

MC/14/2447

Date Received: 19 August, 2014

Location: 36 Hughes Drive, Wainscott, Rochester, Kent ME2 4LN

Proposal: Outline application with all matters reserved for construction of a dwelling with associated parking

Applicant: Mr B Back

Agent: Mr J Liddiard 14 Wentworth Drive Cliffe Woods Rochester Kent ME3 8UL

Ward Strood Rural

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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 5 November 2014.**

**Recommendation - Approval with Conditions**

- 1 Approval of the details of the layout, scale and appearance of the buildings, the means of access thereto and the landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To accord with the terms of the submitted application and to ensure that these details are satisfactory

- 2 Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted in writing to the Local Planning Authority for approval. Such application for approval shall be made to the Authority before the expiration of three years from the date of this permission and the reserved matters shall be carried out in accordance with the approved details.

Reason: To comply with Section 92(2) of the Town and Country Planning Act 1990.

- 3 The development to which this permission relates must be begun no later than the expiration of 2 years from the final approval of the reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

- 4 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Existing Block Plan & Proposed Block Plan, received 19 August 2014.

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

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order with or without modification) no development shall be carried out within Part 1, Classes A, B, C, D, E & F of Schedule 2 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 amenity, in accordance with Policies BNE1 and BNE2 of the Medway Local Plan 2003.

- 6 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling hereby permitted is occupied and shall thereafter be retained. 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.

- 7 No development shall take place until details of the surfacing and drainage of the vehicle parking area to serve both the existing and proposed dwellings have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details before the first occupation of the dwelling hereby approved and shall be so retained at all times thereafter.

Reason: To ensure that the development permitted does not prejudice conditions of amenity and highway safety in accordance with Policy T13.

**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 Outline planning consent, with all matters reserved, for construction of an end of terrace 2 storey dwelling with associated parking within the existing curtilage of no. 36 Hughes Drive, Wainscott. Illustrative plans have been submitted that show that the footprint of the building would be approximately 7m x 7m, the height to the eaves would be 5m and height to ridge approx. 8.4m.

## Site Area/Density

Site Area: 0.04ha (0.09 acres)

Site Density: 50 dph (22.2 dpa)

## Relevant Planning History

MC/05/1220	Lawful Development Certificate (proposed) for conversion of garage into study/utility room Approved 01/07/2005
MC/00/1372	Construction of single storey side and rear extension. Approved 03/11/2000

## Representations

The application has been advertised on site and by individual neighbour notification to the owners and occupiers of neighbouring properties. Frindsbury Extra Parish Council has also been consulted on the proposal.

**Frindsbury Extra Parish Council** raise objection to the proposal, and consider that the access onto Hughes Drive is too restricted to permit access to both the existing and proposed properties. The access would be onto the turning circle at the end of Hughes Drive and might cause problems for the other properties, especially no. 38. The plot is big enough but the position of the proposed dwelling as shown on the drawings is quite close to the road, further restricting access. It would also make a terrace of properties, with no access to the rear garden of the existing property at no. 36 other than through the house.

## Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003. The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework, 2012 and are considered to conform.

## Planning Appraisal

### *Principle*

The application site lies within the urban area where the principle of residential development is accepted under Local Plan Policy H4. A key element of national housing policy is to minimise the loss of Greenfield sites for residential use by making the best use of development opportunities within existing urban areas. Whilst the proposal makes use of existing garden area for no 36 Hughes Drive, it is primarily a form of infill development. As such the proposal accords with the provisions of Local Plan Policy H4. Whilst, the National Planning Policy Framework (NPPF), paragraph 53, advises that Local Planning Authorities should '*resist inappropriate development in residential gardens, for example where development would cause harm to the local area*', in this instance the garden area is considered

large enough to accommodate an additional dwelling, which can be designed in such a way as to enhance the character of the area rather than harm it (further discussed below). The proposed dwelling is considered to accord with the provisions set out within the NPPF.

The application is therefore considered acceptable in principle under the provisions set out under Local Plan Policy H4 and the National Planning Policy Framework.

### *Street Scene and Design*

Matters of appearance, scale, layout, landscaping and access have all been reserved for consideration at a later date and matters of principle, use and the amount of development can be considered at this stage.

