

MC/18/1228

Date Received: 20 April 2018

Location: 54 Rochester Road Halling Rochester Medway

Proposal: Outline application with some matters reserved (appearance and landscaping) for construction of a 4-bedroomed detached house with integral double garage (demolition of existing garage)

Applicant Mrs Margeret Matharu

Agent Mr Richard Neil Davies
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Historic Dockyard
Chatham
ME4 4TZ

Ward: Cuxton And Halling Ward

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 1st August 2018.

Recommendation - Approval with Conditions

- 1 Approval of the details of the appearance of the building and the landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To accord with the terms of the submitted application and to ensure that these details are satisfactory.

- 2 Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted in writing to the Local Planning Authority for approval. Such application for approval shall be made to the Authority before the expiration of three years from the date of this permission and the reserved matters shall be carried out in accordance with the approved details.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

- 3 The development to which this permission relates must be begun no later than the expiration of 2 years from the final approval of the reserved matters or in the

case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

- 4 The development hereby permitted shall be carried out in accordance with the following approved plans:

2534 03 006 B; 2534 03 005 A; 2534 03 004 A; 2534 03 003 B; 2534 03 002 A; 2534 03 001; and 2534 03 200 A received 21 June 2018

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

- 5 The dwelling shall not be occupied until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been 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.

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 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.

- 7 Any window on the first floor side / flank elevations 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 or brought into use 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.

- 8 The front parking area shall be formed from permeable surfacing materials or provided with drainage system within the site prior to the occupation of the dwelling and following installation shall be thereafter retained.

Reason: To manage surface water in accordance with Paragraph 103 of the NPPF.

- 9 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 is an outline application with some matters reserved (appearance and landscaping) for the demolition of an existing detached garage to provide a detached four bedroom house within part of the existing side/rear garden of 54 Rochester Road. The development would provide a split level house with integral double garage to the front at lower ground level and stairs up to ground floor level with entrance on the side of the property. The development is proposed of mixed gable and hipped roof design that rises in levels following the contour of the garden as it rises to the north-west.

Lower Ground floor l

Garage, Store and stairs up to side entrance doorway.

Ground floor

Side entrance and hall, cloakroom, kitchen, living/dining room.

First floor

Four bedrooms and en-suite, hall and circulation area, bathroom

Roof lights are proposed within the side roof planes. The proposal would split the garden at the rear and share the access drive over the front of No. 54 from Rochester Road. The hardstanding to the front has the potential to be upgraded with permeable materials. Appearance and landscaping are reserved matters.

The design has been amended and a rear balcony removed.

Site Area/Density

Site Area: 0.09 hectares (0.22 acres)

Site Density: 11dph (5 dpa)

Representations

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

Six letters of representation (four from two households) have been received objecting to the proposal on the following grounds:

- Loss of privacy
- Loss of daylight to study, utility room and W/C
- Disturbance that would be caused by increase in traffic movements
- An alternative design such as a Chalet Bungalow may be more acceptable
- Loss of open aspect between dwellings / loss of view

The Dickens Society has written in raising objection on grounds that this would result in a cramped form of development being close to neighbouring property and would result in loss of privacy and light.

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 site is within the village confines of Halling as identified in the Medway Local Plan 2003. Both National and Local Policies support the efficient and effective use of land. Paragraphs 7, 17, 48, 49 and 50 of the NPPF support the principle of housing development but Paragraph 53 is more cautious where development would cause harm to a local area-such impact is discussed later in the body of the report. Policy H9 relates to backland development considerations including impact on amenity, vehicle access, character and landscape features. Policy H11 of the Local Plan seeks to limit new residential development within the built confines of villages and rural settlements to minor infill development. The development is minor and whilst the proposal is for one house behind others, this already is part of the character of this site with the presence of the existing dwelling. The proposed dwelling will share the existing access with 54 and 56 Rochester Road and this is established. The garden size is very generous and would allow for a separate curtilage to be formed that is appropriate to the location. Matters of amenity are discussed later and no special landscape features would be lost as a result of the development. Accordingly, the proposal broadly accords with Paragraphs 7, 17, 48, 49, 50 and 53 of the NPPF and the provisions of Policies H9 and H11 of the Local Plan. No objection is raised to the development in principle.

