

MC/14/3522

Date Received: 27 November, 2014

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

Proposal: Outline application with all matters reserved for construction of a 4-bedroomed detached 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 4 March 2015.**

**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 27 November 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.

**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 permission for the construction of a 4 bedroom detached dwelling with associated parking within the existing curtilage of 36 Hughes Drive (No 36). All matters have been reserved for future consideration. An Illustrative block plan has been submitted which shows a dwelling with a footprint approximately 7 metres deep and between 5-7 metres wide. The applicant has stated that the height to the eaves would be 5 metres and the height to the ridge would be approximately 8.4 metres.

## **Site Area/Density**

Site Area: 0.04ha (0.09 acres)

Site Density: 50 dph (22.2 dpa)

## Relevant Planning History

MC/14/2447	Outline application with all matters reserved for construction of a dwelling with associated parking Approved 06/11/2014
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. The Parish Council recognises that an attempt has been made to address the issues raised by it in the previous application, however, in their opinion, the access remains constricted and additional vehicles associated with the site will impact unfavourably on existing residents and also on emergency vehicles. The Design and Access Statement makes no reference to access onto the site and is merely concerned with the existence of a local bus service.

## 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

### *Background*

Outline permission has been granted under file reference MC/14/2447 for construction of a dwelling with associated parking, with all matters being reserved for future consideration.

### *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 a form of

infill development. As such the proposal accords with the provisions of Local Plan Policy H4. While paragraph 53 of the National Planning Policy Framework (NPPF) indicates that Local Planning Authorities should '*resist inappropriate development in residential gardens, for example where development would cause harm to the local area*'. However, 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 ensure that harm to the area would not arise (discussed further below). The proposed dwelling is considered to be unobjectionable under the provisions of paragraph 53 the NPPF.

The application is therefore considered acceptable in principle under the provisions of 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 future consideration and matters of principle, use and the amount of development can be considered at this stage.

The applicant has provided an idea of the scale by including measurements within the submitted design and access statement. An indication of the proposed footprint of the dwelling has also been shown on the submitted block plan. Consideration can therefore be given to the principle of an additional dwelling adjacent to the south east flank of No. 36. The introduction of a detached property where dwellings are typically semi-detached is not considered to result in development that would be out of character with the area, particularly as the property would be located in the southeastern corner of the road set close to No. 36.

No. 36 currently benefits from a large rear and side garden compared to other dwellings within this cul-de-sac. Hughes Drive comprises two storey terraced and semi-detached dwellings. The design of dwellings in the area are uniform and have front and rear garden areas of uniform sizes, with the exception of No. 36. The proposal includes the sub-division of the garden area for No. 36 with a 2 metre high close-boarded fence. This will result in No. 36 having a garden area comparable with the plot sizes for the other houses in this street. The proposed dwelling would also have garden areas comparable with those of this street.

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 dwelling to ensure that it is consistent with the other properties in this street.

The proposal is therefore considered to be acceptable under the provisions of Local Plan BNE1.

### *Amenity*

The site at 0.04 ha is considered large enough to accommodate a 2 storey dwelling without causing any unacceptable overlooking of any neighbouring properties.

The development site is large enough to provide suitable internal and external amenity space for future occupiers of the proposed dwelling. The proposed dwelling will follow the existing building line of other dwellings along the south side of Hughes Drive and it is considered that its future occupiers will not be overlooked by adjacent dwellings. Removal of permitted development rights will also assist in mitigating against any potential harm to the occupiers of neighbouring properties and a condition to this effect is recommended.

The property will be close to No. 36 and there are windows in the flank elevation of this property. The agent has confirmed that these do not serve habitable rooms and/or are secondary windows to other rooms. Therefore there will be no loss of outlook to this property from the proposed development.

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 room sizes) to ensure compliance with the standards.

The application is considered to be acceptable in amenity terms under the provisions of Local Plan Policy BNE2.

### *Highways*

The existing dwelling at No 36. has a large block-paved driveway to the front of the property. The existing and proposed houses will need to have two off road parking spaces available to them. Despite the concerns raised by Frindsbury Extra Parish Council, there is space to accommodate the required level of parking and this is a matter which will be considered in detail at the reserved matters stage. It is considered that this development will 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 future consideration. 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/>