

MC/22/0038

Date Received: 6 January 2022
Location: 42 Main Road Hoo St Werburgh
Rochester Medway
Proposal: Construction of a 2 bedroom detached chalet bungalow with
attached garage accessed off Coombe Road.
Applicant: Mrs Jill Burton
Agent: Rayner Davies Architects
Mr Ewan Davies
Studio A
Quayside House
Chatham Maritime
Chatham
ME4 4QZ
Ward: Peninsula Ward
Case Officer: Chantelle Farrant-Smith
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 6 January 2022:

2975 (20) 001 Proposed floor Plans
2975 (20) 002 Proposed South and West Elevations
2975 (20) 003 Proposed North and East Elevations
2975 (20) 004 Proposed Section B-B
2975 (20) 005 Proposed Site Plan
2975 (20) 006 Proposed site Section A-A
2975 (20) 007 Proposed Southern Street scene
2975 (20) 1250 Proposed Site and Block Plans

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

- 3 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 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, with regard to Policy BNE2 of the Medway Local Plan 2003.

- 4 Unless otherwise agreed in writing by the Local Planning Authority, all materials used externally shall match those as set out on the Application Form received 13 January 2022.

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 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 dwellinghouse 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.

- 6 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, 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.

- 7 The dwelling herein approved shall not be occupied until the area shown on the submitted layout 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.

- 8 No development shall take place above slab level until details of the provision of 1 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 in working order.

Reason: In the interests of sustainability in accordance with paragraph 112E of the NPPF.

- 9 The windows on the west elevation (serving the en suite shower room and family bathroom) at first floor shall be fitted with obscure glass and apart from any top-hung light, that has a cill height of not less than 1.7 metres above the internal finished floor level of the room it serves, shall be non-opening. This work shall be completed before the dwelling is occupied and shall be retained thereafter.

Reason: To ensure the development does not prejudice conditions of amenity by reason of unneighbourly overlooking of adjoining property, in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 10 If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until a method statement has been submitted to and approved in writing by the Local Planning Authority. The Method Statement must detail how this unsuspected contamination shall be dealt with. The development shall thereafter be implemented in accordance with the approved Method Statement.

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.

- 11 The development herein approved shall incorporate the measures to address energy efficiency and climate change as set out within the Design and Access Statement (under Climate Change) received 13 January 2022. 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.

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

Proposal

The application seeks planning permission for the construction of a two-bedroom detached chalet bungalow with attached garage accessed off Coombe Road.

The proposed building would be part single storey, part two storey measuring 17m in width (including the garage), 11m in depth (inclusive of the covered access to the rear) and 6.3m in height (4.5m to the eaves).

The dwelling would be arranged as open plan living/kitchen/dining area, a study/guest room, utility room and W/C at ground level with two bedrooms (one with dressing and en suite) and a family bathroom to first floor.

Externally a private/garden is provided to the front (southwestern area) of the site with additional parking to the front of the garage with access from Coombe Road.

Relevant Planning History

MC/16/2057	Outline application with all matters reserved for the construction of a two-bedroom bungalow Decision: Approval with conditions Decided: 11 July 2016
MC/05/1979	Outline application for construction of a bungalow Decision: Approval with Conditions Decided: 5 December 2005
88/1413	Proposed erection of garage and annexe Decision: Approval with Conditions Decided: 7 February 1989
6/72/686	Demolition of existing dwelling and erection of two new houses with private motor garages, (outline application) Decision: Approval with Conditions Decided: 8 January 1973

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.

Three letters of objection have been received raising concerns to parking and highway safety issue on Coombe Road and that the access to the new dwelling would further exacerbate the current situation.

Hoo Parish Council have objected on ground that this is an overdevelopment of the site and that the current garden forms part of the character and appearance of the site and area. The Parish Council also raise concerns to the parking provision and impact on the Coombe Road junction.

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 application site lies within an urban, residential area. Policy H4 of the Local Plan states that residential development in the form of infilling in such area is acceptable providing that a clear improvement in the local environment will result. Paragraph 71 of the NPPF states that development in residential gardens should be resisted where it would cause harm to the local area. Given that the history of the site where a residential development on this garden land has been established by the grant of outline permissions in 2005 and again in 2016, there would be no justifiable reason for a refusal on this ground.

Therefore, the principle a residential development is considered acceptable, in accordance with Policy H4 of the Local Plan and paragraph 11 of the NPPF.

Design

The site currently serves as amenity space for No. 42 Main Road and sits on a corner plot at the junction of Main Road and Coombe Road. The surrounding area comprises of mixed style housing including detached bungalows and two storey houses set within varying plot sizes. The building line differs on both sides of Main Road however this section of Main Road retains a similar building line.

The proposed dwelling would be a detached chalet bungalow that would correspond with the established pattern development on Main Road in terms of height, scale and plot size. The appearance of the dwelling would be in

keeping with the existing dwellinghouse and would conform with architectural designs and materials within the immediate street scene.

The proposed dwelling would be set within the plot approx. 4m from the boundary on Main Road and 3.5m from boundary on Coombe Road. The dwelling would be sited in a manner that a larger aspect of the corner would remain open and as such retaining that open character along Main Road corner into Coombe Road. The dwelling would not appear cramped within the plot and would maintain a large private garden to the front.

