

MC/18/3461

Date Received: 30 November 2018

Location: Coronation Bungalow Cooling Street Cliffe Rochester

Proposal: Construction of 4 two bedroom dwellinghouses with associated landscaping and parking (Demolition of existing pair of semi-detached bungalows) (Resubmission of MC/18/1017)

Applicant Mr Terry Foreman

Agent Mr Dan Town
Wyseplan Building
Occupation Road
Wye
TN25 5EN

Ward: Strood Rural 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 20th March 2019.

Recommendation - Approved Subject to:

- A. £479.22 (towards wildlife mitigation)
- B. And 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:

Drawing numbers: 17/0496-09 Rev B, 17 0496 20 Rev H, 17 0496 21 Rev G, 17 0496 22 Rev G received on 3 December 2018 and 17 0496 02 Rev F, 17 0496 03 Rev C received on 16 January 2019.

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

- 3 The development shall be implemented in accordance with the materials as set out on the Materials Schedule drawing number: 17/0496- 09 Rev B received on 3 December 2018.

Reason: To enable the Local Planning Authority to control such development in the interests of visual amenity in accordance with paragraph 124 and 127 of the National Planning Policy Framework 2019 and Policy BNE1 of the Medway Local Plan 2003.

- 4 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, E and F 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 amenity for future residents in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 5 Prior to the first occupation of any dwelling, full details of both hard and soft landscape works and a timetable for implementation and management thereafter 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 paragraphs 124 and 127 of the National Planning Policy Framework 2019 and Policies BNE1, BNE2 and BNE6 of the Medway Local Plan 2003.

- 6 No dwelling herein approved shall be occupied until the area shown on the submitted layout for vehicle parking spaces has been provided, surfaced and drained from permeable surfacing materials or provided with drainage arrangements within the site. Thereafter they 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 BNE2, T1 and T13 of the Medway Local Plan 2003 and to manage surface water in accordance with Paragraph 103 of the National Planning Policy Framework 2019.

- 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: To protect neighbours amenity during the course of construction in accordance with the objectives of paragraph 127 of the National Planning Policy Framework 2019 and Policy BNE2 of the Medway Local Plan 2003.

- 8 If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted a method statement, and obtained written approval from the Local Planning Authority. The Method Statement must detail how this unsuspected contamination shall be dealt with.

Reason: To protect future occupants amenity in accordance with the objectives of Policy BNE23 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 proposes the demolition of a pair of semi-detached bungalows and replacement with two pairs of semi-detached two-storey, two bedroom dwellings. Each semi-detached pair would be broadly rectangular measuring 11.4m wide by 8.7m long and have a ground to eaves height of approx. 4.2m (8.4m to ridge). A clipped gable end roof with insert dormers to the front and rear design is proposed.

A gap of at least 2m would be maintained between each pair with a 1m gap along the southern boundary. Each dwelling would be arranged as; living room, kitchen/dining with

direct access to a 14m deep private rear garden on the ground floor; and two bedrooms with a family bathroom on the first floor.

Each dwelling would be served with two parking spaces, majority located to the rear of the buildings with 2 provided to the front of plots 3 and 4. A visitor parking space is also provided.

The parking area to the rear would be accessed via existing private drive along the northern boundary of the site. A soft landscaping buffer would be provided between the parking areas adjacent the southern boundary with The Old School.

Site Area/Density

Site Area: 0.154hectares (0.380acres)

Site Density: 25dph (10dpa)

Relevant Planning History

With regards to applications within the red or blue lines of ownership, the following applications are relevant:

MC/18/1017	Construction of two 1-bedroomed flats and three 2-bedroomed dwellings with associated parking (demolition of existing dwellings) Decision Refused Decided 17 July 2018
MC/11/1374	Construction of a detached bungalow Decision Refused Decided 21 July 2011
MC/09/1477	Construction of one pair of 2-bedroomed semi-detached bungalows with one detached double garage & associated parking spaces Decision Refused Decided 18/11/2009

Representations

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

21 letters (this includes one or more received from single households and two from the Dickens Country Protection Society) have been received objecting on the following grounds:

