

**MC/21/2223**

Date Received: 26 July 2021  
Location: 104A, B And C Poplar Road Strood  
Rochester Medway  
Proposal: Variation of condition 2 (approved plans) on planning permission MC/19/2692 to allow a minor material amendment for introduction of small studies (7.5 sq m max) to unit no's 1-4 and plan reconfiguration to suit.  
Applicant GPML Construction  
Mrs Julie Brooks  
Agent Mr Simon Cove  
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Ward: Strood South Ward  
Case Officer: Amanda Barnes  
Contact Number: 01634 331700

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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 13<sup>th</sup> October 2021.**

**Recommendation - Approval with Conditions**

- 1 The development hereby permitted shall be begun before the expiry of three years from the date of the original permission MC/19/2692, that date being 7 February 2020.

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:

Received 26 July 2021:  
2337-135 Proposed Floor Plan

Received 8 November 2019:  
D381 016C Proposed site plan  
D381 018C Proposed South and East Elevations  
D381 019A Proposed North and West Elevations and Typical Section

D381 020A Proposed site sections AA and BB

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

- 3 The development shall be implemented in accordance with the approved details submitted under Condition 3 (Materials) partially discharged under MC/21/1302, subject to the works on site being carried out in accordance with the agreed brick, metal cladding and window detail.

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 The construction works shall be carried out at all times in accordance with the approved Construction Environmental Management Plan under application MC/21/0836.

Reason: In order to minimise the impact of the construction period on the amenities of local residents with regard to Policy BNE2 of the Medway Local Plan 2003.

- 5 No dwelling shall be occupied until details of boundary fencing and any screening including sections of final levels have been submitted to and approved in writing by the Local Planning Authority. The fencing/screening shall be implemented in accordance with the approved details prior to the first occupation of these dwellings.

Reason: To ensure the terracing of gardens does not lead to a loss of privacy to neighbouring property to comply with Policy BNE2 of the Medway Local Plan 2003.

- 6 The footpath shall be implemented in accordance with the approved details submitted under application MC/21/1838 prior to the first occupation of any dwelling herein approved and thereafter submit evidence to the Local Planning Authority that the responsibility for the on-going maintenance and lighting of the footpath has been transferred to the Local Highway Authority.

Reason: To ensure that the footpath operates in a safe and functional form for its lifetime to accord with Policies BNE2 and BNE8 of the Medway Local Plan 2003.

- 7 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 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.

- 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) all dwellinghouses herein approved shall remain in use as a dwelling house falling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order amending, revoking and re-enacting that Order with or without modification) and no change of use shall be carried out 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 amenity, in accordance with Policy 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**

Variation of condition 2 (approved plans) on planning permission MC/19/2692 to allow a minor material amendment for introduction of small studies (7.5 sq m max) to unit no's 1-4 and plan reconfiguration to suit.

The original application MC/19/2692 gained planning permission for the demolition of the bungalows on the site and the construction of:

- a terrace of four dwellings (one 3-bed and three 4-bed)
- one detached 4-bedroom house
- realignment of existing footpath through the site

The houses are located between the existing properties at Nos. 104 and 106 Poplar Road. The terrace is separated from the detached dwelling by a new footpath running through the site, from north to south, and the existing footpath removed. The front elevation of the proposed houses faces south. The house on the east is adjacent to No. 104 and is inset from the eastern boundary of the site.

The buildings are constructed with gable end roof profiles with ridge heights similar to those on neighbouring terraces. The elevational treatment is brick and concrete tile with two storey bays on the front elevation and small dormers in both the front and rear roof planes. The front bay and dormers have a metal cladding finish and there would be a rendered panel adjacent to the front door of the dwellings. Each dwelling is provided with a terraced rear garden. The approved accommodation of each dwelling comprises a living

room, dining/kitchen, a WC and hallway on the ground floor and various numbers of bedrooms and bathrooms on the first floor level and within the roof space.

The current application seeks to alter the layout of units 1 to 4 as follow:

#### Unit 1

- Bedroom 1 going from approx.15.7sqm to 12sqm
- Bedroom 2 going from approx.13.7sqm to 10sqm
- New Study approx. 7.5sqm
- Bathroom moving from the rear to be sited between the two bedrooms with no window
- Bedroom 3 in the loft going from 21.6sqm to 16.7sqm with the addition of a new en-suite shower room

#### Units 2, 3 and 4

- Bedroom 1 going from approx.14.1sqm to 13sqm
- Bedroom 2 going from approx.12.1sqm to 12.7sqm
- Study created approx.6sqm where the old single Bedroom 3 was
- New cupboard created
- Bedroom 4 in the roof space being split from one double bedroom (approx.12.8sqm) to two single rooms approx. 10sqm and 10.6sqm, one with a small en-suite shower room

No elevational changes are proposed.

