deep together with a 1m forward and 2.2m rear projection rear. The proposed dwelling would comprise an entrance hall, living room and kitchen/ dining room on the ground floor, with three bedrooms (one en-suite) and a bathroom on the first floor, and a fourth bedroom in the roofspace. Four parking spaces are shown across the frontage, two for each dwelling.

The existing dwelling would be reconfigured to provide 3 bedrooms with a loft room.

Site Area/Density

Site Area: 0.05 hectare (0.123 acre)

Site Density: 40 dph (16.1 dpa)

Relevant Planning History

MC/17/1598 Construction of a two storey side extension to facilitate conversion of five bedroom dwelling to 2 x three bedroom dwellings with associated parking
Approved 1 September 2017

MC/16/4370 Variation of condition 2 to allow a minor material amendment to planning permission MC/15/3679 to: construct dormer window in rear roof slope; raise rear gable height to accommodate a room in the loft; and insert a roof light in the north facing front elevation, above a first floor bathroom.
Approved 23 December 2016

MC/16/1261 Details pursuant to condition 3, 4, 7, 8 and 11 of MC/15/3679 - Demolition of existing single storey side extension and construction of 2 storey 3 bedroomed detached dwelling with associated parking area for both properties
Conditions discharged 10 May 2018

MC/15/3579 Demolition of existing single storey side extension and construction of 2 storey 3 bedroomed detached dwelling with associated parking area for both properties
Approved 8 January 2016

ME/90/0128 Conversion of existing garage to habitable room, and single storey side extension to form new, garage.
Approved with Conditions 16 March 1990

ME/89/331 Two storey side extension
Approved with conditions 15 June 1989

Representations

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

Cliffe and Cliffe Woods Parish Council were also notified of the application and have made no representation.

One letter has been received raising the following objections:

- The site is on junction with B2000, a busy main road which is a dangerous junctions;
- There is insufficient parking for existing dwelling let alone let only two more dwelling;
- There are double yellow lines in front of site;
- There is insufficient space in front of site to manoeuvre a car.

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

This application is a revision to the planning permission granted under ref: MC/17/1598 on 1 September 2017 for the construction of a two storey side extension to facilitate conversion of the five bedroom dwelling to 2 x three bedroom dwellings with associated parking. The current application proposes the demolition of the extension on the existing dwelling to create a 3 bedroom house with loft space and the construction of a detached 4 bedroom house to the side maintaining an 800mm gap between the houses.

Principle

The principle of a new house has been established by the 2017 planning permission and although this current proposal seeks a detached dwelling, the proposal to create a new residential dwelling on the side of the existing dwelling is considered acceptable. No objection is, therefore raised to the principle of the proposed development under Policy H11 of the Local Plan and Paragraph 55 of the NPPF.

Design, appearance and street scene

In the immediate area, detached dwellings are the predominant dwelling types although these are made up from a mix of both single and two storey properties. Indeed the existing dwelling, which has been extended, on this plot is currently a large detached single dwelling house.

The proposal, when compared to the scheme granted permission in 2017 under ref: MC/17/1598 would result in the demolition of the extension to the side of the dwelling to make provision for the detached dwelling while retaining a separation of approx. 800mm. The design would be largely similar to the recently completed development on the site granted under planning ref: MC/16/4370. As such, the proposed dwelling would be in keeping with the existing design and detailing on immediate host neighbouring dwellings and would not have a negative impact on the street scene.

The site has a return frontage to Town Road. Whilst under this current scheme the proposed dwelling would be moved closer to the west boundary of the site adjacent Town Road, however given that there is a verge immediately adjacent to the application site, this would help to soften the appearance of the new dwelling on the Town Road street view.

Having regard to the above, it is considered that the proposal would not result in a significant adverse impact on the street scene, or the surrounding area in general. The proposal is acceptable in terms of design and appearance, and would comply with Policy BNE1 of the Local Plan and meet with the objectives of Paragraph 58 of the NPPF.

Occupier amenity

The DCLG's Nationally Described Space Standards requires a minimum Gross Internal Floor Area (GIA) of 124 sq m for a four bedroom/eight person//three storey dwelling with minimum bedroom sizes of 11.5 sq. m. (double) and 7.5 sq. m. (single).

The proposed house would have a GIA approx. 185 sq. m. with bedrooms of 21.6 sq. m., 14 sq. m., 15.5 sq. m. and 27.8 sq. m.

The rear gardens of between 7.7m and 8.2m would be provided for the existing and proposed dwelling. Whilst this is less than 10m, this is in line with the previous approval and no objection is raised in this instance.

However, having regard to the limited depths of the rear garden areas, it is considered appropriate to remove permitted development rights related to further extensions and by removing these rights, the Council will be able to ensure that amenity standards of future residents would be maintained.

Subject to this condition, no objection is raised in terms of occupier amenity under Policy BNE2 of the Local Plan.

Neighbour amenity

Given the extant permission for a new dwelling granted in September 2017, the current proposal would be detached instead of being attached and on this basis by reason of the orientation of the proposed and existing dwellings, it is considered that the proposal would not result in any adverse impact on amenity in terms of privacy, daylight, or sunlight to neighbouring properties.

A condition is recommended for the submission and approval of a Code of Construction Practice (CoCP) to ensure that the proposed development would not result in any loss of amenity during construction.

Having regard to the above, no objection is raised in terms of neighbour amenity under Policy BNE2 of the Local Plan and Paragraph 17 of the NPPF.

Highways

The Council's adopted Vehicle Parking Standards require the provision of 2 spaces for a two bedroom dwelling resulting in a requirement of 2 spaces for each of the existing and proposed dwellings. The submitted drawings show 2 spaces for each dwelling. The proposed parking spaces would be parallel to View Road and served by a single access located approx. 14m from the Town Road/View Road junction, which has been accepted under the previous approval (2017) and still considered to be adequate.

Cycle parking provision has not been shown in this instance, but as the houses would be single dwellings, provision can be made within the rear gardens for any such requirement.

Subject to the above, the scheme is acceptable with regard to Policies T1, T2, T4 and 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 have submitted 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.

Local Finance Considerations

There are no local finance considerations raised by this application.

Conclusions and Reasons for Approval

The principle of the development has been accepted under planning permission ref: MC/17/1598. The application is acceptable in terms of design and appearance, amenity, and highways, and the applicant has agreed to enter into a legal agreement to secure the contribution towards bird mitigation. The proposal therefore complies with Policies S6, BNE1, BNE2, BNE35, BNE43, H11, T1, T2 and T13 of the Local Plan and Paragraphs 38, 109 and 118 of the NPPF.

The application would normally fall to be determined under Officer delegated powers but is being reported to Committee at the request of Cllr. Etheridge.

See draft decision notice

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/>