

MC/21/3436

Date Received: 26 November 2021

Location: 16 Stour Close Strood
Rochester Medway

Proposal: Construction of a two-bedroom end-of-terrace house with associated parking, shed and landscaping together with bin and cycle store and electric vehicle charging points

Applicant Agent Mr G Hughes
Synergy Planning & Property Consultants
Mr Jonathan Bolton
Synergy
The Office, The Larches
Higham
Rochester
ME3 7NQ

Ward: Strood South Ward

Case Officer: Stephie Theedom

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 9th February 2022.

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:

Received 31 August 2021:

21 340 02B Proposed Site Plan

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

- 3 No development shall take place until a Construction Environmental Management Plan (CEMP) has been 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; dust control measures; pollution incident control 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.

Reason: Required before commencement of development 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.

- 4 All materials used externally shall match those of the existing building at 16 Stour Close, Strood.

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 The dwelling 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.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking and in accordance with Policy T13 of the Medway Local Plan 2003.

- 6 No development shall take place above ground floor slab level until details of the provision of 2 electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. Details shall include the location, charging type (power output and charging speed), associated infrastructure and timetable for installation. The development shall be implemented in accordance with the approved details and shall thereafter be maintained in working order.

Reason: In the interests of sustainability in accordance with paragraph 112e of National Planning Policy Framework 2021.

- 7 The dwelling herein approved shall not 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 the dwelling 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.

- 8 Prior to the first occupation of the dwelling herein approved details of the refuse storage arrangements for that dwelling and the existing dwelling at 16 Stour Close, including provision for the storage of recyclable materials, shall be submitted to and approved in writing by the Local Planning Authority. The dwelling herein shall not be occupied until the approved refuse storage arrangements for that dwelling and the dwelling at 16 Stour Close are in place and all approved storage arrangements shall thereafter be retained.

Reason: In the interests of visual amenity and to ensure a satisfactory provision for refuse and recycling in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 9 The development herein approved shall incorporate the measures to address energy efficiency and climate change as set out within the design and access statement. The development shall not be occupied until a verification report prepared by a suitably qualified professional has been submitted to and approved in writing by the Local Planning Authority confirming that all the approved measures have been implemented.

Reason: In the interests of sustainability and to positively address concerns regarding climate change in accordance with paragraph 154 the National Planning Policy Framework 2021.

- 10 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) the dwellinghouse herein approved shall remain in use as a dwellinghouse falling within Class C3 only 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

Construction of a two-bedroom end-of-terrace house with associated parking, shed and landscaping together with bin and cycle store and electric vehicle charging points

Relevant Planning History

No relevant history

Representations

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

Three representations have been received in relation to:

- Parking
- Road safety
- Overdevelopment
- Construction traffic and HGV's
- Overlooking
- Loss of green space

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

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

The NPPF seeks to pursue sustainable development, in a positive way through a presumption in favour of sustainable development, unless the policies within the NPPF provide clear reasons for refusing development, or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits (paragraph 11). Paragraph 60 of the NPPF also seeks to boost the supply of housing by bringing forward a variety of land to meet specific housing requirements.

Policy H4 of the Local Plan allows for residential infilling in principle providing that a clear improvement in the local environment will result.

The principle of a dwelling in this location is acceptable as the site is located within an existing urban area and would seek to improve the local environment. In land use terms, the development would comply with the objectives of Paragraph 11 of the NPPF and Policy H4 (ii) of the Local Plan.

The principle of this site for development is considered acceptable subject to compliance with detailed matters which are subject to assessment below.

Design and Appearance

The proposed dwelling takes a subservient approach reflecting and complementing the styles of the host dwelling and the houses within the terrace and surrounding area. The proposed dwelling would be set back from the building line by approx. 2m leaving the new dwelling with a depth of approx. 7.2m. The width of the proposed dwelling would be approx. 5.7m comparable to the width of the host dwelling at approx. 5.8m. The proposed dwelling would also use matching materials to respect the surrounding development.

The scale and siting of the proposed dwelling are considered acceptable and it is unlikely to cause harm to the character or appearance of the terrace or wider area in accordance with Policy BNE1 of the Local Plan and paragraphs 126 and 130 of the NPPF.

A parking area is proposed to the front of the dwelling and would introduce the presence of hard surfacing and off-street parking and cycle storage across most of the site but several the front gardens on the road already benefit from hard surfacing. Subject to good quality materials and a permeable means of construction no objection would be raised on this point.

