

**MC/26/0606**

**Date Received:** 27 March 2026  
**Location:** 98 Grove Road, Strood, Rochester, Medway, ME2 4BY  
**Proposal:** Change of use of existing dwellinghouse (Class C3) to a 4-bedroom, 5-person house in multiple occupation (Class C4) together with construction of an L-shaped dormer window to rear and installation of roof lights to front to provide additional living accommodation within roof space and construction of single storey rear extensions.

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**Ward:** Strood North & Frindsbury  
**Case Officer:** Jacky Olsen  
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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 3 June 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 11 May 2026:  
A.01 - Site Location Plan  
A.02 - Existing and Proposed Site Plan  
A.04 - Proposed Floor Plans  
A.06 - Proposed Elevations  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 All materials used externally shall match those of the existing building.

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 The house of multiple occupation hereby approved shall be occupied by a maximum of five people.

Reason: To regulate and control the number of occupants of the property in the interests of the amenities of neighbouring properties and of occupants of the site itself which has limited communal facilities, in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 5 Prior to the first occupation of the property as a five-bedroom HMO, the cycle facilities as shown on approved drawing A.02 Proposed Site Plan received 11 May 2026 shall be implemented in accordance with these details and thereafter retained.

Reason: In the interests of sustainability and to encourage cycle use with regard to Policy T4 of the Medway Local Plan 2003.

- 6 Prior to the first occupation of the property as a five-bedroom HMO, the refuse storage as shown on approved drawing A.02 Proposed Site Plan received 11 May 2026 shall be implemented in accordance with these details and thereafter retained.

Reason: In the interests of sustainability and to encourage cycle use with regard to Policy T4 of the Medway Local Plan 2003.

- 7 The five person HMO herein approved shall not be occupied until the Parking Management Plan received 11 May 2026 is implemented in accordance with the approved details and shall thereafter be retained.

Reason: In the interests of sustainability and residential amenity in accordance with Policy T13 and BNE2 of the Medway Local plan 2003.

- 8 Prior to the first occupation as a four-bedroom Use Class C4 HMO herein approved, details of a refuse management strategy shall be submitted to and approved in writing by the Local Planning Authority. The Use Class C4 HMO shall not be occupied until the approved refuse management strategy arrangements are in place and all approved storage arrangements shall thereafter be retained.

Reason: To ensure that the development does not prejudice the amenities of future occupants 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**

The application seeks permission for a change of use of the property from a single dwellinghouse (Class C3) to a house of multiple occupation (HMO) (Class C4) along with a single storey rear extension and a L-shaped dormer to facilitate living accommodation in the roof space. The property would comprise:

- Ground Floor: 1X bedroom with ensuite shower room, kitchen/dining room and lounge;
- First Floor: 1X bedroom with ensuite shower room, 1X bedroom, 1X bathroom;
- Second Floor/Loft: 1X bedroom with ensuite shower room.

The property is proposed to accommodate 5 persons within 4 bedrooms.

There is a garden to the rear available for use by the residents. Cycle storage would be located in the rear garden with access via the alleyway. There is no parking proposed as part of the development.

## **Relevant Planning History**

MC/25/2499	Change of use from dwelling house (Class C3) to 6 bed houses in multiple occupation (Class C4). Construction of single storey extension to rear along with an L-shaped dormer to rear and roof lights to front to facilitate living accommodation in the roof space.	Withdrawn	25 February 2026
81/513	Change of use of part of ground floor from residential to shop.	Refused	4 August 1981

## **Representations**

The application has been advertised on site, in the press and by individual neighbour notification to the owners and occupiers of the neighbouring property.

**One** letter of representation has been received objecting to the application raising the following concerns:

- Noise and disturbance;
- Impact on privacy;
- Change the character of the area;
- Construction noise and disturbance.

Other matters have been raised, including the need for a firewall in the loft area and the structural integrity and repair of the rear garden boundary wall, but these have not been considered as they are not planning considerations.

**The City of Rochester Society** have objected to the proposal due to concerns over an increase in noise and anti-social behaviour and lack of parking provision as part of the proposal in an area of limited on and off-street parking. Additionally, concerns have been raised over a precedent being set of further conversions in the area.

**Kent Police** have welcomed further discussions with the applicant/agent about site specific designing out crime approaches and have provided additional advice with respect to lighting and natural surveillance, security and boundary treatments and other approaches that could be implemented within the development.

**Southern Water** have noted that the development would utilise the existing connection and offer no objections to the proposed works.

## **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 (the NPPF) and are generally considered to conform. Where non-conformity exists, this will be highlighted and addressed in the appraisal section below.

The Emerging Local Plan has been submitted to the Inspectorate for examination. The policies within this version of the emerging plan have weight in the determination of planning (and associated) applications.

## **Planning Appraisal**

### *Background*

The application site falls within Strood North and Frindsbury Ward, one of the seven Wards that have been covered by an Article 4 Direction restricting the permitted development rights for the change of use from Class C3 (Dwellinghouse) to a Class C4 (Small HMO). The Direction came into effect on the 22 January 2026 and was confirmed on 5 May 2026.

