

MC/25/2292

Date Received: 24 November 2025
Location: Land adjacent to 50 Lime Court, Wigmore, Gillingham Medway
Proposal: Construction of an end of terrace dwelling with associated parking, bin and cycle storage.
Applicant Agent: Mr Dean Hayes
Architectural Services Kent Ltd
Mr Tony Hawkins
1 Rowland Avenue
Gillingham
Kent
ME7 3DL
Ward: Hempstead & Wigmore
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 11 March 2026.

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 24 November 2025:

0001 - Location Plan
0101 - Proposed Elevations
Existing and Proposed Plans

Received 8 February 2026:

0002R1 - Existing and Proposed Site Plans

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

- 3 No development shall take place above slab level until details and samples of all materials to be used externally have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out 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 shall take place above slab level until details of the provision for two electric vehicle charging points, one for the existing dwelling and one for the proposed, is 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 117e of the National Planning Policy Framework 2024.

- 5 The dwelling shall not be occupied, until the area shown on the submitted layout as vehicle parking space has been provided. 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 The dwelling 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 any 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.

- 7 The development shall be implemented in accordance with the measures to address energy efficiency and climate change submitted on 24 November 2025 and prior to first occupation of the development a verification report prepared by a suitably qualified professional shall be submitted to the Local Planning Authority confirming that all the agreed measures have been undertaken and will thereafter be maintained on site.

Reason: In the interests of sustainability and to positively address concerns regarding Climate Change in accordance with paragraph 164 of the NPPF.

- 8 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.

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and reenacting that Order with or without modification) the 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.

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and reenacting that Order with or without modification) no further enlargement or development shall be carried out, on the existing and new dwelling, 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.

- 11 Within three months of works commencement, a detailed plan(s) showing how the development will enhance biodiversity, will be submitted to and approved in writing by the local planning authority. This will include, but is not limited to, the installation of durable bat and bird boxes aimed at species of conservation concern. The development shall be implemented in accordance with the approved details and shall thereafter be maintained.

Reason: To ensure the development contributes to the enhancement of the natural and local environment by providing gains for biodiversity and incorporating features which support priority or threatened species in accordance with paragraph 187 of the NPPF.

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

Proposal

This application seeks planning permission to demolish an existing side garden room and then for the subdivision of the existing plot and construction of a two-bedroom, three-person, two-storey end of terrace dwelling. The proposed dwelling would measure approximately 6.1m in width, by 7.5m in depth, supporting a gable ended pitched roof measuring 6.7m to the ridge and 5m to the eaves.

Internally the property would comprise of kitchen-dining area, lounge and w.c. at ground-floor level; and two bedrooms and a bathroom at first floor.

The subdivision of the existing plot would effectively be delineated along the flank elevation forming the existing end of the terrace. Allowing for a broadly equal arrangement of the site's footprint: with the original property retaining a rear garden measuring over 13m in depth and 5m in width; while the proposed plot would support a 11m deep garden measuring 3.7m in width, although the garden does narrow slightly as it projects away from the proposed dwelling.

Likewise, both units would retain an equitable front garden space, and the existing garage to the rear is proposed to be demolished to provide two off-street parking bays. One for each of the properties.

Relevant Planning History

None relevant.

Representations

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

18 letters of objection have been received, on the grounds of:

- Will restrict vehicle manoeuvres allowing for turning within the cul-de-sac;
- Restricts emergency vehicle movements and access;
- Loss of light into rear gardens;
- Increase levels of congestion;
- Impacts during the construction phase of development;
- Increase parking pressures;
- Reduce current conditions of highways safety;
- Overdevelopment of the application site;
- Increase levels of noise and disturbance;
- Construction would impact local business negatively;
- Out of character;
- Loss of privacy and overlooking;

KCC Biodiversity have commented stating that:

- The application site falls within 6km zone of influence of Medway Estuary and Marshes Special Protection Area and its associated Wetland(s) of International Importance under the Ramsar Convention (Ramsar Site) and a SAMMS payment is required;
- As demolition is part of the proposal and there may be bat roosts an informative is recommended;
- No biodiversity enhancements are proposed, and it is considered that some may be appropriate such as durable bat/bird boxes, hedgehog highways etc and a condition is recommended;
- Confirmed the site was exempt from the purposes of BNG.

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 2024 (NPPF) and are generally considered to conform. Where non-conformity exists, this is addressed in the Planning Appraisal section below.

The Emerging Local Plan has been agreed by Full Council for Reg 19 publication, consultation and has now been submitted under Regulation 22 to the Planning Inspectorate for examination. The policies within this version of the emerging plan have some limited weight in the determination of planning (and associated) applications.

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 and proactive manner through paragraph 11 of the NPPF. Stating that applications should be considered in favour for a presumption in favour of sustainable development, unless Policies within the NPPF provide clear reasons for refusing development, or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.