The area is predominantly residential in nature, and the construction of an additional residential dwelling on land forming the garden area of no. 36 Hughes Drive is considered acceptable in principle under the provisions of Local Plan Policy H4. The applicant has provided an idea of the scale by including measurements (see proposal description) within the submitted design and access statement. An indication of the proposed footprint of the dwelling has also been plotted on the proposed block plan, which has also been submitted with the application. Consideration can therefore be given to the principle of attaching a dwelling on to the south east flank of no. 36, resulting in a terrace of dwellings, including no 36 and 34 Hughes Drive, which are currently a pair of semi detached units. The creation of a terrace would not result in a development out of character with the street scene as there are a number of terraced dwellings in the area. The creation of a terrace will result in the need to relocate the existing side front door to no. 36 Hughes Drive to the front of the property to allow for the new dwelling.

No. 36 Hughes Drive currently benefits from a large rear and side garden compared to other dwellings within this cul-de-sac location. Hughes Drive is made up of two storey terraced and semi-detached residential dwellings. The design of dwellings in the area are uniform, and benefit from both front and rear garden areas of similar size, with the exception of the application site itself. The proposal includes the subdivision of the garden area for no. 36 with a 2m high close-boarded fence. This will result in no. 36 having a garden area more in keeping with the plot sizes afforded to others in the area. The proposed new dwelling would also have garden more in keeping with the overall character of the immediate area.

The proposed dwelling will have a similar footprint to other properties in the area, and would not have a negative affect on the character of the immediate street scene. Care will need to be given in the design of the proposed unit to ensure that visually it compliments and blends in with the existing property designs. This includes careful consideration in the use of materials (roof tile, brick, windows, guttering etc).

Subject to the proposed design, scale and layout of the development (reserved for consideration at a later date), there are no principle objections to the proposal under the provisions of Local Plan BNE1

### *Amenity*

The site at 0.04ha is considered large enough to accommodate a 2 storey dwelling without resulting in overlooking and privacy issues on the neighbouring properties (no. 38 and 36). The proposed dwelling would benefit from a south/ south-east facing garden, which although slopes slightly downward, is unlikely to result in loss of sunlight and daylight of neighbouring properties.

The development site is large enough to provide suitable internal and external amenity space for future occupiers of the proposed dwelling, and is also in character with the size and garden layouts of other dwellings in the area.

The proposed dwelling will follow the existing building line of other dwellings along the south side of Hughes Drive and it is unlikely that future occupiers will experience overlooking and privacy issues from adjacent dwellings, particularly from no. 38. Details relating to layout of the development will be addressed at reserved matters stage to further mitigate against any potential impact on future occupiers of the development from existing dwellings in the neighbourhood. Consideration of the relationship with no. 38 will also need to be addressed. Removal of permitted development rights will also assist in mitigating against any potential harm to neighbour and visual amenity and an appropriate condition is recommended.

In terms of the Medway Housing Design Standards, it is considered that a dwelling can be provided to accord with the standards and the reserved matters application will demonstrate the size of the property (in terms of rooms) to comply with the standards.

The application is considered acceptable in principle under the provisions set out under Local Plan Policy BNE2. Further consideration of amenity protection will be given at reserved matters stage.

### *Highways*

The existing dwelling at no 36 Hughes Drive benefits from a large block-paved driveway to the front of the property. As a result of the proposed dwelling, both the existing and proposed house will need to provide two off road parking spaces per dwelling. Despite the concerns raised by Frindsbury Extra Parish Council, there is space to accommodate this, however this element of the proposal has been reserved for consideration at a later date. The principle of the development does however accord with the provisions of Local Plan Policies T1 and T13.

### *Local Finance Considerations*

There are no local finance considerations associated with this application.

### **Conclusions and Reasons for Approval**

This application seeks outline planning consent and all matters (scale, layout, appearance , access and landscaping) have been reserved for consideration at a later date. The principle of the development is considered acceptable under the

provisions of Local Plan Policy H4. The site is within an existing residential area and is considered to be of an acceptable size for residential development. Care will need to be given to the layout, scale and design of the proposed dwelling for the reasons given above.

The application would normally be determined under officer's delegated power, but is being reported to Planning Committee for consideration by Members due to the objection from Frindsbury Extra Parish Council.

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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://publicaccess.medway.gov.uk/online-applications/>