

MC/18/1536

Date Received: 21 May 2018

Location: Kia-ora Station Road Cliffe Rochester

Proposal: Demolition of the existing outbuildings and construction of two semi-detached, 3 bedroom dwellings with associated repositioned vehicular access, parking and amenity space

Applicant Mr J. Wicken

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Ward: Strood Rural Ward

Case Officer: Robert Neave

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 1st August 2018.

Recommendation - Approval subject to:

A) The completion of a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 to secure £239.61 per new dwelling towards Designated Habitats Mitigation; and

B) 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:

PL-494-01 received on 22 May 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 [the effect on wildlife and habitats] 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 Policy BNE2 of the Medway Local Plan 2003.

- 5 Prior to the first occupation of any dwelling herein approved, full details of both hard and soft landscape works including boundary treatments with a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and 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: To ensure a satisfactory external appearance and provision for landscaping in accordance with Policies BNE1 and BNE6 of the Medway Local Plan 2003.

- 6 No dwelling herein approved shall be occupied until the area shown on the submitted layout as vehicle parking space and garaging has 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 in accordance with Policies T1 and T13 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 and 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 and neighbouring 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 application seeks demolition of the existing outbuildings and construction of two semi detached, 3 bedroom dwelling with associated repositioned vehicular access, parking and amenity space.

The design of dwellings would consist of a mixed roof style incorporating front dormers in the 'cat slide' front roof slope, would have gable ends and gabled rear projection. The properties would each measure approx. 5.5m in width, 12.5m in depth and 8.2m in height to the ridge (5m height to eaves).

Each dwelling would be arranged as kitchen, w/c and lounge at ground floor, and three bedrooms and a family bathroom at first floor.

Parking is provided to the rear of the properties accessed via a side driveway. There are four parking spaces and a detached double garage proposed including 2 parking spaces for the existing dwelling. The proposed garage building would measure approx. 7m in width, 6.5m in depth and 5.5m in height to the ridge (2.5m height to eaves).

Site Area/Density

Site Area: 0.086 hectares (0.21 acres)

Site Density: 24dph (9 dpa)

Relevant Planning History

HIS/98/41109

Description: Outline for residential development

Decision Date: 24 January 1989

Site Address: Kia-ora Station Road Cliffe Rochester Medway

Decision: REF

Representations

The application has been advertised by way of site notice and neighbour notification letters which have been sent to the owners / occupiers of neighbouring properties.

Two letters received objecting on the following grounds:

One letter of support received.

Cliffe and Cliffe Woods Parish Council objects on the grounds of design and location.

Dickens Country Protection Society objects on the grounds of design and scale.

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003. The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework (NPPF, 2012) and are considered to conform.

Planning Appraisal

Principle

The site lies outside of the built confines of the village of Cliffe as defined in the Proposals Map. The location in planning terms is rural in nature and is subject to the Policies that seek to restrict development in rural locations. Due to the nature of this rural location and the overarching planning aim to preserve the countryside, there are very clear policy constraints to additional dwellings in the countryside.

Policy BNE25 and H11 of the Medway Local Plan 2003, are particularly relevant, in that they seek to restrict new development for the protection the countryside.

The Council acknowledges that it does not currently possess a 5 year land supply for housing. Due to this lack of supply paragraph 49 of the NPPF is engaged, which states that relevant housing supply policies should not be considered up-to-date if a 5 year housing land supply cannot be demonstrated. Therefore paragraph 14 of the NPPF is applicable, which asserts that there is a presumption in favour of sustainable development in decision-taking, and requires that where relevant policies are out-of-date planning permission should be granted unless any adverse impacts would significantly or demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Whilst the proposed development would result in further suburbanisation of the road, it is considered that in principle, a residential development here would not cause sufficient harm to the wider character and functioning of the countryside to outweigh the presumption in favour of this sustainable development.

Design

Paragraph 56 of the NPPF emphasises the importance of good design and Policy BNE1 of the Local Plan states that development should be satisfactory in terms of scale and mass and should respect the visual amenity of the surrounding area.