Furthermore, paragraph 60 of the NPPF seeks to boost the supply of housing by bringing forward a variety of land to meet specific housing requirements.

In regard to Local Policies: the site itself is located the urban area of Wigmore, therefore, Policies S1 and H4 of the Local Plan are of relevance. These Policies promote the best use of development opportunities within urban areas and the re-development and investment within the urban fabric of underused areas. In this instance, the proposal seeks to utilise the existing land to the side of 50 Lime Court,

which is currently partly occupied by a single storey garden room that, while attached, is not accessible internally via the existing property, to facilitate the subdivision of the plot and the construction of a two-bedroom, three-person dwelling.

In this respect, the proposal would support the re-development and investment of the existing urban fabric within a broadly sustainable location that benefits from its close proximity to local facilities and wider public transport links, whilst providing one dwelling which would go towards meeting local housing needs.

Therewith, the development of the existing plot for residential use is considered acceptable in principle.

Design

Both the NPPF and Local Plan stress and emphasise good design and achieving high quality buildings. Policy BNE1 of the Local Plan states that the design of development should be appropriate in relation to the character, appearance and functioning of the built and natural environment by amongst other matters being satisfactory in terms of scale, mass, proportion, details, and materials.

Moreover, paragraph 135 of the NPPF states that developments should contribute to the overall quality of the area and be sympathetic to local character, including the surrounding built environment and landscape setting, supported by paragraph 131 which adds that good design is a key aspect of sustainable development.

The application site would contribute to the street-scene of Lime Court, which itself forms part of a residential estate. Characterised by predominantly short terraces and semi-detached dwellings arranged around a series of closes. The area displays a consistent domestic scale at two storeys in height, with simple architectural detailing and a strong, repetitive rhythm established across similar plot widths, spacing and building lines.

In design terms, the key factors of acceptability in this case are derived from if the proposed dwelling would appear cramped and contrived; or whether it would otherwise integrate within the existing structure of the wider estate and street-scene.

The subdivision of the plot inevitably would reduce the curtilage of the host dwelling itself, however, the resulting two land parcels would remain commensurate and proportionate when compared to others within the estate, supporting equitable front and rear gardens across both the existing and proposed units.

Moreover, the siting of the proposed dwelling sitting within the established building line, together with its alignment in scale, profile and detailing with the existing terrace, ensure that the addition is articulated as a continuation of the row.

Vitally, the proposal would not appear to unduly erode the planned sense of openness of the corner plot, or project beyond the prevailing frontage established within the area, maintaining soft landscaping to the front.

No objections are, therefore, raised with regard to Policy BNE1 of the Local Plan or paragraphs 131 and 135(f) on the NPPF.

Amenity

Paragraph 135f of the NPPF requires that development functions well over its lifetime and provides a high standard of amenity for future occupiers and neighbours, which is reflected in the requirements of Policy BNE2 of the Local Plan; to protect the amenities of neighbours in terms of privacy, daylight, sunlight, noise, vibration, heat, smell, airborne emissions. These amenity considerations should be assessed on two grounds, firstly the impact of the proposal on adjoining neighbours and secondly how the proposed works would impact future occupants.

Adjoining Neighbours

Owing to the dwellings position, relative to the surrounding dwellings and tracking of the sun, the proposal would not result in undue levels of overshadowing or loss of light into adjoining residential gardens or habitable rooms.

Similarly, due to the proposals footprint following the existing building line and profile of the 50 Lime Court and end of terrace position, the proposed dwelling would not result in any encroachment onto the existing levels of outlook or appear overbearing from within the rear garden of adjacent habitable rooms.

In terms of overlooking the proposed dwelling would not introduce any form of overlooking or harm than currently exists from the existing 2 storey properties.

A condition is recommended to remove permitted development rights to convert the property to a small-scale HMO in order to protect the residential amenities of the area.

Future Occupants

The proposed dwelling has been assessed against the Technical Housing Standards – Nationally Described Space Standard 2015, whereby a two-bedroom, three-person, two-storey dwelling is required to provide an internal floor area of 70m². In this case the dwelling provides a total GIA of 70m², meeting the threshold set out within the NPPG. Likewise, the bedrooms would either meet or exceed the required bedroom size standards and provide occupants with suitable degrees of natural light and outlook.

Turning to the level of private amenity space, both the existing and proposed dwellings would be afforded a rear garden measuring over 10m in depth, in accordance with the thresholds set out within the Medway Councils Housing Design Standards (2011), providing both the existing and future occupants with sufficient private amenity space for the functioning of the dwellings as a small family home.

Notwithstanding that, any extensions to the property could impact on amenity and accordingly a condition removing permitted development rights is recommended.

Subject to the recommended conditions no objections are raised with regard to Policy BNE2 of the Local Plan and paragraph 135(f) of the NPPF.

