

MC/15/1096

Date Received: 1 April, 2015

Location: Land Adjacent 54 Sidney Road, Borstal, Rochester, ME1 3HG

Proposal: Construction of a detached three bedroom dwelling with associated parking

Applicant: Mr Hoare

Agent: Mr M Carter Mark Carter Design Design Studio, Priestfield Stadium Redfern Avenue Gillingham Kent ME7 4DD

Ward Rochester West

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, 2015.

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: Drawing No. 2096 - 004 Revision A and Drawing No. 2096 - 005 Revision A, received on the 2 April 2015.

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

- 3 No development above slab level shall take place until details and samples of all materials (in particular, the type of brick and roof tile) to be used externally have been submitted to and approved in writing by the Local Planning Authority, and the 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.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no windows or similar openings shall be constructed in the either flank elevation of the building than as hereby

approved without the prior written approval of the Local Planning Authority

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of amenity and privacy of adjoining property, in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 5 No development above slab level 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 approved boundary treatment shall be completed before the building is first occupied and shall thereafter be retained.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity and neighbouring amenities for current/future occupiers at No.54 Sidney Road, in strict accordance with Policies BNE1 and BNE2 of the Medway Local Plan 2003.

- 6 The building shall not be occupied, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. 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 1995 (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 or garaging of vehicles is likely to lead to hazardous on-street parking and to accord with Policy T13 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

This application is for the construction of a detached 3-bedroom dwelling with associated parking and includes the demolition of an existing outbuilding (disused garage).

The property is proposed to be split two-storey, in that from Sidney Road the property will appear two storey; but to the rear, it will be appear to be three-storey - utilising the topography of the land that falls sharply to the north west. The design is characterised by a front/rear gabled element, with the formation of a barn-hip on the western flank and gable to the eastern flank. Additionally, a modest gabled porch is proposed to the front. The first floor gabled section will be cantilred over part of the car parking area.

The main body of the property would measure (all approx.) 8.4m to the ridge, have a depth of 7.2m and a width of 6.2m, with a 1m clearance either side to the boundary.

A centralised three-storey gabled extension will increase the overall depth of the property by a further 3.7m, have a height of some 10.4m (set down from the main ridge by 0.4m) and a width of 4.2m. A flight of steps are proposed to be constructed on the eastern side of the property, from street level to garden level (a difference of some 2.7m in land level). Additionally, two off-road parking spaces are shown to the front, either side of the supporting column. A vehicular crossover of 6.2m in width is also proposed.

Internally, the floor plans show a large open plan kitchen at basement (or garden level), a hallway, lounge and w/c at ground floor and 3 bedrooms and bathroom at first floor.

Site Area/Density

Site Area: 0.01ha (0.0245 acres)
Site Density: 100 dph (40.8 dpa)

Representations

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

4 letters of representation has been received, from three separate addresses, raising concerns regarding the proposal on the following grounds:

- Concerns with processes required for excavating and building
- Disruption to local infrastructure.
- The development is likely to place a too heavy burden on the water supply and sewage infrastructure at this part of Sidney Road.
- The development is likely to cause overshadowing of properties within Borstal Street.
- The development will effect outlook
- Disturbance during construction whilst construction is on-going

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 (NPPF) and are considered to conform.

Planning Appraisal

Principle of Development

The principle of this proposal falls to be assessed against the provisions of Policy H4 of the Local Plan, which indicates a presumption in favour of permitting housing proposals within the urban area, provided a clear improvement to the local environment will result.

The application site lies within a predominantly residential area and as such an infill residential proposal would accord with the provisions of Policy H4, provided that it does not detract from the amenities of the surrounding area and provides an acceptable standard of accommodation. It is therefore considered that the principle of development is acceptable.

Design

The proposed dwelling will be a split-two storey detached development, similar in height and indeed, in scale to the row of terraces to the east of this derelict plot of a land. However, it will be more prominent in scale to No.54 Sidney Road, to the west. Arguably, this is down to the design but also due in part because No.54 - No.60 Sidney Road have been built at a much lower level to other properties and the road falls away in a south-westerly direction.

The design of the proposed dwelling has incorporated characteristics, such as the gable frontage and rear three-storey projection gable, with attractive corbelled features at their base and complimentary brick arches above casements windows, fronting Sidney Road. The first floor is cantilvered, supported by a single column, to account for parking bays beneath at ground floor level. The development will utilise traditional materials in the construction including facing brickwork and plain clay tiles, which are not uncommon in the immediate vicinity. A comparatively large garden space has been retained, 9.7m in depth, from the rear facade to the north-west boundary.

