

MC/21/0165

Date Received: 20 January 2021
Location: Waterlane House 4 View Road
Cliffe Woods Rochester
Proposal: Construction of a detached dwelling with associated parking
Applicant: Mr Sanford
Agent: Architechnique Architects
Mr Jonathan Cook
8 Beatty Cottages
Stoke Road
Allhallows
ROCHESTER
ME3 9PE
Ward: Strood Rural Ward
Case Officer: Doug Coleman
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 4th May 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 3 February 2022:

020-058/001 Rev C Existing and Proposed Site Plan
020-058/003 Rev C Proposed Site Plan and Elevations
020-058/004 Rev C Proposed Elevations
020-058/005 Rev C Proposed Ground Floor
020-058/006 Rev C Proposed First Floor
020-058/007 Rev C Proposed Roof Plan

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

- 3 No development above slab level shall take place until details 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.

- 4 No development above slab level shall take place until a Climate Change and Energy Efficiency Statement has been submitted to and approved by the Local Planning Authority. The Climate Change and Energy Efficiency Statement shall incorporate measures to address energy efficiency and climate change. 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.

- 5 No development shall take place above ground floor slab level until details of the provision of one electric vehicle charging point has 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.

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

- 6 Prior to the first occupation of the dwelling herein approved, full details of both hard and soft landscape works and a timetable for implementation 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 Policies BNE1 and BNE6 of the Medway Local Plan 2003.

- 7 The dwelling shall not be occupied until details of ecological enhancement measures have been submitted to and approved in writing by the Local Planning Authority. The approved ecological enhancement measures shall be provided and thereafter be maintained.

Reason: Required before occupation to ensure any impact on protected species are mitigated and in accordance with Policies BNE37 and BNE39 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) no development shall be carried out within Schedule 2, Part, 1 Classes A, B, C 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.

- 9 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 dwellinghouse 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.

- 10 The dwelling herein approved shall not be occupied until the area shown on the submitted layout drawing 020-058/003/C as vehicle parking space and garaging has been provided, surfaced and drained. 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 Policies T1 and T13 of the Medway Local Plan 2003.

- 11 No vegetation clearance or development shall take place during the bird nesting season (March to September inclusive) unless a suitably qualified ecologist has first confirmed that no nests or dependent young are present (nesting bird checks within 24 hours of work commencing).

Reason: Required before commencement to ensure satisfactory arrangements are made to safeguard the habitats in the interests of ecology in accordance with Policy BNE37 of the Medway Local Plan 2003.

Recommendation

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

Proposal

The site is located on the south side of View Road and occupied by a large, detached house, set back from the highway with a garden to the side. The house and garden has a frontage to View Road of 55m and varies in depth from 20.2m at the western end to 14m at the eastern end. The application site essentially is the side garden to the existing house and measures 25m wide by between 14m and 16.2m deep.

The proposal is to construct a detached house, measuring approx. 16m wide by 9.4m deep

(maxima), with integral garage. The proposed house would comprise a central entrance hall on the ground floor, with a living room study and wc to the left, and dining and kitchen to the left, together with the garage on the western side. There would be four bedrooms (two en-suite), one of which would be over the garage, and a bathroom on the first floor. As originally submitted, the proposed house would have been 0.4m from the back of the footpath at its closest point, the layout has been amended to provide wider distance from the front to the road/footpath.

Site Area/Density

Site Area: 0.039 hectare (0.096 acre)
Site Density: 25.6 dph (10.3 dpa)

Relevant Planning History

None identified to the application site, however the following are material to the consideration of this application:

2 View Road

MC/15/3679	Demolition of existing single storey side extension and construction of 2 storey 3 bedroomed detached dwelling with associated parking area for both properties Decision: Approved Decided: 8 January 2016
MC/18/0799	Partial demolition of existing dwelling and construction of a 4-bedroomed detached dwelling with associated parking, amenity space and landscaping Decided: Approved Decision: 20 July 2018

Representations

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

Cliffe and Cliffe Woods Parish Council have written raising an objection for the following reasons:

- Impact of the street scene
- Parking is inadequate and is immediately adjacent to the footpath.
- There is a bus stop at the site.
- The application states that this would be the final development along this road, but now further development is proposed.
- Development will increase on street parking close to junction.