Design

Paragraph 53 considers the impact of development on the local area and Paragraphs 56 and 57 relate to design. At a local level, design factors are considered within Policy BNE1 in particular. The surrounding area is mixed comprising of some hipped or gable roofed two storey properties and some more modest bungalow properties. As the immediate surroundings consist mainly of established backland developments, there is no uniform building line that exists and the properties are varied in terms of type, siting, appearance and height, relative to the width and depth of the plots. In view of this, the established pattern of development would allow for the proposed dwelling of a relatively large scale to be acceptable both in terms of location and general design. The design of the ridge height picks up on the neighbouring plot at No. 60 whilst reducing the bulk of the building frontage. Whilst the design is a mix of features, overall it would deliver a new dwelling without compromise to the established character of the area. The development would be considered acceptable in terms of its appropriateness to this backland site and where it would not be visible from the public highway.

It would be seen from neighbouring gardens and whilst it would have a greater presence than the existing garage on site, the bulk and mass of the proposal would not be considered harmful to visual amenity.

Accordingly, for the above reasons, the proposed development is considered to be acceptable and in keeping with the character of the area and accords with the provisions of Paragraphs 53, 56 and 57 of the NPPF and Policy BNE1 of the Local Plan.

Amenity

Impact on existing residents

The proposed dwelling would be sited in such a location that it will not have a detrimental impact in terms of unreasonable reduction in daylight or sunlight to neighbouring properties in particular to Nos. 56, 56a and 60 Rochester Road in relation to the siting, distance, height of boundary treatment and design of the proposed house.

The objection raised by the residents of No. 60 Rochester Road is noted. In consideration, the height of existing boundary treatment, orientation of the existing dwelling at No. 60 and the proposed house, together with the 3m gap that would be maintained (flank to flank), it is not considered that there would be a harmful impact on the amenity of the occupiers of No. 60. The existing dwelling (No. 54) would also not be adversely affected. It is noted that there are some windows shown on the side elevation of the proposed house, whilst this plans are indicative, these or any windows on the flank wall would be conditioned to be fitted with obscure glazing to help mitigate any impact to neighbouring occupiers. To maintain this, it is necessary to remove the permitted development right for the dwelling in order for the Council to retain control over future enlargement on the site. A condition is recommended to remove permitted development rights for alteration and enlargement to the dwelling.

On balance, the plan shows how a two-storey house with lower ground level can be achieved on the subdivided plot without detriment to the surrounding area or neighbouring residents. As such, the proposal would generally conform to Policy BNE2 of the Medway Local Plan.

Impact on future resident's amenity

The proposed dwelling would provide sufficient bedroom and circulation space for a large family home. The development would be in accordance with the National Technical Standards for a four bedroomed home that requires a minimum floor space overall of 124m². As indicated adequate outlook and light would be afforded to all rooms and privacy impact from nearby dwellings including the host dwelling would be mitigated by distance, land levels or proposed boundary treatment. Overall, the proposal would accord with the objectives of Paragraph 17 of the NPPF and Policy BNE2 of the Local Plan 2003.

Highways

The proposed dwelling would be served by an existing private (shared) vehicular access from the A228 Rochester Road which currently serves Nos. 54 and 56. Subject to the provision of a permeable surface to the front of the new plot, to contain surface water within the site (by condition), the proposed development would be considered acceptable in respect of Policies T1 and T2 of the Local Plan. With regards to on-site parking, the proposal would be able to accommodate at least 3 car parking spaces, 2 provided by the double garage, and this exceeds the Medway Council's Residential Interim parking standards. Therefore, no objection is raised with regard to Policy T13 of the Local Plan.

Bird Mitigation

The site falls outside the catchment area requiring mitigation against wildlife habitat impact.

Local Finance Considerations

There are no local finance considerations.

Conclusions and Reasons for Approval

For the reasons stated above, the proposed development is considered to be in accordance with the objectives of Paragraphs 7, 17, 48, 49, 50, 56 and 57 of the National Planning Policy Framework 2012 and Policies H11, BNE1, BNE2, BNE43, T1, T2 and T13 of the Medway Local Plan 2003.

The application would normally be determined under delegated powers but is being reported for determination by the Planning Committee due to the number of representations received 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://publicaccess1.medway.gov.uk/online-applications/>