- Over development
- Dominant and Cramped form of development

- Inappropriate design and out of character with the area
- Unsustainable development with no facilities/amenities
- Poor access with no vision splays
- Increase in vehicle movement and adverse impact from traffic generated by construction traffic and the proposed dwellings in an area served by narrow country lanes
- Lower density of two dwellings preferred
- Overbearing form of development
- Impact from construction works
- Noise and disturbance from vehicle activity
- Loss of privacy and impact on quality of life
- Inadequate parking
- Emergency vehicle access to rear fields would be restricted
- Development potential would be increased for land to the rear of the site

Cliffe and Cliffe Woods Parish Council object to the proposal in that the remote location with no facilities or public transport will encourage the use of cars. The development is out of keeping with the street scene and nature of development in that area (separate bungalow and properties on the road frontage). The road has no footway and is narrow along much of its length.

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 2019 and are considered to conform.

Planning Appraisal

Background

The previous application under reference MC/18/1017 proposed the demolition of the semi-detached bungalows and erection of two 1 bedroom apartments and three 2 bedroom dwellings with associated parking. The application was refused on the grounds of design, layout and appearance; intensive use of parking to the rear in terms of disturbance and activity levels from the use of the car park; poor amenity space for the future occupiers and failure to secure mitigation towards protecting wildlife habitat. This current proposal has reduced the number of units, increased amenity space; altered the parking and made payment towards wildlife mitigation.

Principle

The application site falls within a cluster of residential properties of mixed design and slightly irregular siting back from the highway. Some of the examples are pairs of semis and detached properties. There are different examples of architectural form with a mix of

both bungalows and two-storey housing within large plots mainly to the eastside of the highway. The application site comprises a pair of semi-detached bungalows with associated gardens and vehicular access to the northern side of Coronation Bungalow.

The application site is outside of Cliffe Woods village boundary, where development is generally restricted unless it falls within particular categories specified in the relevant National Policy Guidance and Local Plan policies.

In considering most relevant material considerations, the Council acknowledges that it does not currently possess a 5 year land supply for housing. Due to this lack of supply, paragraph 11(d) of the NPPF is engaged, where relevant housing supply policies should not be considered up-to-date.

Paragraphs 10 and 11(d) of the NPPF assert a presumption in favour of sustainable development in decision-taking, and if a 5 year housing land supply cannot be demonstrated and 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. The test of sustainability is linked to the social, economic and environment assessment of the development (paragraph 8).

The proposal would introduce new dwellings within a rural settlement that would contribute to housing provision in the Medway area. The site has landscape value and is considered as part of the design impact below.

Paragraphs 77, 78 and 79 of the NPPF set out considerations in relation to proposals for rural housing. Paragraph 77 states that proposals for rural housing should be supported where they reflect local needs and in particular bring forward affordable housing to meet those local needs and consider whether allowing some market housing would help facilitate this. Paragraph 78 promotes sustainable development in rural areas and housing will be encouraged where it enhances or maintains the vitality of rural communities. This primarily relates to new housing developments supporting the services in villages. Paragraph 79 states that planning decisions should avoid isolated homes in the countryside.

Further support for infill development is made if the circumstances are appropriate where paragraph 117 of the NPPF promotes the effective use of land in meeting the need for homes; paragraph 118 promotes the development of underused land to meet housing need; and paragraph 123 encourages optimising the development potential of land.

Whilst the site is not within a designated rural settlement, it is within a cluster of residential homes and there would be limited harm caused from two additional units on site that will support local services in the area in particular Cliffe Woods.

The proposed development would have an economic and social benefit, and in terms of the environment whilst it would result in reliance on private vehicle this would not be significantly over what is currently generated in the area.

The development can be regarded as an infill site and as such would not be an isolated development in the area. The design is of an acceptable quality and would complement the existing style and pattern of development within the area. The design would preserve, and is sympathetic to the sensitive character of the area including where seen from surrounding landscape.

Consequently, in this instance where the site is already developed and the proposal will make better use of the land. The principle of intensifying residential development on the land is considered acceptable and meets with the objectives of paragraphs 8, 77, 78, and 79 of the NPPF.

Design

The development would be visible from neighbouring properties, garden and farm land. The local character consists of modest bungalows and two storey properties that are set to the front of the plots, with considerable laid to lawn gardens stretching to the rear. The proposed dwellings would respect the development pattern in the vicinity in comparison to the presence of existing properties on site; the mixed character of housing in the vicinity and would have a positive impact upon the surrounding countryside and the street scene. This scheme is therefore meets the objectives of Policies BNE1 and BNE25 of the Medway Local Plan 2003.