#### **Site Area/Density**

Site Area: 0.127 hectares (0.3 acres)

Site Density: 39.37dph (16.67 dpa)

#### **Relevant Planning History**

MC/19/2692	Construction of a terrace of four dwellings (three 4-bedroom dwellings and one 3-bedroom dwelling) and a detached 4-bedroom dwelling (demolition of existing bungalows) Approved 07.02.2020
MC/19/0086	Construction of a terrace of three 3 bedroom houses, two 2 bedroom chalet bungalows and one 1 bedroom bungalow (demolition of bungalows) - resubmission of MC/17/1342 Withdrawn by applicant
MC/17/1342	Construction of a terrace of six 2-bedroomed dwellings (demolition of existing bungalows) Refused, 10 November 2017 Dismissed on appeal, 17 October 2018

75/856

Erection of three space way dwellings for sheltered accommodation  
Approved

## **Representations**

The application has been advertised on site and by individual neighbour notification.

**One letter** of objection relating to:

- This is not an application for a study as the development is already being marketed as 5-bedroom and 4-bedroom houses, the original planning consent was for 4x4 bedroom houses and 1x3 bedroom house
- An additional bedroom for 5 houses severely impacts the availability of street parking on Poplar Road. It has been proven with such a small area sectioned off during the development that current residents have been forced to look for alternative parking i.e. on the grass verge adjacent. If the development as consented was to complete, then this is going to put enough pressure on the availability of spaces however an additional 5 bedrooms can equate to an additional 5 cars.
- The additional traffic on the road also impedes highway safety and the ability to turn vehicles or unload
- With many residents now being forced to park on the grass verge, the impact on the landscape and damage sustained needs to be considered

## **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 2021 and are considered to conform.

## **Planning Appraisal**

### *Principle*

The principle of the development has been agreed in application MC/19/2692 and as the proposed alterations are internal with no additional bedrooms being created the principle is considered acceptable and in accordance with Policy H4 of the Local Plan.

### *Design*

The Government attaches great importance to the design of the built environment. Good design is considered a key aspect of sustainable development and is indivisible from good planning. Paragraph 130 is key to the achieving well designed places and requires that developments (in part) function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective

landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting.

In accordance with the NPPF, Local Plan Policy BNE1 requires the design of development to be appropriate in relation to the character, appearance and functioning of the built and natural environment.

The proposal is for internal changes only with no alterations to the approved elevations, as such the application is considered to be acceptable and in accordance with Policy BNE1 of the Local Plan and paragraphs 126 and 130 of the NPPF.

### *Amenity*

Policy BNE2 of the Local Plan and paragraph 130 of the NPPF require the amenities of both neighbours and future occupiers of these units be taken into account.

### Future Occupiers

The original advert for the sale of these properties was incorrect and showed additional bedrooms, this has now been corrected

The proposed changes are altering the number and size of the bedrooms in each dwelling.

Unit 1 is going from a 3 bed 6 person dwelling to a 3 bed 5 person dwelling with a study but is still maintaining the overall size of the unit and as such complies with the Technical Housing Standard and would provide an acceptable internal space for the level of occupation proposed.

Units 2, 3 and 4 are going from 4-bedroom, 7 person dwellings to 4 bedroom 6 person dwellings with a study. The overall size of the dwellings is not altering and as such they comply with the Technical Housing Standard and would provide an acceptable internal space for the level of occupation proposed.

The gardens are not altering in size.

### Neighbours

The proposal does not seek to alter the elevations of the approved dwellings and as such there are no new issues created with the addition of a study to each unit and the subsequent internal changes to the layout.

Subject to the re-imposition of conditions the proposal is considered acceptable in terms of amenity and the proposal complies with Policy BNE2 of the Local Plan and paragraph 130 of the NPPF.

## *Highways*

As the application is for the addition of studies to the approved plans, it is not considered that these additions would result in any further impact that would be considered to conflict with Policy T1 of the Local Plan and paragraph 111 of the NPPF.

## *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 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 submitted a completed SAMMS form and have paid this tariff as part of the original application MC/19/2692 and as such no objection is therefore raised under Paragraphs 180 and 181 of the NPPF and Policies S6 and BNE35 of the Local Plan.

## *Climate Change and Energy Efficiency*

The applicant supplied the following information with the original application MC/19/2692:

1. The proposed development is to be constructed as a timber frame, using sustainable timber throughout and facing materials that endeavour to meet BRE Green Guide A +.
2. All windows are double glazed and will achieve a u-value of 1.4W/m<sup>2</sup>K and all boilers will be condensing combination gas boilers (low NOx).

3. As the application has no off street parking, electric recharging points are not possible on this application.
4. All hard standing areas within the curtilage of the dwelling will be porous.
5. Secure cycle storage is provided at each dwelling in the rear garden.

The close proximity of amenities including public transport, public park, leisure facilities, businesses and shopping facilities from the proposed development mean the length of journey is minimal promoting walking and making it not essential to own a car.

Overall, it was considered that the development offers the opportunity for a sustainable transport solution.

### **Conclusions and Reasons for Approval**

The proposed alteration to the internal layout is acceptable and without harm to the amenity of the surrounding residents or the future occupiers. The proposal is therefore in accordance with Policies S6, BNE1, BNE2, BNE8, BNE35 and T1 of the Medway Local Plan 2003 and paragraphs 11, 60, 111, 126, 130, 180 and 181 of the NPPF.

The application would normally be determined under delegated powers but is being referred to the Planning Committee for determination for consistency as the previous applications were determined by Members.

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### **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/>