The Article 4 Direction for those wards removes the permitted development rights to convert a C3 dwelling house to a C4 small house in multiple occupation. It does not make the conversion unacceptable but just brings the change of use into planning control so that the proposed conversion can be assessed against Development Plan policies and the NPPF.

## *Principle*

Section 38(6) of the Planning and Compulsory Purchase Act 2004 require 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, stating that applications should be considered with a presumption in favour of sustainable development, unless policy provides a clear reason for refusal, or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits. Furthermore, paragraph 61 articulates the Government's objective to significantly boost the supply of homes, highlighting the importance of bringing forward a variety of land and housing types to support local housing demand.

Policy H7 of the Local Plan states that such changes of use may be considered acceptable if:

- (i) the property is in an area with a predominantly mixed use or commercial character;
- (ii) the property is located where increased traffic, and activity would not be detrimental to local amenity;
- (iii) either the property is detached and the proposal would not adversely affect the amenity of the occupiers of nearby properties; or
- (iv) or where the property is not detached, relevant nearby or adjoining properties are in multiple occupation or a non-residential use;
- (v) and for changes of use, the property is too large to reasonably expect its occupation by a single household.

Most suitable locations, according to paragraph 5.5.28 of the Local Plan, are likely to be within or on the fringes of town centres or on main roads where there is a mix of land use and unlikely to be suited to family occupation. In this case, the property is located in a mixed-use street with a car park, convenience store and flats within close proximity. The application site is also near to Station Road with the railway adjacent and a mix of residential and commercial uses. The area surrounding the application site is where the background noise and general activity levels are higher than in the majority of residential streets.

Policy H7 pre-dates the introduction of Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015; where the change of use from a Class C3 dwellinghouse to a Class C4 small HMO was established as permitted development irrespective of location. In this respect, Class L of the GDPO effectively represented a shift in national policy thinking and a recognition that small HMOs were a legitimate and mainstream form of accommodation.

This thinking has also been reflected in recent years by Inspectors and Court decisions, finding HMOs to form an important part of housing mix in an area and not intrinsically harmful without any adverse impacts having been clearly and robustly evidenced.

In this respect, the Council's emerging Local Plan. Policy T8 moves away from being led by a location and property driven criteria and seeks to avoid detrimental clusters of HMOs and to ensure that they provide a suitable quality of accommodation. The supporting text to the policy acknowledges that HMOs have a role to play in sustainable and inclusive communities providing accommodation for single people on low incomes and can also be accommodation of choice for young professionals moving to an area. The supporting text does though acknowledge harm where there are high concentrations of HMOs and/or poor management of properties. Accordingly, Policy T8 supports planning applications for HMOs where they:

- Do not adversely affect the character and amenity of the area;
- Do not contribute to an over provision of HMOs in an area;
- Do not lead to the loss of suitable units for family accommodation, particularly in areas of high concentration of HMOs;
- Do not generate excessive parking demands;
- Provide a suitable level of amenity complying with national internal space standards and at least one reception room and kitchen or equivalent space;
- Make provision for waste and cycles;
- Do not adversely affect health of residents – new and existing.

Policy T8 focuses on the cumulative effect of HMOs within a given area. In particular, whether a certain concentration or clustering gives rise to demonstrable harm. This density led approach aligns more consistently with the weight of appeal decision-making.

Considering the remaining criteria of Policy H7 of the Local Plan and Policy T8 of the emerging plan together, there is a limited number of registered HMOs within 200m of the site and there appears to be a limited number of dwellings subdivided into flats. Additionally, the HMO Review and Evidence Paper (November 2025) states that this ward is perhaps the most 'balanced' in regard to number of HMOs relative to privately owned housing and relatively low levels of anti-social behaviour and reporting of 'hazards' within the housing stock. Consequently, there is not a concern with respect to the potential clustering of such uses, proliferation and the associated detrimental impacts upon adjoining residential amenity.

Considering the size of the dwelling and whether it would be more suitable as family accommodation. The existing property measures 107sqm internally and, therefore, would be suitable for a single-family dwelling, however, the conversion would be for a small HMO of a maximum of five individuals. Given the location of the property in a mixed use and sustainable area, being close to the train station and town centre, and with a low concentration of HMOs, it is considered that a Class C4 use is acceptable in this instance.

As such, the principle of converting the existing property into a 4-bedroom, 5 person HMO would be considered acceptable and would be in accordance with the provisions of Policy S1 and H7 of the Local Plan and Policy T8 of the Emerging Local Plan.

## *Design*

Policy BNE1 of the Local Plan states that development should be satisfactory in terms of scale and mass and should respect the visual amenity of the surrounding area, further emphasised by paragraph 135 of the NPPF.

The application site is located on Grove Road, close to Strood railway station in the urban area of Strood. Grove Road is a single lane road with Grove Road Car Park located on the north side and the application property to the south. The property is an end of terrace, two-storey dwelling which sits hard up to the pavement.

The proposed single storey extension to the rear of the property would increase the size of the living area to the rear of the property. The extension is not considered to be excessive in its size and scale or to cause detrimental harm to the appearance of the host dwelling or the surrounding area.