It is considered that the proposed house is of a scale and design that is appropriate to the area, with the result that this development will have no adverse affect upon the character of the streetscene. The proposal is therefore considered to be in accordance with respective policies H4 and BNE1 of the Medway Local Plan 2003.

Amenity Considerations

Policy BNE2 of the Medway Local Plan seeks to ensure that the amenities of prospective occupiers and those of existing residents are safeguarded. Development proposals should therefore have regard to privacy, sunlight, daylight, activity levels and traffic generation, landscaping around the dwelling, the provision of private garden space, parking and access, aspect and orientation.

Given the land level differences on site, the rear access door is set above ground level, and is accessed via steps. There is a 25m distance between the rear of the proposed property and the rear facades of No.61 and No.63 Borstal Street. This accords with the advice set out with in the Council's Housing Design Standards, 2011, and in this regard, no unacceptable loss of privacy is likely to occur for the occupants of these properties.

In terms of the impact on No 52 Sidney Road, to the east, concern has been raised regarding overlooking and impact on amenity from the kitchen window/back door facing south-west and dining room window which faces north-west (of that property). To assess the potential impact, the adopted Building Research Establishment (BRE) guidance on *Site Layout for Planning for Daylight and Sunlight* (2011) has been

used. A 45 degree code has been applied to provide a fair balance, both on plan and on elevation, to assess outlook from or daylight to these windows. On plan, the three-storey rear element clearly casts shadow but, on elevation, the 45 degree line taken from the edge of the corbelling does not appear to cover more than 50% of this window. There is also the considerable land level difference, coupled with the distance between the extension and the window (somewhere between 2-2.5m) and therefore, it is considered that an acceptable degree of ambient daylight would still be able to reach this habitable space, without compromising the enjoyment for present/future occupiers for this property. In terms of sunlight, the sunlight indicator test conducted indicates that the presence of the three storey rear extension is likely to cast shadow across the rear/side facade of this neighbouring property between 1pm and 2pm . Whilst this is an additional impact it is not considered to be so significant to current/future occupiers of that property as to justify a refusal. .

The test was also applied to the neighbours at No.54 Sidney road, to the west. Similarly, the three storey element casts shadow across an element of the rear facade of this property. On elevation, however, the 45 degree line only partially covers the single casement window which serves the kitchen. Again, it is considered that an adequate degree of ambient daylight and outlook is retained. Given the path of the sun and the sheer land level differences involved, this property is unlikely to be affected

No details of boundary treatment is shown on the plans to sub-dividing the garden space to the rear. Accordingly, a condition is recommended so that details are submitted and approved, prior to the full occupation of the dwelling.

In terms of privacy/overlooking, given the topography of the area, sloping from south east to north west, there is an accepted degree of mutual overlooking in the area. The introduction of this dwelling is unlikely to result in a worsening of the situation in this regard. . A condition is recommended to ensure that no windows or similar openings, are placed in either flank at a later date, without the prior written approval from the Local Planning Authority.

Finally, in regard to internal amenities of the future occupiers of the proposed dwelling, the property has the potential to provide a living area of approx 94.7sqm for a three-bed property over two storey-split level, which would considered acceptable when comparing to the National Described Space Standards March (2015) and Medway Housing Design Standards for guidance. The internal floor areas for the three bedrooms and the kitchen/dinning area comply with the aforementioned standards. In amenity terms, the proposal is therefore viewed as being satisfactory and complies with Policy BNE2 of the Medway Local Plan 2003.

Highways

In compliance with the Council's Parking Standards, two off-road parking spaces are proposed. Both of the allotted parking bays meet the Council's minimum dimensions for car parking spaces (2.4m x 4.8m). The proposed crossover is of adequate width and adequate sight lines are shown.

No drainage details (i.e. soakaway or aco drain) are shown on the submitted plans

and therefore, an appropriate condition is recommended regarding surfacing and drainage of the parking spaces. Subject to this condition the development is considered to be acceptable under the provisions set out under Local Plan Policies T1, T2 and T13.

Local Finance Considerations

None relevant to this application

Conclusions and Reasons for Approval/Refusal

It is considered that the proposed house, and ancillary works, have been well designed in keeping with the street scene and character of the immediate surrounding area. Due to its location and relationship with neighbouring properties, it will not cause any unacceptable harm to the amenities of occupiers of adjoining properties. The proposal therefore accords with the provisions of the aforementioned policies and the application is accordingly recommended for approval.

The application would normally be determined under delegated powers but is being referred for Committee determination due to the extent of the representations received expressing a view contrary to the 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 in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess.medway.gov.uk/online-applications/>