All consultees and objectors have been notified of the receipt of revised plans.

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

Background

Until recently, there were two houses on this side of View Road, the application property and the neighbouring property to the west (2 View Road). Both were large, detached houses. There have been no planning applications for the application property. There have however, been several applications for the neighbouring property two of which are relevant to the consideration of this application.

The first (MC/15/3679) for the demolition of an existing single storey side extension and construction of two storey three bedroomed detached dwelling on the eastern side of the property was approved on 8 January 2016. That dwelling has now been constructed and is known as 2b View Road, Cliffe Woods.

The second application (MC/18/0799) was for the partial demolition of existing dwelling and construction of a 4-bedroomed detached dwelling with associated parking, amenity space and landscaping on the western side was approved on 20 July 2018. That dwelling is currently under construction. The effect of these two permissions has been to increase the number of dwellings on this side of View Road from 2 to 4. The current application would further increase this to 5.

There have been no applications for the land immediately adjoining the site to the west. There have however been applications for development further along View Road, on a site known as St Helen's Meadow, the latest being an outline application for 9 houses (MC/21/3380), which is pending consideration.

Principle

The site is within, but on the edge of, the built confines of the rural settlement of Cliffe Woods as identified on the Proposals Map to the Local Plan. Policy H11 of the Local Plan states that *"...housing development in the rural area will be restricted to minor development within the confines of the confines of the following villages and settlements..."*. This application sites lies within the confines of such a village and is considered to be broadly compliant with Policy H11 of the adopted Local Plan.

Paragraph 11 of the NPPF contains a resumption in favour of sustainable development. Paragraph 60 seeks to boost the supply of homes, whilst paragraph 77 of supports housing in appropriate locations in rural area. Having regard to the current five-year housing land supply situation and the Housing Delivery Test results, the presumption in favour of sustainable development applies in this case.

The principle of the proposed development is, therefore, considered to be acceptable and in accordance with Policy H11 of the Local Plan and paragraphs 11, 60 and 78 of the NPPF.

Design, appearance and street scene

This part of Cliffe Woods is characterised by large, detached properties, most of which is located on the north side of View Road. Originally, there were just two large, detached dwellings (2 & 4 View Road) on the south side, but the character has changed, with the recent developments on either side of 2 View Road (MC/16/4370 and MC/17/1598), resulting in three smaller plots. 4 View Road, therefore, is now the largest dwelling along this frontage.

The proposed dwelling would be smaller than the existing dwelling at 4 View Road. It has been designed to respect the character of the existing dwelling in terms of scale, mass, proportions and general detailing, with the additional feature of a front gable which enhances its appearance. Due to the gradually narrowing of the site from west to east, it would be sited further forward than the existing dwelling. Initially, a projecting front gable was shown, which would have been 0.4m from the back of the footpath. The application has been amended and the revised drawing shows the gable in line with the main front wall of the building, 2m back from the footpath. It is considered that a setback of 2m from the footpath, whilst less than that of the existing dwelling, would be acceptable and would not have an overbearing and dominant impact of the street scene

Having regard to the above, it is considered that the proposal would not result in a significant adverse impact on the village street scene, or the on the surrounding area in general. No objection is, therefore, raised in terms of design and appearance under Policy BNE1 of the Local Plan or paragraphs 126 and 127 of the NPPF.

Occupier amenity

The DCLG's Nationally Described Space Standards requires a minimum Gross Internal Floor Area (GIA) of 106 sq m for a four bedroom/six person/three storeys dwelling with minimum bedroom sizes of 11.5 sq. m. (double) and 7.5 sq. m. (single).

The proposed house would have a GIA approx. 151 sq. m. with bedrooms of 17.4 sq. m. (double), 15.5 sq. m. (double), 10.8 sq. m. (single) and 8.9 sq. m (single) and would, therefore comply with the standard.

Due to the narrowing of the plot from west to east, the depth of the rear garden would vary between 5m (min) and 8m (max). However, this would be compensated by its width of 21m and the fact that the land is open to the rear (south). It would not be surrounded by or enclosed by building, the only nearby property being 4 View Road, the flank wall of which would be 3m from the boundary. Notwithstanding, a condition is recommended, removing permitted development rights under Part 1, Class A, B, C and E to the second schedule of the Town and Country Planning (General Permitted Development) Order 2015 to ensure that this rear garden area is maintained and that the property is not extended further to the rear close to the site boundary and to the village boundary, as defined on the Proposals Map to the Local Plan.