Highways

Policy T1 of the Local Plan relates to the impact of new development on the highway network. Policy T13 of the Local Plan is related to parking standards. Paragraph 115 of the NPPF seeks development located in sustainable locations, limiting the need to travel and offering choice of transport modes to reduce congestion and emission and improve air quality and public health.

Paragraph 116 of the NPPF states that development should only be refused on highways grounds if there is an unacceptable impact on highway safety.

When assessed against the Council's Residential Parking Standards (2010), a two-bedroom dwelling and a three-bedroom dwelling would be required to provide a total of 3.5 parking spaces. The proposal in this case provides two spaces, with the surrounding highway network being required to accommodate the demand for one and a half on-street spaces.

For added context, the existing dwelling includes a rear garage. However, this is currently used as a workshop and does not meet the Council's internal dimensional standards to reasonably function as a parking space and, therefore, the existing property has no off-street parking and is reliant on on-street parking.

The proposal would, therefore, deliver a net increase of two usable off-street spaces compared to the existing situation. Set against this baseline, the likely demand for on-street parking generated by the development would be broadly comparable to that which already arises from the site, resulting in no material worsening of the conditions of the highway network.

Turning to access, the spaces would utilise the existing dropped kerb. Raising no objections to this effect.

A condition regarding the provision of EV charging is recommended in accordance with paragraph 117(e) of the NPPF.

Biodiversity Net Gain (BNG) and ecology

De minimis exemptions, whereby BNG does not need to be provided, are set out in the Biodiversity Net Gain Requirements (Expeditions) Regulations 2024, confirming within subsection 4:

- “(1) The biodiversity gain planning condition does not apply in relation to planning permission for development which meets the first and second conditions.*
- (2) The first condition is that the development does not impact an onsite priority habitat.*
- (3) The second condition is that the development impacts:
(a) less than 25 square meters of onsite habitat that has biodiversity value greater than zero; and*

(b) less than 5 metres in length of onsite linear habitat.”

In this instance both of the above conditions set out by the Act are considered of relevance, therefore, the application does not meet the threshold for the requirement of a BNG statement.

Notwithstanding this, it is considered that there is the possibility for biodiversity enhancements on site, such as bat/bird boxes, hedgehog highways etc and an appropriate condition is recommended.

Climate Change and Energy Efficiency

The NPPF has put sustainable development as a central core. The application has been submitted with the benefit of a Climate Change Statement, addressing how the proposal would meet with the Council's Climate Change Emergency statement. A condition requiring the submission of a verification report is recommended to ensure the proposals compliance with Paragraph 163 of the NPPF.

Contamination

Policy BNE23 of the Local Plan requires that proposals for development of land likely to be contaminated be accompanied by the findings of a site examination, which identifies contaminants. Policy BNE23 of the Local Plan and paragraphs 196 and 198 of the NPPF require that decisions should ensure that new development is appropriate for its location and takes account of the likely effects of pollution on health, living conditions and the natural environment.

The proposal seeks to demolish a former garage that is understood to have been used as a workshop, with the possibility for unreported contamination could be present on the site. As such, a condition is recommended to ensure that if unexpected contamination is found a report detailing how the contamination will be remediated is submitted to and approved by the Council.

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 £337.49 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. This tariff should be collected for new dwellings, either as new builds or conversions (which includes HMOs and student accommodation).

These strategic SAMMS mitigation measures are being delivered through Bird Wise North Kent, which is the brand name of the North Kent Strategic Access Management and Monitoring Scheme (SAMMS) Board, and the mitigation measures have been informed by 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. Further information regarding the work being undertaken is available at The Bird Wise website which can be found at <https://northkent.birdwise.org.uk/about/>.

A decision from the Court of Justice of the European Union detailed that mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a full 'appropriate assessment' is needed under the Habitats Directive. Given the need for the application to contribute to the North Kent SAMMS, there is a need for an appropriate assessment to be carried out as part of this application. This is included as a separate assessment form.

In this case, the applicant has paid the SAMMs tariff, therewith financially offsetting the impacts development upon migratory birds.

Conclusions and Reasons for Approval

The proposed dwelling is well designed and in keeping with the character of the area and will not result in any unacceptable harm to amenity for either existing or prospective residents, while not causing any additional impact for on street parking. In addition, there are measures that could improve biodiversity on site.

The proposal complies with the provisions set out in paragraphs 11, 60, 115, 116, 117e, 131, 135, 135(f), 163, 194 and 195 of the National Planning Policy Framework 2024 and Policies BNE1, BNE2, BNE23, BNE35, H4, S1, S6, T1, & T13 of the Medway Local Plan 2003.

The application is, therefore, recommended for approval.

The application is being referred to Planning Committee on the basis of the number of objections received contrary to Officer recommendations.

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/>