

MC/21/1010

Date Received: 9 April 2021
Location: 131 Watling Street Strood
Rochester Medway
Proposal: Change of use of amenity land to residential and construction of a vehicular crossover to front
Applicant: Mrs Angela Ogunnusi
Ward: Strood South Ward
Case Officer: Sam Pilbeam
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 21st July 2021.

Recommendation - Refusal

- 1 By virtue of the removal of the soft landscaped verges and their replacement with hardstanding, the proposal would result in the hardening of the street scene and therefore a harsh form of development, which would be unsympathetic and harmful to the appearance of the street scene contrary to Policy BNE1 of the Medway Local Plan 2003 and paragraph 127 of the NPPF.
- 2 As a result of the restricted width of the frontage, a vehicle is unlikely to be able to enter and exit the site in a forward gear without several manoeuvres which would likely result in movement of vehicles along the public footpath that would in turn compromise the safety of pedestrian and highway users contrary to Policies T2 and T3 of the Medway Local Plan 2003.

For the reasons for this recommendation for refusal please see Planning Appraisal Section and Conclusions at the end of this report.

Proposal

Change of use of amenity land to residential and construction of a vehicular crossover to front.

The proposed area of amenity land to be affected by the proposal would measure approx. 6.5m in width and 13.5m in depth. The subject of the application is an area of public amenity land and the vehicle access would also involve vehicle crossing over public footpath to gain access to the front of the property from Watling Street.

Relevant Planning History

MC/17/0677 Construction of a single storey rear extension and porch to front
Decision: Approval with conditions
Decided: 25 May 2017

MC/05/1389 Application for Lawful Development Certificate (proposed) for construction of conservatory to rear (demolition of existing conservatory)
Decision: Approval with conditions
Decided: 22 July 2005

133 Watling Street

Installation of a vehicle crossover and hardstanding to front
Decision: Refused
Decided: 3 August 2017

Representations

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

No letters of representation 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

Background

As a material consideration to this application is the planning history for the neighbouring property at No. 133 Watling Street. In August 2017, an application for a similar development for the provision of a hardstanding to the front of the property and vehicle crossover. The application was refused for the following reasons:

1. As a result of the restricted width of the frontage, a vehicle is unlikely to be able to enter and exit the site in a forward gear without several manoeuvres which would likely result in movement of vehicles along the public footpath that would in turn compromise the safety of highway users contrary to Policies T2 and T3 of the Medway Local Plan 2003.

2. By virtue of the removal of the soft landscaped verges and their replacement with hardstanding, the proposal would result in the hardening of the street scene and therefore a harsh form of development, which would be unsympathetic and harmful to the appearance of the street scene contrary to paragraph 56 of the NPPF and Policy BNE1 of the Medway Local Plan 2003.

The application was referred to the Planning Committee on the request of Councillor Chitty for the reason that the proposed access would impact on the character of the area through the loss of the green amenity land and coupled with the hardstanding to the front of the dwelling would have a harsh appearance on the street scene.

The officer's report to the Committee, acknowledged that the proposed hardstanding to the front of the property, given the size and use of permeable material could be carried out under permitted development by virtue of by Class F of the GPDO.

The current application is to the adjoining property to the above site, and proposal for a similar development that was refused in 2017, for consistency in decision, it was considered appropriate to refer this application to the Members of the Planning Committee.

Design

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, this is further supported by paragraph 124 of the NPPF which emphasises the importance of good design.

The subject property is a two storey mid-terrace dwelling located within a residential area of Strood, along the A2 Watling Street. The proposed development would be visible from the street scene. Hardstanding's and crossovers are a common feature on the opposite side of Watling Street, however there is only one crossover and hardstanding that has been installed within this group of properties on this side of the road. It should also be noted that the provision of hardstanding to the front of a single-family dwelling house can be carried out under permitted development by virtue of Class F of the GDPO.

Consequently, and taking account of the reason for refusal for the development at No. 133 Watling Street, the only concern with respect to the design and appearance of the area relates to the removal of the green amenity space to the front of the dwelling to create the vehicle access.

On this basis, it is considered that the proposed development would result in the loss of the public amenity land to the front of the property which if allowed would in turn set and undesirable precedent which would have significant negative impact on the character and appearance of this section of the road.

It should be noted that No. 143a Watling Street currently benefits from a crossover, however given the short distance from the front of that property, together with the size of the front amenity area within the site itself, means that lessened amount of public land was affected by this vehicle crossing.

As such, given the above, it is considered that by virtue of the removal of the soft landscaped verges and their replacement with hardstanding, the proposal would result in the hardening of the street scene and therefore a harsh form of development, which would be unsympathetic and harmful to the appearance of the street scene contrary to Policy BNE1 of the Medway Local Plan 2003 and paragraph 127 of the NPPF.

Amenity

The proposed vehicle crossover would facilitate vehicle parking within the front curtilage of the dwelling house. Therefore, no amenity issues would arise from the proposal and would therefore be in accordance with Policy BNE2 of the Medway Local plan 2003.

Highways

The application property is approximately 40m from the junction with River Drive and 85m from the junction with Elaine Avenue and would have adequate sightlines in each direction. Although the Council's Highway Officer has raised no objection to the proposed vehicle crossover/access.

It is noted that the reason for refusal for the neighbouring site, included concerns to the use of the vehicle crossover and the conflict with pedestrian using the public footpath which will need to be crossed to access the front of the property. It is also noted that NO. 143a has a crossover however this property has sufficient space within the site for vehicle turning as such enabling vehicle access into and exit the site in a forward gear.

In respect of the application site, however, this is similar to No. 133 in that there is no adequate space within the front to allow vehicle turning (to enable vehicle to enter and exit the site in forward gear) as such there is potential for conflict between vehicle and pedestrian.

Consequently, as a result of the restricted width of the frontage, a vehicle is unlikely to be able to enter and exit the site in a forward gear without several manoeuvres which would likely result in movement of vehicles along the public footpath that would in turn compromise the safety of pedestrian and highway users contrary to Policies T2 and T3 of the Medway Local Plan 2003.

Conclusions and Reasons for Refusal

For the reasons stated above, it is considered that the proposed development would be unacceptable and would be harmful to the character and appearance of the area and result in potential harm to pedestrian and highway users. The proposal is therefore contrary to Policies BNE1, T2 and T3 of the Medway Local Plan 2003, and paragraph 127 of the NPPF.

The application would normally be determined under delegated powers but is being referred for Committee determination on the basis that the Committee determined the application on the neighbouring property at No. 133 Watling Street, which was at the time referred to the Committee on the request by Councillor Chitty, for the reason that the removal of the green amenity space would be harmful to the character of the area and vehicle crossing the land would conflict with the pedestrian pavement.

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 on Medway Council's Website <https://publicaccess1.medway.gov.uk/online-applications/>