The proposed L-shaped rear dormer to the property would be set down from the ridge and eaves of the existing roof and from each side. The proposed roof tiles would match the existing. The dormer is not considered too large for the property and could be constructed without planning permission under permitted development.

The proposed roof lights to the front roof slope are small and low profile and so would not cause detrimental harm to the appearance of the host dwelling or the wider area.

The proposal would be considered acceptable in design terms as it would not cause harm to the appearance of the host property or street scene and is considered in accordance with Policy BNE1 of the Local Plan and paragraphs 131 and 135 of the NPPF.

## *Residential Amenity*

There are two main amenity considerations, firstly the impact of the proposal on neighbours and secondly the living conditions which would be created for potential occupants of the development itself. Policy BNE2 of the Local Plan and Paragraph 135f of the NPPF relates to the protection of these amenities. This is supported by Policies H7 of the Local Plan and T8 of the emerging Plan.

## Neighbour Amenity

By virtue of the size and scale of the proposed development of both the roof extension, dormer and single storey extension and their relationship to neighbouring properties and their habitable windows, there would not be any detrimental impact with regards to sunlight, daylight, outlook or privacy.

The existing dwelling, as currently arranged could accommodate 2 double bedrooms and 1 single bedroom which could house a maximum of 5 people. The proposed HMO would accommodate up to five residents. Therefore, the conversion would not increase the potential number of occupants in the property. Given its location in a mixed-use area, it is considered unlikely to result in harmful levels of noise and

disturbance to neighbouring properties. A condition is recommended to restrict the number of occupants to five in order to control the noise and disturbance occupants may have on neighbouring residential amenity.

### Future Occupiers Amenity

The proposed bedrooms have been considered against the Technical Housing Standards - Nationally Described Space Standard dated March 2015 (the national standard) with the requirement for the provision of a single bedroom to measure a minimum of 2.15m in width and support a floor area of 7.5m. All the bedrooms meet the minimum requirements for floor area and width.

The kitchen/diner and lounge at ground floor together with the shared garden to the rear is proposed to provide communal space for use by occupants. The kitchen/diner and lounge measure 28sqm in total which is considered an acceptable amount of indoor amenity space for the residents and offering two separate spaces. There is a garden area to the rear of the property that provides outdoor amenity space measuring 9 metres in length which is also considered acceptable.

As such, it is considered that the proposal would meet the standards for future occupier amenity in accordance with Policies BNE2 and H7 of the Local Plan, Policy T1 and T8 of the Draft Local Plan 2025 and paragraph 135f 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. Both Policies H7 of the Local Plan and T8 of the Emerging Plan include criteria in relation to impact on parking and amenity. 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 highways safety.

While it is understood that the application site would not be able to meet its parking need off-street, nor does the current use as a single occupancy dwellinghouse. Likewise, the Medway Residential Parking Standards state: "*Reductions of the standard will be considered if the development is within an urban area that has good links to sustainable transport and where day-to-day facilities are within easy walking distance*". Given the property falls within the urban area of Strood, with amenities such as shops, green space, public transport links and schools/colleges within walking distance, and close proximity of Strood Town Centre, the site is considered to meet these parameters.

While it is acknowledged that there are some existing pressures on car parking within the area, the site is in a highly sustainable location, and the nature of the HMO occupancy more typically presents itself to occupants who do not own cars.

Cycle storage for five cycles is proposed in the rear garden. This is considered acceptable subject to a condition ensuring that this is provided prior to the occupation of the HMO.

Refuse storage is proposed in the rear garden in a similar arrangement to the existing dwelling. This is considered acceptable subject to a condition ensuring that this is provided prior to the occupation of the HMO.

Subject to the above conditions and a further condition for the submission of a Parking Management Plan outlining how occupants of the HMO will be deterred from obtaining a parking permit, no objections would be raised in regard to Policies H7, T1 and T13 of the Local Plan, T8 of the emerging Plan or paragraphs 115 and 116 of the NPPF.

### *Biodiversity Net Gain (BNG)*

As of 2 April 2024, all sites were subject to Biodiversity Net Gain (BNG) as per the conditions of Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

In this instance, no onsite habitat is impacted by the proposal and, therefore, no objection is raised to this with regard to paragraph 193 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 £350.16 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 (SAMMS) 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 SAMMS Mitigation Contribution Agreement and payment has been paid and, therefore, no objection is raised under Policies S6 and BNE35 of the Local Plan and paragraphs 194 and 195 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 principle of converting the existing property into a 4 bedroom, 5 person HMO is considered acceptable and in accordance with the provisions of Policies BNE1, BNE2, H7 and T1 of the Local Plan 2003, Policy T8 of the Emerging Local Plan 2025 and paragraphs 115, 116, 131, 135, 194 and 195 of the National Planning Policy Framework 2024. The proposal would meet with the provisions of the Government's Technical Housing Standards – Nationally Described Space Standards 2015 (NDSS) with regards to bedroom size. The application is, therefore, being recommended for approval.

The application would normally be determined under delegated powers but is being referred for Committee determination at the request of Cabinet members when they adopted the Article 4 Direction.

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### **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/>