Subject to materials matching those stated in the submission, the proposed dwelling would be acceptable in design that would relate appropriately to the site and surrounding. The proposal would be of a scale and height that would not detract from the character or appearance of the area, nor would it negatively erode the openness within this corner plot. The proposal would be in accordance with Policy BNE1 of the Local Plan and paragraphs 126 and 130f of the NPPF.

Amenity

Paragraph 130(f) of the NPPF asserts that achieving well-designed places should include creating a high standard of amenity for existing and future users. Policy BNE2 of the Local Plan expects all development to secure the amenities of its future occupants and protect those amenities enjoyed by neighbouring properties. The design of the development should have regard to privacy, daylight and sunlight, noise, vibration, light, heat, smell and airborne emissions and activity levels and traffic generation.

There are two main amenity considerations, firstly the impact of the proposed dwelling on neighbouring amenity and secondly the living conditions which would be created for the potential occupants of the development itself.

Neighbouring amenity

There are neighbouring properties to the north and east (being the host dwelling) of the site. The taller element of the dwelling would be approx. 9.5m from the neighbouring dwelling (to the north) at 2 Coombe Road, and it is not expected that the proposal given this distance would cause harm by reduction in the amount of daylight or sunlight currently enjoyed by the occupiers of that property. There are no windows on the north elevation and the closest windows on the east elevation above ground level serve the family bathroom and en suite shower to the main bedroom. Consequently, any potential overlooking can be addressed by condition requiring the windows to be fitted with obscure glass. In respect of outlook, the property to the north is set on a higher gradient to the application site. The proposed building is also set lower within the grounds and as such, there would be no adverse impact to the outlook of the occupiers of No. 2 Coombe Road.

In respect of the property to the east, No. 42 Main Road (host dwelling), the building would be approx. 2.5m from that boundary. However, taking into consideration the

lack of windows on the east facing elevation of the proposed dwelling, there would be no direct overlooking or loss privacy resulting to that property. In addition, there are no notable windows on the west facing elevation of No. 42, serving habitable space.

In respect of neighbouring properties to the east and south, they are considerable distances away and across the road to be negatively impacted by the development.

Amenity of Future Occupiers

It is also necessary to consider whether satisfactory environment would be provided for the future occupier of the proposed dwelling house in compliance with the Technical Housing Standards – Nationally described space standards March 2015.

The table below shows the minimum gross internal floor area expected against the proposed dwelling.

	Number of Bedrooms	of	Number of bed spaces	2 storey dwellings
Standard	2		4p	79m ²
Proposed	2		4p	146m ²

The development would also provide sufficient garden space for the proposed dwelling.

Notwithstanding the above, it is necessary to ensure that the development continues to maintain the character and appearance of the area. A way to ensure this is to remove permitted development rights for further alterations or enlargement of the dwelling in particular to development under Classes A, B, C and E of the GPDO. To maintain the single-family occupancy of the site in the interest of amenity, it is also necessary to remove permitted development rights for conversion to small HMO.

As such, subject to the recommended conditions, there are no objections with regard to amenity in compliance with Policy BNE2 of the Local Plan and paragraph 130f of the NPPF.

Highway

Majority of the comments received raised concerns to parking and safety of access to the new dwelling on Coombe Road.

The application is for a dwelling with accommodation for 2/3 bedroom. The Council's adopted Interim Parking Standard require the provision of a minimum of 2 parking spaces for a 3+ bedroom property. The proposal makes provision for a garage and additional parking to the front within the site. Whilst garages are not considered to account for the parking provision, it is considered that for a house of this size, this provision would be adequate. The existing dwelling would have two car parking spaces to the front. The Council's Highway Officer has raised no objection to the parking provision.

In terms of access, a new access would be created on Coombe Road for new dwelling. This not dissimilar to that approved under the previous outline permissions for the site. The new access would be sited away from the junction and as such would maintain safe distances for ingress and egress.

It should be noted that the NPPF 2021 has put sustainable development as a central core and paragraph 112E outlines that development should provide electric charging facilities, therefore this would be secured by condition.

In conclusion, the Highway Officer has raised no objection to the development on parking or highway safety ground, and subject to condition, the application is considered to be acceptable in compliance with Policies T1, T2 and T13 of the Local Plan and paragraphs 111 and 112E of the NPPF.

Climate Change and Energy Efficiency

The applicant has submitted a statement for Climate change which proposes how the dwelling would meet with the Council's Climate Change Emergency statement. A condition to secure these measures is recommended.

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 (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 Policies S6 and BNE35 of the Local Plan and paragraphs 180 and 181 of the NPPF.

Conclusions and Reasons for Approval

The proposal would not cause harm to the character or appearance of the area, nor would it have a detrimental impact on neighbouring amenity, parking provisions or highways safety. The proposal would be in accordance with Policies BNE1, BNE2, BNE35, H4, T1, T2 and T13 of the Medway Local Plan 2003 and paragraphs 111, 112E, 126, 130, 130f, 180 and 181 of the NPPF.

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.

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/>