

MC/17/2594

Date Received: 21 July, 2017

Location: 107 Wilson Avenue, Rochester ME1 2SJ

Proposal: Demolition of existing detached garage and construction of a detached annexe building

Applicant: Mr A Masters

Agent: Mr L Simmons LRD Simmons RVBA 46 Downsview Chatham Kent ME5 0AL

Ward Rochester South & Horsted

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 27 September 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 plans:

Drawing Numbers 1604/WAR/02 and 1604/WAR/03 received 21 July 2017.

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

- 3 All materials used externally shall match those of the main host dwelling.

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 The development hereby permitted shall only be occupied ancillary to the main dwelling, No. 107 Wilson Avenue, Rochester, and shall not be subdivided or occupied 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.

Recommendation

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 demolition of existing detached garage and construction of a detached annexe building. The proposed annexe would be located to the north west of the existing dwelling house and would measure approx. 6.4m wide, a depth of approx. 8.5m and, 2.4m in height to the eaves and 3.9m in height to the main ridge. The annexe would provide a lounge, kitchen, shower room and bedroom. There would be a small amenity area provided to the side/rear.

Relevant Planning History

MC/08/1426	Construction of a linked single storey annexe (demolition of existing garage) Refusal 20 October, 2008
MC/02/2528	Construction of single storey side/rear extension and replacement of garage roof Approval with Conditions 28 January, 2003
5/54/207	Bungalow and garage Approval with Conditions
5/54/207/A	Extension and alterations to form dining, room, cloakroom and bedrooms Approval with Conditions
5/54/207/B	Garage (two cars) Approval with Conditions

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
- Loss of outlook
- Noise

- Dominant structure
- Intensified use of the land and driveway
- Set a precedent
- Erosion of Area
- Backland development
- Overdevelopment
- Contrary to Policy H9 of Local Plan 2003
- Loss of light into garden
- Out of character

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

A previous application for the construction of a linked single storey annexe (demolition of existing garage) was refused in 2008 for the following reason;

The application details fail to demonstrate that the proposed building will be used for purposes ancillary to the application property known as 107 Wilson Avenue by virtue of the intended layout proposed. Accordingly, the development would result in an intensification of the use of the access road that would be considered prejudicial to the amenities of adjoining residents in terms of frequency of vehicle movements to and from both households in conflict with Policy QL1 of the Kent & Medway Structure Plan 2006 in terms of neighbours amenities and Policy BNE2 of the Medway Local Plan 2003.

The current application has provided details of the occupant of the proposed annexe and the circumstances for its need.

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 of an extended detached bungalow, situated to the rear of a large plot which has its own private access from Wilson Avenue. Due to the location of the property, existing landscaping and two newly built properties located to the north with frontages onto Wilson Avenue, minimal views of the host dwelling, and none of the existing garage, are afforded from Wilson Avenue. Wilson Avenue is characterised by

a mix of design and size of dwellings and there is no particular uniformity in property style, type and size. The proposed annexe building would replace an existing garage to the northwest of the host property and would only be visible from the rear of immediate neighbouring properties.

The proposed building would be constructed with a gable end roof at a height of approx. 2.4m to the eaves and 3.9m in height to the main ridge. The proposed annexe would be located further to the east and closer to the host dwelling than the existing garage and would be set off the boundary to the west by approx. 4.2m and approx. 1m from the north boundary. The external materials of the building would match that of the host dwelling and would have the front door and bedroom window located on the east facing elevation, French doors and kitchen window on the south facing elevation, kitchen window and lounge window on the west elevation and shower room window on the north elevation.

The design of the outbuilding together with the scale and height is considered to be acceptable and would not result in overdevelopment of the land. Whilst the building would be visible from the rear of the immediate surrounding properties and would be approx. 900mm higher than the highest point of the existing garage, it is not considered that it would be visually intrusive and as such would not harm the character or appearance of the area.

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 annexe, supporting evidence has been submitted with the application as to the intended occupant and due to the location of the annexe and the single track access, it would be difficult to subdivide the plot to make a separate dwelling. However, to ensure that the use of the annexe is controlled, a condition is recommended to restrict its use to be ancillary 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 annexe building would be located to the northwest corner of the garden and would be approx. 14.5m from the rear of No. 109 Wilson Avenue; 12.3m from the rear of No. 111 Wilson Avenue; and 18.5m from the rear of No. 115 Wilson Avenue. It is acknowledged that the building would result in some overshadowing; however with a maximum height of 3.9m and its position, any shadow cast would only be partially over the bottom part of the neighbouring gardens and not to any habitable room windows. In addition, the building would be visible over the existing boundary fencing along the north and west boundary of the site with Nos. 111 and 115, however as these fences are approx. 2m in height, it is considered that this would help to minimise the impact of the building on the occupiers of the properties. 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 annexe 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 and the existing driveway to the front is large enough to accommodate in excess of three cars which would accord with the Council's parking standard. 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 to Committee for determination due to the number of representations received expressing a view 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 in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess.medway.gov.uk/online-applications/>