

MC/18/1759

Date Received: 12 June 2018

Location: 227 Cliffe Road Strood Rochester Medway

Proposal: Construction of a 4-bedroomed detached dwelling with associated parking

Applicant Mr Daljeet Rana

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Ward: Strood North Ward

Case Officer: Amanda Grout

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Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 26th September 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 3153-001 Rev B and 3153-002 Rev B received 12 June 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 dwelling and/or building shall 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 any dwelling and/or building 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.

- 5 Prior to the first occupation of any dwelling/the development herein approved, full details of both hard and soft landscape works and 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 Both the front and rear parking areas shall not be brought into use until it has been formed from permeable surfacing materials or has been provided with drainage arrangements within the site which shall thereafter be retained.

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

- 7 Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall show consideration regarding matters of controlling noise that may affect nearby residents, hours of work, dust suppression and the prevention of the escape of pollutants. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management

Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

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.

- 8 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;, Class[es] 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

The application seeks full planning permission for the construction of a 4-bedroomed detached dwelling with associated parking. Two parking spaces are shown on a driveway to the front of the property with parking for two cars to serve the existing property at 227 Cliffe Road to the rear with access from King Arthur's Drive. The proposal would create a 2 storey detached dwelling providing an entrance hall, living room, kitchen/breakfast area, dining/seat area, utility, toilet and storage on the ground floor and 4 bedrooms, 1 with en-suite and a bathroom on the first floor. The dwelling would have a ridge height of approx. 7.8m

Site Area/Density

Site Area: 0.0389 hectares (0.096 acres)

Site Density: 25 dph (10.4 dpa)

Relevant Planning History

MC/18/0834	Construction of a single storey extension with raised lantern light to rear 8 May 2018 Approval with Conditions
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Representations

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

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

- Design out of keeping with the area
- Overlooking from side window
- Inadequate parking for a 4 bedroom house
- Highway Safety
- Loss of privacy, overlooking over gardens and rear facing windows
- Encroachment onto pavement

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 2018 and are considered to conform.

Planning Appraisal

Principle

The site is located within the built up confines of the urban/rural settlement area of Strood. Both national and local policies support the development and creation of residential units on such sites in favour of countryside locations.

The proposed development makes use of a portion of land to the side of no. 227 Cliffe Road. The plot would have once formed part of the garden area for this property, but has since been divided. Paragraph 70 of the NPPF advises that Local Planning Authorities should resist inappropriate development of residential gardens, for example, where development would cause harm to the local area. However, the plot no longer forms part of the residential garden of no. 227 Cliffe Road and benefits from its own road frontage along Cliffe Road.

Policy H4 of the Medway Plan provides a general support for infill residential developments. In this instance therefore the principle of a residential development is considered acceptable.

The proposal would be in accordance with Policy H4 of the Medway Local Plan 2003 and objectives of Paragraph 70 of the NPPF.

Street scene and design

The proposed dwelling would face onto and contribute to the street scene of Cliffe Road and within the wider vicinity that consists of bungalows and 2-storey properties. Those properties are spaced irregularly and consist of detached and semi detached properties.

In this instance, the proposed dwelling would be 2-storeys in height, detached and would be located on the plot to the north of the existing dwelling of No. 227 and as such would be in keeping with established character of the area. The height of the proposed dwelling at both eaves (approximately 5.4m) and ridge level (approximately 7.8m), in addition to the distance the property would be set back from the pavement edge (approximately 9m) would allow the open nature found within the immediate vicinity of the street scene to be continued. The design of the detached property with a gable feature, together with parapet and pitch roof features would introduce a new and more contemporary design to the area, but taking into consideration the mixed design of properties within the area, with no uniformity, the proposal would complement the eclectic mix of housing styles in the area and is considered to be acceptable.

Materials proposed to be used in the construction of the dwelling include the use of brick and render with raised seam roof panels together with aluminium windows and doors, which together would respect the quality of the design of the proposed dwelling without detriment to the surrounding area. In addition, the combination of hard and soft landscaping would result in an improvement to the immediate street scene and area. Notwithstanding, details of the materials would be requested by condition to ensure that a good quality development is delivered.

Having regard to the above, no objection is raised in terms of design, siting and appearance of the proposed dwelling under Policy BNE1 of the Medway Local Plan 2003 and Paragraph 124 (good design) of the NPPF.

