

MC/19/1002

Date Received: 15 April 2019

Location: 42 Chattenden Lane Chattenden Rochester Kent

Proposal: Outline application with all matters reserved for the construction of a new terrace comprising of four x 3 bedroom dwelling houses (demolition of existing property)

Applicant Mr Olu Alabi - Chattenden Lane Redevelopment

Ward: Strood Rural Ward

Case Officer: Hannah Gunner

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 26th June 2019.

Recommendation - Approval subject to:

Approval subject to:

A. Section 106 to secure £736.68 toward Bird Mitigation, and

B. The following conditions;

- 1 Approval of the details of the layout, scale and appearance of the buildings, the means of access thereto 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:

Drawing numbers 1:1250 location plan (received 16 April 2019).

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

- 5 No development above slab level shall take place until details and samples (where required) 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.

- 6 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.

- 7 The building shall not be occupied, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority. 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 Policy T13 of the Medway Local Plan 2003

- 8 Details of cycle storage shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the building to which it relates. The development shall be carried out 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 BNE2 and T4 of the Medway Local Plan 2003.

- 9 Prior to the commencement of any residential part of the development hereby permitted, the details of a scheme of mitigation measures shall include:-
- a) The provision of 1 on-site Electric Vehicle rapid charge point per residential dwelling shall be made.
 - b) All gas boilers to meet a minimum standard of less than 40mgNO_x/kWh

The approved electric charging points shall be provided prior to first occupation and thereafter be retained on site.

Reason: In the interests of sustainability in accordance with Paragraph 110E of the NPPF 2019.

- 10 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 include amongst other matters details of: hours of construction working; measures to control noise affecting nearby residents; wheel cleaning/chassis cleaning facilities; dust control measures; pollution incident control; parking, delivery and removal information, and site contact details in case of complaints. 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, the countryside, wildlife and habitat and with regard to BNE2 of the Medway Local Plan 2003

- 11 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 ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003

- 12 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, D 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

Outline application with all matters reserved for the construction of a new terrace comprising of four x 3 bedroom dwelling houses (demolition of existing property).

The existing property to be demolished on site is a detached 4 bedroom house with detached double garage to the side.

The proposed outline application is for a terrace of 4 houses, which are all to be 3 bed properties. The indicative site plan that has been submitted as part of this application shows each property to have sufficient off road parking for 2 cars and also private amenity spaces at the rear for all properties.

This application however has ALL matters reserved so access, siting, landscape, layout and appearance are all subject to a reserved matters application at a later date.

Site Area/Density

Site Area: 0.0847 hectares (0.21 acres)

Site Density: 47 dph (19 dpa)

Relevant Planning History

No relevant history here

Representations

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

Hoo Parish Council have also been consulted.

Representation has been received from the Parish Council, objecting to this proposal on grounds of overdevelopment.

No other comments or representations have been received.

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

Principle

The site is located within the defined urban boundary of Chattenden in a residential area. The site is currently occupied by a detached 4 bedroom house. Given that this proposal is for residential use within a residential area the current proposal is considered to be acceptable in principle.

It is noted that the density for this site, when calculated, is higher than the general density targets within the urban boundaries that are focus of the emerging local plan, however this scheme is being looked at in relation to some of the immediate surrounding plots, where there are terrace houses. This refers mainly to the properties that are located south of the application site. Opposite the property are semi-detached houses and to the north are a variety of detached house. Given the wide variation to house styles, types and plot sizes within Chattenden Lane itself it is considered that a terrace in this location would not be out of place here.

Therefore the proposal is considered to be in compliance with Policy H4 of the Medway Local Plan 2003 and paragraphs 49 and 68 of the NPPF, which refer to presumption in favour of sustainable development and sub-division of larger sites. As such there is no in principle objection to the rebuilding of an existing residential site.

Design

This is an outline application with all matters reserved. Design and appearance are therefore unknown at this stage and comment cannot be made.

In the reserved matters application it will be necessary that good design is incorporated into the final scheme in accordance with the NPPF 2019. The design will also have to comply with the criteria of Policy BNE1 of the Medway Local Plan 2003.

Amenity

As with design, amenity cannot be assessed until the reserved matters stage as there are no details of the scheme to assess. It will be necessary with regards to the impact on amenities of future occupiers to ensure that the scheme coming forward complies with the Technical Housing Standards – Nationally prescribed space standards. With regards to neighbouring amenity, the scheme will have to be shown in context to ensure that there is no detrimental harm to outlook, light and general enjoyment of amenity to the existing neighbouring properties. This cannot be done until such time as there is a designed proposal submitted.

Amenity should accord with Policy BNE2 of the Medway Local Plan 2003 as well as the principles of the NPPF 2019, at the time of the reserved matters submission.

Highways

Specific details of the access have not been set out (all matters reserved). The indicative plan however shows that there would be more than sufficient space to accommodate a minimum of 2 cars per plot. It is considered that the indicative layout shown is not ideal, however the layout will be looked at in more detail at the Reserved Matters stage. Given that this is the case it is considered that there will not be any significant highways issues with a scheme of 4 dwellings sited in this location.

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 £245.56 per additional 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. **(Total: 3 x 245.56 = £736.68)**

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/are in the process of submitted/submitted 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.

Local Finance Considerations

None relevant here

Conclusions and Reasons for Approval

It is considered that the principle of residential properties within the urban boundary of Chattenden is acceptable and the replacement of 1 x four bed house with 3 x three bed houses is also acceptable. The acceptability of any scheme coming forward will depend on the design achieving suitable standards with parking, layout, and impact (both within the street scene and to neighbouring properties) as set out in the report above.

The principle of redeveloping this residential site with terrace houses is therefore considered to comply with Policy H4 of the Medway Local Plan 2003 and paragraph 68 of the NPPF 2019 which encourages the subdivision of larger sites.

The application would normally be determined under delegated powers but is being referred for Committee determination due to the objection received by the Parish Council expressing a view contrary to officer's recommendation/at the request of Councillor.

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/>