

MC/17/1227

Date Received: 4 April, 2017

Location: 89 Brambletree Crescent, Borstal, Rochester, ME1 3LQ

Proposal: Construction of a single storey detached garden studio/annexe to rear - demolition of garage

Applicant: Mr Tester

Agent: Mr D Salisbury MRICS Surveying & Sustainability Services 160 High Street Rochester ME1 1ER

Ward Rochester West

Case Officer Amanda Grout

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 30 August 2017.

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 plan:

Drawing Number 02 Revision D received 21 June 2017.

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

- 3 The detached garden studio/annexe hereby permitted shall only be occupied ancillary to the main dwelling, No. 89 Brambletree Crescent, and shall not be severed, occupied, let or sold as a separate hereditament.

Reason: To regulate and control the permitted development in the interests of amenity 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

This application is for the construction of a single storey detached garden studio/annexe to rear following the demolition of the existing garage. The proposed studio/annexe would be located within the garden towards the rear end and would measure approx. 5.45m wide, 5.8m deep and 2.9m in height at its lowest on the west side and increasing to 3.5m at its highest on east side (facing into the garden) and overhangs as a canopy (approx. 1.45m deep) over the front of the outbuilding. The application has been amended and the revised floor plan indicates that the outbuilding would be used as a 'garden studio'.

Relevant Planning History

MC/09/1831	Construction of a single storey side and rear extension; extension to roof to form gable ends and insertion of rear dormer to facilitate living accommodation in roof space (two roof lights to front) Approval With Conditions 3 December, 2009
76/301	Single storey rear extension to dining room Approval with Conditions 13 May, 1976

Representations

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

Four letters of representation have been received, objecting to the proposed development on the following grounds:-

- Loss of privacy
- Overshadowing
- Reduction of size of garden
- Dominant structure
- Set a precedent
- Out of character
- Garden grabbing
- Overdevelopment
- Contrary to the NPPF

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

(2012) and are considered to conform.

Planning Appraisal

Background

The proposal is for the construction of a detached garden studio/annexe. The submitted floor plan has been labelled as 'garden studio' and no detail as to the proposed use have been provided. As the original submission for a much larger building had a floor plan showing living accommodation, including a bedroom, bathroom and open plan kitchen/dining/living area, it is likely that the applicant's intention could be to use the garden studio as an annexe.

An annexe, even where detached within the curtilage of a dwelling house, would normally be regarded as an ancillary use to the main dwelling house as all services would be shared with the main dwelling. In this instance, the proposed layout plan submitted does not provide any indication as to the use of the garden studio. It is, however, considered that the revised size of the proposed outbuilding would only be sufficient to provide an ancillary usage.

The property already has a vehicle crossover to the existing garage on Warwick Crescent and as the property does not benefit from any other off road parking, it is considered that the provision of a hardstanding to the front of the garden studio would continue to provide off-street parking for the dwelling house.

Design and Impact on Streetscene

Policy BNE1 of the Medway Local Plan 2003 (Local Plan) requires extensions to respect the scale and appearance of buildings and to be satisfactory in relation to scale, mass and proportions. This is consistent with the National Planning Policy Framework (NPPF) which states that new development should respond to the local character, reflect the identity of local surroundings, be visually attractive as a result of good architecture and add to the overall quality of the area.

The site comprises an extended two-storey semi-detached dwelling, situated on a corner plot to the west of Brambletree Crescent, at the southern junction of the road with Warwick Crescent. The property has a similar character to the other dwellings in the area. The proposed outbuilding would replace an existing garage to the rear end of the garden accessed off Warwick Crescent. The proposed building would be visible over existing boundary walls from Warwick Crescent and Kennard Close. The boundary fence to the west adjacent Kennard Close is in need of replacing and the proposed outbuilding would be an improvement to, and secure, the rear end garden of the host dwelling and to the wider area.

The proposed studio would occupy an area within the rear end of the garden and would be constructed sloping roof at a height of approx. 3.5m at the front, reducing to 2.9m at the rear. The outbuilding would be set in approx. 200mm from the north and west boundary, and 4.4m from the south boundary. The building would have large four panel glass doors to the front facing in to the rear garden of the site and two clerestory windows on the back (west) elevation adjacent Kennard Close.

The design of the outbuilding is considered to be acceptable and typical of a garden structure. The scale and height is also considered to be acceptable and would not result in overdevelopment of the land. Whilst the building would be visible from both Warwick Crescent and Kennard Close, it is not considered that it would be visually intrusive and as such would not harm the character or appearance of the streetscene.

It should be noted that it is possible to build an outbuilding that occupies up to 50% of the curtilage of the dwelling house under permitted development by Class E of the Town and Country Planning (General Permitted Development) Order 2015, and as such the footprint of the proposed outbuilding is considered to be acceptable.

Despite concerns raised about the use of the outbuilding and lack of supporting evidence, it is acknowledged that although it could be accessed independently from Warwick Crescent, any subdivision of the land would require planning permission and to ensure that the use of the outbuilding is controlled, a condition is recommended to restrict its use to the main dwelling.

In light of the above and subject to condition, the development is considered acceptable when viewed against Policy BNE1 of the Medway Local Plan 2003.

Amenity

The proposed outbuilding would be located at the rear end of the garden and would be approx. 10.4m from the rear of No. 87 Brambletree Crescent and more than 7m (across Kennard Close access) from the side elevation of No. 41 Warwick Crescent. It is acknowledged that the building would result in some overshadowing; however with a maximum height of 3.6m and its position, any shadow cast would only be over the bottom of the neighbouring garden and not to habitable room windows. In addition, the building would be visible over the existing low boundary fencing along the north boundary of the site with No. 87, however a 2m high fence could be erected without the need for planning permission and this could help to minimise the impact of the building on the occupiers of that property. As such, it is considered that the proposal would not have a harmful impact on the amenity of the neighbouring occupiers.

As already stated, the garden studio is not expected to generate significant noise and disturbance from its use to be harmful to the neighbouring occupiers over and beyond what is currently experienced from the use of the site as a single family residence.

In light of the above, the proposal is considered to accord with Policy BNE2 of the Medway Local Plan 2003.

Highways

There are no changes to the existing access. The existing garage and driveway are not fit for use in their current condition. The proposed studio would be approximately 4.4m away from the boundary and as such one small car parking space could be accommodated to the rear of the property which would be an improvement to the existing situation. There is also ample of on street parking along Warwick Crescent, adjacent to the host dwelling. As such, it is considered that the proposed

development would not result in a detrimental impact in terms of parking and would accord with Policies T1 and T13 of the Medway Local Plan 2003.

Local Finance Considerations

There are no local finance considerations.

Conclusions and Reasons for Approval

The proposed development is considered to be acceptable and would not cause harm to the character of the area and streetscene. The proposal would not result in detrimental harm to neighbouring amenity or highways. Subject to recommended conditions, the proposal would comply with the objectives of Policy BNE1, BNE2, T1 and T13 of the Medway Local Plan 2003 and Paragraphs 17 & 56 of the NPPF 2012.

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