Neighbours' Amenities

Medway Local Plan Policy BNE2 seeks to ensure that an adequate level of amenity is provided for the future residents of the proposed dwelling and at the same time respect the amenities of the surrounding properties.

The proposed dwelling would be located north of No. 227 Cliffe Road, to the east of No. 1 King Arthur's Drive, and to the south of Nos. 2A, 2B and 2C King Arthur's Drive and, No. 229 Cliffe Road. The land level change within the vicinity and height of the proposed dwelling would restrict any potential impact upon the sunlight and daylight amenity of the occupiers of those dwellings. Furthermore, that aforementioned land level change would also limit any impact upon the outlook for occupiers of those dwellings. Finally, with regards to privacy in particular to No. 1 King Arthur's Drive, given the difference in land levels and the distance from to the nearest window on that property, approx. 18m, means that the proposed development would not introduce a significantly detrimental form of overlooking to this property. The properties to the north are on the opposite side of King Arthur's Drive and this type of overlooking across a residential road is normal in urban areas.

Consequently, the proposed development would not have a harmful impact on the amenity of neighbouring or adjacent occupiers.

It would be necessary to remove the permitted development rights for enlargement for the new dwelling under Classes A, B, C and E of the GDPO to regulate future development on the land and ensure that the amenity of neighbours are maintained.

Amenity of future occupiers

It is also necessary to consider whether adequate habitable space would be provided for the future occupier of the proposed dwelling house in compliance with the Technical housing standards - nationally described space standards March 2015.

The table below shows minimum gross internal floor area expected against the proposed dwelling floor areas.

	Number of bedrooms	Number of bed spaces(person)	2 storey dwellings m2
Standard	4b	8p	124
Proposed	4b	8p	158

As such, the living conditions for potential occupants of the site are considered acceptable. The garden proposed would be relatable to those on neighbouring properties and exceeds the standard requirement for a single dwelling house. There are no objections with regard to Policy BNE2 of the Local Plan and Paragraph 127f of the NPPF.

Highways

Concern has been raised with regard to impact on parking as a result of the development. The application proposes 2 off road parking space for a 4 bedroom dwelling in the form of a driveway to the front for the proposed dwelling and the existing dwelling being No. 227 Cliffe Road would have 2 off road parking space to the rear. In addition, the road is not subject to controlled parking order. The Medway Interim Parking Standards states that for a 3+ bedroom property the minimum number of car parking spaces should be 2. Therefore, the parking provision for both the new and existing properties would accord with the Medway Interim Parking Standards. Furthermore, both parking areas would utilise the existing crossovers which would not result in a highway safety issue.

Both parking areas would be constructed using permeable block paving, however no details relating to the driveway's construction or drainage has been provided, and in this instance it is considered necessary to secure this by condition.

The proposal is considered acceptable with regard to the impacts on the highway and accords with Policies T1, T2 and T13 of the Medway Local Plan 2003.

Other Matters

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 and have agreed to submit a unilateral undertaking. No objection is therefore raised under Paragraphs 175 and 176 of the NPPF and Policies S6 and BNE35 of the Local Plan.

Noise during construction

Due to the residential locality and the potential for impact on residents during construction process, it would be necessary to control this by condition as such it is recommended that a Construction Environmental Management Plan (CEMP) condition is appended if planning permission is granted.

Local Finance Considerations

There are none that are relevant to this application.

Conclusions and Reasons for this Recommendation

The site is within the urban/rural settlement area and as such the principle of the proposed development is acceptable. The proposed dwelling would relate positively to the character of the area and appearance of the street scene. In addition it is considered

that the proposal would not cause adverse harm to the occupiers of the adjoining properties. The proposed car parking provision would be acceptable for the proposed and existing dwellings and no objection is raised in this regard. The proposal is considered to be acceptable in terms of design, neighbour amenity and highways, in line with Policies H4, BNE1, BNE2, T1, T2 and T13 of the Medway Local Plan 2003 and with the objectives of Paragraphs 70, 124 and 127 of the NPPF and is therefore recommended for approval.

This application would normally be determined under delegated powers however is being referred to the Planning Committee for determination due to the number of representations received expressing views 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/>