

MC/23/2402

Date Received: 30 October 2023
Location: 42 Main Road Hoo St Werburgh
Rochester Medway
Proposal: Construction of 2 bedroom detached bungalow with attached garage accessed off Coombe Road
Applicant Agent: Mrs Jill Burton
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Case Officer: Chantelle Farrant-Smith
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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 17th January 2024.

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 30 October 2023:

M107 02 1250 Existing And Proposed Location And Site Plan
M107 20 001 Proposed Ground Floor Plan
M107 20 002 Proposed Roof Plan
M107 20 003 Proposed Elevations
M107 20 004 Proposed Streetscene Elevations
M107 20 005 Proposed Floor Area
M107 20 006 Proposed 3d Visuals Pg 1
M107 20 007 Proposed 3d Visuals Pg 2

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 in order to protect residential amenities in relation to Policy BNE2 of the Medway Local Plan 2003.

- 4 No development shall take place until a scheme showing details of the disposal of surface water, based on sustainable drainage principles, including details of the design, implementation, maintenance and management of the surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. Those details shall include:

i. a timetable for its implementation, and

ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The development shall be implemented in accordance with the approved details and shall thereafter be retained.

Reason: Required before commencement of the development in order to manage surface water during and post construction and for the lifetime of the development in accordance with Paragraph 173 of the NPPF.

- 5 No development above slab level shall take place until details of all materials to be used externally, including brick sample panels, 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.

- 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) 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.

- 7 The dwelling herein approved shall not be occupied, until the area shown on the submitted block plan as a 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.

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 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 116E of the NPPF.

- 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 (under Climate Change) received 18 December 2023. 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 159 of the NPPF.

- 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 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 AA, A, B, C, D or, 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.

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 bungalow with attached garage accessed off Coombe Road.

The proposed dwelling would measure approx.17m in width (including the garage), approx. 7.5m in depth (to the deepest point) and approx. 4.2m in height at the highest ridge (approx. 2.6m to the eaves).

The dwelling would be arranged across one storey comprising of porch, open plan living/kitchen/dining area, bedroom 1 with ensuite, utility room and bedroom 2 with dressing room and ensuite.

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/22/2337	Construction of a 2 bedroom detached chalet bungalow with attached garage accessed off Coombe Road - Resubmission of MC/22/0038 Decision: Refused Decided: 9 February 2023
MC/22/0038	Construction of a 2 bedroom detached chalet bungalow with attached garage accessed off Coombe Road. Decision: Refused Decided: 6 May 2022
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

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.

1 letter has been received raising the following objections:

- Existing on street parking problems in Coombe Road will be exacerbated.
- Highways Safety due to vehicular access being from Coombe Road which would impact visibility from other driveways.

Hoo Parish Council raised the following objections:

- The proposal would result in overdevelopment of the site.
- Backland Development to the existing property of 42 Main Road
- Development would result in a reduction to the amenity space of 42 Main Road
- The proposed dwelling is out of character with the surrounding area.
- Concern over fence and retaining wall in terms of appearance.

Dickens Country Protection Society raised objection stating the proposal would comprise of two storeys which is out of character with Coombe Road.

Lower Medway Internal Drainage Board submitted comments stating that due to the sensitive nature of the downstream area a detailed scheme for surface water should be sought via planning condition.

Southern Water has submitted a standard response. The applicants will be advised by way of an informative on the planning decision.

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 December 2023 and are considered to conform. Where non-conformity exists, this is addressed in the Planning Appraisal section below.

Planning Appraisal

Background

The application site has previously been granted outline permission (with all matters reserved) under references MC/05/1979 and MC/16/2057 for a two-bedroom bungalow. Two subsequent applications reference MC/22/0038 and MC/22/2237 for a 'chalet bungalow' have been refused by this Planning Committee for the following reason:

The proposed development by reason of its design, scale, mass and height would result in an unacceptable form of development that fails to respect the immediate character of the area while negatively competing with the adjoining dwelling at 42 Main Road. The development as such fails to provide a positive improvement to the character and appearance of the street scene contrary to policies H4 and BNE1 of the Medway Local Plan 2003 and paragraphs 126 and 130 of the NPPF.

This application seeks planning permission for a single storey 2-bedroom bungalow and would reduce the scale and height of the proposal significantly from that previously refused. The reduction to one storey would result in a bungalow rather than a 'chalet bungalow' which has previously been refused on the site. The reduction in height and massing would mitigate previous concerns of dominance and competition with No. 42 Main Road.

Principle

The application site lies within the built confines of Hoo as identified in the proposals map to the Local Plan. Policy H11 is therefore applicable and this states that housing development will be restricted to minor development. The proposal for one bungalow clearly represents minor development. Paragraph 11 of the NPPF, which states that decisions should also apply a presumption in favour of sustainable development, balancing the impacts of the development alongside its economic, social and environmental merits; confirming decisions should be granted unless material considerations indicate otherwise. Paragraph 72 of the NPPF states that development in residential gardens should be resisted where it would cause harm to the local area. Residential development on this garden land has been established by the grant of outline permissions in 2005 and again in 2016, when assessed against the same Development Plan policies. In addition, the recent refusals related to matters of design not principle.

