

MC/26/0385

Date Received: 27 February 2026
Location: 98 Howard Avenue, Rochester, Medway ME1 2AN
Proposal: Construction of a first floor and side extension and a rear roof dormer to form two 2-bedroom flats.
Applicant: Nimbos Limited

Agent: Mr Jackle Smith 75
Havil Street
LONDON
SE5 7SD
Ward: Rochester East & Warren Wood
Case Officer: Jonathon Simon
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 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 17 April 2026:

HDA-A102 - Proposed Floor and Roof Plans

HDA-A103 - Existing and Proposed Elevations

HDA-A104 - Existing and Proposed Elevation and Sections

HDA-A105 - Site Location, Block Plan and Existing and Proposed Street Scene Elevations

HDA-A108 - Proposed Block Plan and Existing and Proposed Sections

HDA-A109 - Proposed Flat GIAs

HDA-A110 - Proposed Parking Plan

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

- 3 All materials used externally shall match those set out in the application form received 27 February 2026.

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 Notwithstanding the submitted drawings, and prior to the first occupation of any of the flats herein approved, details of cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage facilities shall be implemented in accordance with the approved details prior to the occupation of the first flat within the development and thereafter no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking and re-enacting that Order) shall be carried out on the land so shown for cycle storage facilities.

Reason: All new residential development requires provision of adequate accommodation for cycle and storage to accord with Policies BNE1 and T4 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 proposed development is for the addition of a first floor and side extension together with rear dormer and front rooflights to facilitate the conversion of the existing bungalow into a two-storey building containing two two-bedroom flats. The existing detached garage at the bottom of the rear garden is to be demolished as part of the proposals.

Flat 1 (ground floor) would be a three-person, two-bedroom flat which would contain two bedrooms, bathroom living/kitchen area and hallway with storage cupboards. Flat 2 (first floor and loft) would be a four-person, two-bedroom flat which would contain two bedrooms, two bathrooms, living room, and kitchen with storage area. Each flat would have one off-street parking space, one is an existing space, and the second would be created on a hardstanding area in place of the existing detached garage, which is to be demolished. Only Flat 1 would have access to the rear garden area.

Relevant Planning History

MC/25/2534	Raising of roof height to facilitate additional story and conversion of existing bungalow into a two storey dwellinghouse.	Approval with Conditions	18 February 2026
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MC/06/0434	Raising of land level to front garden to provide hardstanding area.	Approval with Conditions	27 April 2006
ME/98/0315	Erection of a detached garage.	Approval with Conditions	13 July 1998

Representations

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

Seven letters of objection have been received raising the following material planning considerations:

- The proposed development would be out of keeping with neighbouring properties;
- Increased vehicular traffic as a result of the proposed development;
- The proposed additional parking space would be unsuitable given the changes in land levels off the private access track;
- Loss of privacy and overlooking to no.58 City Way and nos. 35 and 37 Delce Road as a result of the proposed development;
- The proposals would be an overdevelopment of the site.

Other matters were also raised; however, these were not material planning considerations.

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

Planning Appraisal

Principle

There is some planning history to this site, most notably earlier this year where there was an approved application, reference MC/25/2534, which was for:

Raising of roof height to facilitate additional story and conversion of existing bungalow into a two storey dwellinghouse.

In terms of the scale and massing of this approval, it is similar to the development proposed under this application, however, this application proposes a side extension, gable-ended roof and a rear dormer with front rooflights.

The application site is located within the urban area of Rochester. Policy H6 of the Medway Local Plan 2003 advises that the change of use of larger dwellinghouses into self-contained flats is generally permitted, except in certain circumstances which are:

- (i) the surrounding area is predominantly in single household occupation; or*
- (ii) the house is of a size suitable for use for single household occupation; or*
- (iii) the proposals are likely to unacceptably increase on-street car parking; or*
- (iv) the proposals could adversely affect the amenity of the area or adjoining occupiers.*

Whilst the application site is located within an area that is predominantly single occupation households, the proposals would see the two flats have the appearance of a semi-detached pair such that it is not considered that there would be a material difference between the single occupation properties nearby and the flats proposed under this application. In addition, the host property as extended, for which it already has permission for, would have an internal floor area of over 120m² and as such it is not of a size where it is considered that it should be retained as a single occupation household, in line with the supporting text of policy H6.

The proposals would see the existing house converted into two flats; however, an additional parking space would be provided, resulting in one off-street space per flat, which would be in accordance with the council's parking standards. It is, therefore, considered that the proposals would not unacceptably increase on-street parking. The development proposed would have a total of four bedrooms across the two flats and it is not considered that there would be any unacceptable amenity impacts on neighbouring properties given that they would not be materially different to a four-bedroom single occupation household.

It is, therefore, considered that the proposed development would be in accordance with Policy H6 of the Medway Local Plan 2003.

Design

The proposed development would extend and convert the existing detached bungalow into a detached two storey property. Concerns have been raised that the proposals would be out of keeping with neighbouring properties. It is noted that Howard Avenue and Delce Road, to the west, have a number of bungalows on them, however, when it comes to Howard Avenue specifically, the bungalows are all located on the east side of the road with the west side being characterised by rows of two-storey properties. This means that the host property is an outlier in the street scene as it is the only bungalow on the west side of Howard Avenue. Whilst the property would be in use as two flats, it would have the appearance of a pair of semi-detached properties and would, therefore, not look out of place within the semi-detached and terraced properties along Howard Avenue.