Subject to this condition, no objection is raised in terms of occupier amenity under Policy BNE2 of the Local Plan and paragraph 130f of the NPPF.

Neighbour amenity

Apart from the existing dwelling at 4 View Road, there are no properties near the application site that would be affected by the proposed development. The flank wall of the proposed house would be approx. 5m from the flank of the existing dwelling, and no windows are proposed in that elevation. The proposed dwelling would not project as far to the rear as the existing. The two-storey garage/bedroom (5m from the existing dwelling) would project 2m further forward, whilst the main bulk of the house (10.5m from the existing dwelling), would project 8m. There would, therefore, be no adverse impact on the existing dwelling in terms of light, privacy or outlook. Similarly, there would be no such impact on the rear of the proposed dwelling from the existing.

Having regard to the above, no objection is raised in terms of neighbour amenity under Policy BNE2 of the Local Plan and paragraph 130f of the NPPF.

Highways

The Council's adopted Vehicle Parking Standards require the provision of two spaces for a dwelling with two bedroom or more bedrooms. The submitted drawing shows one space in the garage and a further two spaces on the drive. Each dwelling. The proposal would, therefore, comply with the adopted standard.

Cycle parking provision has not been shown in this instance, but it adequate space existing on site to provide secure off street cycle parking provision, which can be controlled by an appropriate condition. A condition is also recommended requiring the submission and approval of an electric vehicle charging point.

Cliffe and Cliffe Woods Parish Council has raised a concern regarding a bus stop. A bus stop is located on the south side of View Road, approx. 1m east of the of the site boundary and approx. 16m east of the proposed vehicular access. The proposal would not affect the bus stop. Vehicles exiting from the site, would have to be careful when a bus is at the stop, in the same way as the currently do when exiting from the drive at 4 View Road

Subject to these conditions, the scheme is acceptable and would comply with Policies T1, T2, T4 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 £223.58 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 agreed to pay this tariff and have submitted a unilateral undertaking. 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

No information has been submitted with the application to demonstrate that all materials will be used to exceed the requirements of the latest building regulations and in particular Part L (Energy Use) and will utilise materials that meet the BRE Green Guide A+ rating. (Materials which have the lowest *overall environmental impact over the lifecycle of a product as calculated by BRE Environmental Assessment Method*). Neither has any information being submitted to demonstrate that all new windows would be double-glazed, and that low NOx boilers and electric car points will also be provided. Where appropriate, these matters could be addressed by condition, should planning permission be granted. The provision of an electric car charging point will be addressed by a planning condition.

The site is within the built confines of an existing rural settlement and close other dwellings. The site is within walking distance (0.3 miles/7 minutes) of the village centre of Cliffe Woods, which includes shops, doctor's surgery, a community centre and small church. Cliffe Woods Primary school is at the other end of View Road (0.5 miles/11 minute's walk from the site). The site is on a bus route with frequent services to Cliffe village to the north, where there are more shops, another primary school and a pub, and to Strood to the south, where there are larger stores, secondary schools a train station and other facilities.

The close proximity of these amenities means the length of journey is minimal promoting walking and making it not essential to own a car and as such the development offers the opportunity for a sustainable transport solution.

Local Finance Considerations

There are no local finance considerations raised by this application.

Conclusions and Reasons for Approval

The principle of the proposed development is acceptable, the site lies within the confines of Cliffe Woods, as identified in the adopted Local Plan. The proposal would, therefore, be in accordance with Policy H11 of the Medway Local Plan 2003 and paragraphs 11, 60 and 78 of the NPPF. The application is acceptable in terms of design and appearance, amenity, climate change and highways, and the applicant has agreed to enter into a legal agreement to secure the appropriate contribution towards securing the SAMMs. The application would,

therefore, comply with Policies S6, BNE1, BNE2, BNE35, T1, T2, T4 and T13 of the Medway Local Plan 2003 and paragraphs 111, 112, 127, 130, 180 and 181 and is recommended for approval.

The application would normally fall to be determined under Officer delegated powers but is being reported to Committee due to the letter of objection from Cliffe and Cliffe Woods 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/>