The plans provided show garden space to the rear will be subdivided, the garden provided for the new dwelling has a depth of approx. 9.2m and a width of approx. 6.2m. The garden size would retain a similar depth and width to the gardens in the immediate locality. Therefore, no objection regarding character.

Amenity

Impact on Neighbours' Amenity

Representations have been made raising concerns in relation to overlooking and overdevelopment. The proposed dwelling has been designed to ensure all habitable room windows face to the front or rear of the property where overlooking is already present given its location in a residential development. There have been no windows proposed in the eastern flank elevation. The proposed dwelling would not significantly impact on sunlight or daylight due to its orientation and location where the proposed dwelling does not project beyond the existing building lines of the host dwelling.

The site is within a mainly residential area where development is likely will have an impact on amenity through construction. If the application were to be approved, a condition for a CEMP is recommended.

A condition is also recommended to remove permitted development rights with regard to the potential for the property to be converted to a small HMO at a later. Such a change of use may result in a harmful impact on the character of the area which is of predominantly dwellings in single household occupation as well as on neighbouring residential amenity with increased comings and goings of individuals and increased parking pressures.

Impact of future occupants of the proposed dwelling

The proposal has been considered against Medway's housing design standards 2011 and the technical housing standards – nationally described space standards dated March 2015 (the national space standards).

The proposed dwelling would measure approx. 72m² gross internal floor area which would fall short of the minimum requirement of 77m² for a two storey, two bed, four-person dwelling. Some concerns have been raised given the shortfall of 5m². However, the proposal would meet the 70m² set out in the standards for a two storey,

two bed, three-person dwelling and therefore would not substantiate a reason for refusal in this case.

The doubled bedroom would have a width of approx. 4.42m, a depth approx. 3.25m and an area of approx. 14.3m². The single bedroom would have a width approx. 3.18m, a depth of approx. 3.25 m and an area of approx. 10.8m². The single and double bedroom would both comply with the minimum national space standards with regards to area and width and are therefore considered to be generally acceptable in terms of size.

The subdivision of the rear garden would provide the new dwelling with a garden that has a depth of approx. 9.2m and a width of approx. 6.2m. Medway's housing design standards (2011) states "Houses should have a private garden with a minimum length of 7m. 10m will normally be expected" While the proposed is marginally below the 10m, the garden size would retain a similar depth and width to the gardens in the immediate locality. Therefore, no objections have been raised with regard to private amenity space.

Overall, the development would comply with the objectives of Policy BNE2 of the Local Plan and paragraph 130f of the NPPF.

Highways

The adopted interim Residential Parking Standards require the provision of a minimum of 1.5 parking spaces for a two-bedroom dwelling and 2 parking spaces for a three-bedroom dwelling.

Concerns have been raised by residents in relation to parking. The development would provide two off-street parking spaces to the front of the property that would be shared by both the existing dwelling and the proposed. The existing access will be utilised for both parking spaces.

A parking assessment has been submitted to support this application and it is accepted that a provision of 1 space each for the existing and new dwellings is sufficient. The provision for cycle parking, has been provided and is located in the rear garden for each property.

The development shows the provision of electric charging facilities as part of the proposal. A condition is recommended to secure this. With the suggested conditions, the proposal accords with Policies T1 and T13 of the Local Plan and paragraphs 111 and 112e 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 £253.83 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 (SAMMS) 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 applicant has paid the tariff in accordance with Policies S6 and BNE35 of the Local Plan and Paragraph 180 and 181 of NPPF.

Climate Change and Energy Efficiency

A climate change statement has been submitted within the Design and Access Statement which is summarised as follows:

- Install electric charge point
- Provide cycle storage to encourage cycling
- SAMMs contribution

In terms of location, the site is within an established residential settlement. There are a number of facilities in close proximity. Electric charge point and secure bike storage is also proposed. As such the development offers the opportunity for a sustainable transport solution. A condition is recommended to secure the detail of the climate change statement. The proposal is in accordance with paragraph 154 of the NPPF.

Conclusions and Reasons for Approval

There is no objection to the principle of the proposed development and it's considered there is no detrimental harm to the amenities of the nearby residents, the character and appearance of the area or to highway safety. The proposal is in accordance with Policies S6, H4, BNE1, BNE2, BNE35, T1 and T13 of the Local Plan and paragraphs 11, 60, 111, 112e, 126, 130, 154, 180 and 181 of the NPPF 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 for approval with conditions.

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/>