The proposed dormer would be the majority of the width of the property, however, it would be set in from the sides and set back from the eaves such that it would be

subservient to the roof slope. It is proposed that the dormer would be finished in anthracite standing seam zinc cladding. Whilst this is not a matching material, cladding is a commonly used material on residential properties and there are no restrictions on the use of materials within this area. The proposed use of this material is, therefore, considered to be acceptable.

The proposed development is not considered to cause detrimental harm to the appearance of the host dwelling or wider street scene and, therefore, complies with Policies H6 and BNE1 of Medway Local Plan 2003 and paragraphs 131 and 135 of the NPPF.

Residential Amenity

Concerns have been raised that the proposed development would result in a loss of privacy to nearby properties at no.58 City Way and nos. 35 and 37 Delce Road. Whilst the provision of a second storey would allow more of these gardens to be seen from the host property, the end of the rear garden at 58 City would still be approximately 15m from the host property and the end of the rear gardens at 35 and 37 Delce Road would still be approximately 16m from the host property, such that it is not considered that there would be unacceptable levels of overlooking arising from the proposals, particularly as this is a residential area where there is a degree of mutual overlooking that takes place between properties, especially with the difference in land levels in this area.

Whilst the proposed development would see the addition of a first floor and habitable loft space, it is not considered that there would be any unacceptable overshadowing impacts from the proposals as there is a road immediately to the north of the site with parking areas/garages serving other properties just beyond this.

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

	No. Bedrooms	No. Bedspaces (Persons)	Number of stories	Proposed Size (m ²)	National Standards (m ²)
Flat 1	2b	3p	1	68.74m ²	61
Flat 2	2b	4p	2	102.48m ²	79

Flat 1 would be on the ground floor and be above the space standards for a three-person, two-bedroom property across one storey and would have access to the rear garden as outdoor amenity space. Flat 1 would, therefore, have a good standard of amenity for future occupiers and is considered to be acceptable.

Flat 2 would be set across the first floor and loft space and would not have access to the rear garden and, therefore, would not have any outdoor amenity space, however, it would be significantly in excess of the nationally described space standards for a four person, two bedroom property set across two stories, such that it is considered that

there would be a good standard of amenity for future occupiers of Flat 2 and is, therefore, considered to be acceptable.

It is, therefore, considered that there would be no unacceptable impacts in terms of daylight, sunlight, and outlook arising from the proposed development. As such no objection is raised with regard to Policies H6 and BNE2 of the Local Plan or paragraph 135(f) of the NPPF.

Highways

The existing parking arrangements provide for one off-street parking space which is in accordance with the council's parking standards for a two-bedroom property. The property also benefits from a detached garage at the rear; however, this has dimensions of approximately 5.5m x 3.4m which is not large enough to be considered a parking space under the council's parking standards.

Concerns were raised that the proposed additional parking space would not be suitable for use as it would be located on the northeast corner of the application site where there are a number of different land levels with the private track sloping in different directions. Following these concerns and in discussions with officers, the applicant is no longer proposing to add an additional parking space in that location and instead is now proposing to demolish the existing garage, which is not large enough to be considered a parking space, with a hardstanding area created which would provide one additional parking space. This would provide one off-street parking space for each residential unit which is in accordance the council's parking standards and is considered to be acceptable.

The applicant has not shown any provision for means of cycle storage and it is, therefore, recommended that a condition be added for details of this to be submitted prior to occupation of the units. Subject to this condition, no objection is raised in respect of cycle provision.

Concerns have been raised that the proposed development would result in an increase in comings and goings. It is accepted that there would be an increase in the number of comings and goings as there would be two residential units as opposed to the one that currently exists. There would also be the addition of one off-street parking space in place of the existing garage. Whilst car movements would increase, it is not considered that these increases would result in any unacceptable impacts given that there is only one additional parking space proposed. It is also accepted that there would likely be an increased amount of traffic during the construction period, however, this would be for the construction period only, which is commonplace for residential developments. It is noted that the property is accessed via a private track and there is appropriate signage advising on its unsuitability for heavy motor vehicles.

The proposed development is not considered to impact highways safety and parking provisions. It would, therefore, be in accordance with Policies H6, T1, T4 and T13 of the Local Plan and paragraph 116 of the NPPF.

Biodiversity Net Gain (BNG)

Biodiversity Net Gain is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) which requires developers to deliver a BNG of 10%. There are some circumstances, however, where development is exempt from this mandatory requirement. One of these exemptions is where development does not impact a priority habitat and impacts less than 25m² of on-site habitat.

The application site affects less than 25m² of on-site habitat so, therefore, qualifies for the de-minimis exemption and is, therefore, exempt from BNG requirements. In addition, the application would be exempt from BNG requirements as it is retrospective.

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 (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 agreed to pay this fee and has completed the SAMMS Mitigation Contribution Agreement and paid the appropriate fee. No objection is, therefore, raised under Policies S6 and BNE35 of the Local Plan and paragraphs 185 and 186 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 is considered to be acceptable in terms of principle, design, amenity and highways terms and is in accordance with policies S6, H6, BNE1, BNE2, T1, T4 and T13 of the Local Plan and paragraphs 116, 131, 135, 135(f), 185 and 186 of the NPPF. The application is accordingly recommended for approval.

The application would normally be determined under delegated powers; however, this application is being referred to the Planning Committee for determination due to the number of representations received contrary to the 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 on Medway Council's Website <https://publicaccess1.medway.gov.uk/online-applications/>