The street scene along this section of Station Road consists predominantly of bungalows and chalet style dwellings. The proposed semi detached dwellings would be positioned to be in keeping with the building line of the neighbouring property. The proposed properties are of a suitable layout, size and scale for the size of the plots. The buildings would be off set from the boundaries by at least 1m, having reflective eaves and ridge heights to the neighbouring properties and providing a suitable sized rear garden. The design is more modern than the older surrounding properties however this would not have a negative impact on this currently mixed street scene.

Given the sensitivity of this rural setting and to ensure a development of good quality, details of all materials to be used on the buildings and details of the landscaping scheme would be secured by conditions.

In addition, to maintain the character of the area, it is also recommended that permitted development rights relating to Part 1 of the GDPO 2015 (as amended) to control alterations and extensions to the dwellings be removed by condition.

Subject to the above recommended conditions, the proposal is considered to be acceptable and would accord with Policy BNE1 and Policy BNE25 of the Medway Local Plan 2003 and the advice given in the NPPF (section 7).

Amenity

There are two main amenity considerations, firstly the impact of the proposed dwelling on neighbours and secondly the living conditions which would be created for potential occupants of the development itself. Policy BNE2 of the Local Plan and bullet point 4 of paragraph 17 of the NPPF relates to the protection of these amenities.

Neighbouring Residential Amenity

With regards to privacy, the proposed habitable windows within the first floor are within the front and rear elevations which would only introduce mutual overlooking that already exists in the area. By virtue of the siting of the proposed dwellings within the building line of Station Road, the relationship between the proposed dwellings and neighbours habitable windows, path of the sun, orientation of the site and the demolition of the whole garage block it is considered there would not be any detrimental impact on neighbouring amenities of outlook, daylight or sunlight.

Amenity of Future Occupiers

The proposed dwellings have been considered against the Technical housing standards - nationally described space standard dated March 2015 (the national standard). The approx. 105sqm gross internal floor areas (GIA) would exceed the required 93sqm for a three bedroom five person dwelling over two storeys. All double beds and single bedrooms meet the national standards area and width requirements and all habitable rooms would also be provided with suitable outlook. As guidance, the Medway Housing Standards (interim) November 2011 (MHDS) states that gardens should be at least 10m in depth and 7m when constraints exist. The proposed development would exceed this requirement.

Consequently, no objections are raised in terms of the amenities of both the future occupiers and neighbour amenities under Policies BNE2 of the Local Plan and fourth point of Paragraph 17 of the NPPF.

Highways

The proposal provides 4 parking spaces and a double garage for the proposed dwellings and 2 parking spaces for the existing dwelling. The parking provision is to the back of the dwellings and would be accessed via a driveway accessed off a new vehicle crossover from Station Road.

The parking provision would be in line with the Council's residential parking standard and the new vehicle access would not be detrimental to highway or pedestrian safety.

The proposal is acceptable from a parking and highway safety perspective and no objection is raised to the development under the provisions set out under Policies T1 and T13 of the Medway Local Plan 2003.

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 £239.61 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 in principle, which would be secured by a unilateral undertaking. Subject to the completion of a unilateral undertaking to secure the contribution, the proposal is considered to be in accordance with Paragraphs 109 and 118 of the NPPF and Policies S6 and BNE35 of the Local Plan.

Other matters

Noise and disturbance during construction

Due to the close proximity of the neighbouring property (Kia Ora), there is potential impact from noise and dust during construction, if the application were recommend for approval a condition would be required for Construction Environment Management Plan (CEMP).

Local Finance Considerations

None relevant.

Conclusions and Reasons for this Recommendation

The proposed development is acceptable in principle. The proposed dwellings would have no detrimental impact on the appearance of the area or surrounding countryside. There will be no detrimental impact on neighbouring amenities, parking or highways safety and therefore the proposals accord with Development Plan Policies BNE1, BNE2, BNE25, BNE35, BNE43, S6, T1 and T13, and Paragraphs 14, 17, 49, 56, 109 and 118 of the NPPF.

This application would normally be determined under delegated powers however has been referred to the Planning Committee for determination due to the representation received from the Cliffe and Cliffe Wood Parish Council expressing a view contrary to officers 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/>