Amenity

The proposed development would be considered in regard to the amenities of both existing and future residents.

Impact on existing residents

The proposed development would increase activity levels to the side and rear of properties within the vicinity. However, in consideration of the access already being in use to the northern side of the site, the levels of activity will be greater than the existing situation but not significantly more harmful in consideration of the siting of neighbouring windows and garden to the north. To the southern side, the presence of vehicles and disturbance levels will no doubt be greater than the present situation. The noise levels and disturbance caused from vehicle activity and presence of people where doors open and close will have an impact on nearby residents but to reduce this impact to an acceptable level, this has been addressed through revision of the parking layout to set the parking off of the rear side boundary with the property to the south with the provision also of parking to the front of two properties where parking is currently present. With a suitable condition imposed to secure this, no objection is raised.

In consideration of matters in regard to loss of privacy, outlook, daylight and sunlight matters, no objection is raised having consideration to the siting, orientation, angles of view and distance from habitable room windows.

Impact on future residents

The proposed development would meet the National Technical standards (March 2015) in terms of room and circulation space for each dwelling. The proposed dwellings would also have sufficient amenity space for future residents of the dwellings. On this basis, no objection is raised on this ground.

The existing bedroom window to the side flank of the neighbouring dwelling, the Old School, to the south will directly overlook the rear garden of the proposed dwellings. Such direct overlooking would not normally be encouraged in terms of opportunity to improve amenity objectives. However, on balance, as the existing gardens are overlooked, no objection is raised on this ground. Due to the limited size of gardens and to manage the appearance of the site, permitted development rights are recommended to be removed for the dwellings. The proposed development is considered to be acceptable in terms of amenity for both existing and future occupiers and would meet with the objectives of paragraph 127(f) of the NPPF and Policy BNE2 of the Local Plan.

Development impact during Construction

Neighbours amenity will be impacted by the development during the course of construction. To mitigate this, a planning condition is recommended requiring a Construction and Environmental Management Plan to be submitted and approved by the Local Planning Authority with regard to matters of controlling noise that may affect nearby residents, hours of work, dust suppression and the prevention of the escape of pollutants.

Contamination

In consideration of the established residential use of the land, contamination is unlikely to present. However, to ensure that any unsuspected contaminants are appropriately mitigated if found, a condition is recommended. The development would be in accordance with the objectives of Policy BNE23 of the Local Plan.

Highways

The proposed development would require residents to own vehicles to live comfortably with access to work and amenities. The layout has been altered to improve amenity through the course of the submission. The provision of parking as indicated would meet with the objectives of paragraph 109 of the NPPF and Policies T1 and T13 of the local Plan whereby an existing access for vehicles would be utilised. There is potential for residents to park on the highway too but with the extent of vehicle movements proposed in addition to the existing situation and occupancy levels of the bungalows, no objection is raised on parking grounds or access onto the highway. Surface water drainage may be

mitigated by appropriate condition in accordance with the objectives of paragraph 103 of the NPPF to ensure the drainage mitigates against surface water spillage onto the highway.

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 paid this tariff through a SAMMs agreement. Accordingly, Local Planning Authority is satisfied that the proposal would put in place adequate measures to mitigate potential significant adverse effects on the North Kent Marshes SPA. The proposal thereby is considered to conform to paragraphs 175 and 176 of the NPPF and Policies S6 and BNE35 of the Local Plan.

Local Finance Considerations

There are no financial implications

Conclusions and Reasons for Approval

The proposed development would be outside the confines of a rural settlement and as a minor residential development on previously developed land, is acceptable in principle. The proposed development is considered to be acceptable without detriment to the character or appearance of the streetscene or area. The development would not have significant impact on amenity or highways. The development would comply with Policies BNE1, BNE2, BNE23, BNE25, BNE35, S6, T1 and T13 of the Medway Local Plan 2003,

and the objectives of paragraphs 8, 77, 78, 79, 109, 117, 124, and 127 of the National Planning Policy Framework 2019 and is recommended for approval.

The application would normally be determined under delegated powers but is being referred for Committee determination due to the number of representations received expressing a view contrary to officer's recommendation including that from the Parish Council.

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/>