As such, taking into consideration the above, the principle of a residential development is considered acceptable, in accordance with Policy H11 of the Local Plan and paragraph 72 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 Main Road due to the different house types within the area. Coombe Road however has a more uniform design in that this

section of Coombe Road comprises of bungalows only. The design of the bungalows varies on one side of the road to the other.

The proposed bungalow, when viewed from Coombe Road, would relate in scale and massing to the neighbouring bungalow of No. 2 Coombe Road. The proposed bungalow will be set back from the boundary fronting Coombe Road by approx. 6.2m (from front projection) and approx. 4.2m fronting Main Road. The proposed bungalow would be screened by the existing boundary treatment along both Main Road and Coombe Road measuring approx. 2.3m at the lowest point on Coombe Road and up to 2.4m fronting Main Road.

Outline planning permission has already been granted for a 2 bedroom bungalow on this site – albeit with all matters reserved – on the basis that a bungalow would visually link to the existing bungalow character of Coombe Road, while the height of a bungalow would not harm the appearance of 42 Main Road, which is a property of some character and distinction in the street scene.

On the opposite side of Coombe Road, No 46 Main Road provides a clear example of what is proposed in this application and as such the proposal will provide balance to the junction.

The proposed dwelling in terms of external appearance would comprise of multi face brickwork, interlocking concrete with white timber or UPVC windows and doors. To ensure that the proposed materials promote good design, further details of the materials would be requested by condition.

As such, taking into account the reduction in massing and scale in comparison to previous refusals on the site, together with the proposed design alterations would result in a development that relates well with the surrounding character and street scene. Subject to the conditions removing permitted development rights for extensions within the roof space and further details of materials, no objection is raised, and the proposal is considered to be in accordance with Policy BNE1 and paragraphs 131 and 135 of the NPPF.

Amenity

Paragraph 135(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

The proposed bungalow would be single storey and sit within land which is of lower gradient than the property north but higher than that of 42 Main Road which is a two-storey dwelling. The proposed development is set approximately 1.5m in from each neighbouring boundary and due to the height and land levels it is not considered the proposal would result in harm in terms of loss of light, overlooking or loss of privacy. Furthermore, due to the single storey nature of the property, the proposal would not result in overlooking into neighbouring gardens or residential properties.

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.

As such, it is considered the proposal would not cause unacceptable harm to neighbouring amenity. A condition to remove permitted development rights for future extensions is recommended to ensure future protection of neighbour amenity.

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	Number of bed spaces	2 storey dwellings
Standard	2	4p	70m ²
Proposed	2	4p	76m ² (approx.)

The proposal would provide sufficient garden space for the proposed bungalow. The host property No 42 Main Road would retain sufficient garden space east of the dwelling as well as amenity space rear of the dwellinghouse. As such, no concerns are raised in relation to occupant amenity of the proposed dwelling or No 42 Main Road.

A Construction and Environment Management Plan is required and would be secured via condition to ensure that the development does not cause harm to amenity during the construction process.

As such, subject conditions, there are no objections with regard to amenity in compliance with Policy BNE2 of the Local Plan and paragraph 135f of the NPPF.

Highways

The application is for a dwelling with accommodation for 2 bedrooms. The Council's Interim Parking Standard require the provision of a minimum of 1 parking space for a 2-bedroom property. The proposal makes provision for a garage and additional

parking to the front within the site which accords with this standard. In addition the garage would provide space for the cycle storage. The existing dwelling would retain two car parking spaces fronting Main Road.

In terms of access, a new access would be created on Coombe Road. 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 2023 has put sustainable development as a central core and paragraph 116E outlines that development should provide electric charging facilities, and an appropriate condition is therefore recommended.

In conclusion, there is no objection to the development on parking or highway safety ground, and subject to the recommended condition, the application is considered to be acceptable in compliance with Policies T1, T2, T4 and T13 of the Local Plan and paragraphs 115 and 116E of the NPPF.

Climate Change and Energy Efficiency

A climate change statement has been submitted (within the design and access statement) stating that the intention is to build the new dwelling in accordance with all Building Regulations requirements. The measures stated within the submitted document include rainwater harvesting, locally sourced materials, efficient lighting units, air sourced heat pump together with further measures specified. An appropriate condition is recommend to ensure these measures are provided.

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 £314.05 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/>.

The applicant has submitted a SAMMS Mitigation Contribution Agreement and payment and therefore no objection is therefore raised under Policies S6 and BNE35 of the Local Plan and paragraphs 186 and 187 of the NPPF.

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.

Conclusions and Reasons for Approval

The proposed development would result in a dwelling that respects the character of the area and would not cause harm to neighbouring amenity, highways safety or its function. The proposal would be in accordance with Policies BNE1, BNE2, H4, T1, T2 and T13 of the Medway Local Plan 2003 and paragraphs 72, 115, 116E, 131, 135, 135f, 186 and 187 of the NPPF.

The application would normally be determined under delegated powers but is being referred for Committee determination due to the representations received.

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/>