

MC/18/0497

Date Received: 12 February, 2018

Location: 43 James Road, Cuxton, Rochester, ME2 1DJ

Proposal: Demolition of existing garage and the construction of an outbuilding for use as garage and workshop together with associated landscaping

Applicant: Mr Durmush

Agent: Mr Thyer The Old Seed Store West Street St Columb Major Cornwall TR96RX

Ward Cuxton & Halling

Case Officer Hayley White

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 11 April 2018.

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: 344-002B, 344-003B and 344-005 all received 13th February, 2018, 344-003C & 344-006 received 21st February, 2018 and 344-004C and 344-004B both received 9th March, 2018.

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

- 3 The window on the south elevation to the proposed outbuilding shall be fitted with obscure glass. This work shall be carried out and completed before the room is occupied and shall be retained at all times thereafter.

Reason: To ensure the development does not prejudice conditions of amenity by reason of unneighbourly overlooking of adjoining property, in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 4 Notwithstanding, the proposed outbuilding shall serve purpose for domestic use only (i.e. as a garage and workshop space), and shall not by any means be used for commercial purposes.

Reason: To ensure the development does not prejudice conditions of residential amenity by means of dust, noise/visual pollution, smell or other emissions or effluents, additional traffic flows and/or vehicle parking , and to ensure that the development does not erode the residential character of the area, in accordance with Policy BNE2 and ED10 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 proposal seeks the demolition of an existing garage and the construction of an outbuilding for use as garage and workshop together with associated landscaping. The proposed outbuilding would be set back approx. 53 metres from the rear of the main dwelling and approx. 97 metres from the highway of James Road. It would have a total area of approx. 115.5 m², and would be approx. 11 metres in width and approx. 10.4 metres in length. The proposed height of the outbuilding varies from each elevation due to the undulating ground elevations, however would accumulatively adopt an average height of approx. 3.5 metres. The outbuilding would comprise of timber-weatherboarding in the form of horizontal and vertical black timber cladding with recessed hidden slatted doors, one panel of glazing to the east elevation, a high level window to the south and a flat roof. The proposed outbuilding would serve long-term storage for the existing cars at the main dwelling and would provide a workshop space for domestic use by the occupiers.

Relevant Planning History

None.

Representations

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

Cuxton Parish Council has been consulted.

Four letters of representation have been received all objecting to the proposal on the following grounds:

- Potential for commercial use
- Not in keeping with the existing street scene and existing garages
- Negative impact on visual amenities
- Noise and disturbance from the use of the access
- Impact of headlights from cars at night time
- Loss of daylight

- Overlooking
- Drainage from the garage
- Pollution

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

Design

No. 43 James Road is a semi-detached dwelling located within the residential area of Cuxton. The street scene predominantly consists of semi-detached dwellings which have substantial linear plots and long rear gardens. Small, detached, outbuildings with pitched roofs to the rears of neighbouring dwellings are common within the vicinity, although not to the scale proposed in this scheme. However, outbuildings of the proposed size and scale are not exempt from the area, as evidenced by previously approved schemes (e.g. MC/13/1900 & MC/14/1877).

The application property benefits from a large garden which is of a size which would satisfactorily accommodate a building of this size. The proposed materials would be of good quality that would enhance the contemporary design, whilst the associated landscaping and adjacent approx. 2m boundary fences would help to screen a large proportion of the development from view by neighbouring dwellings. Moreover, the reduction in height from the pre-app stage would ensure that the proposed outbuilding would be acceptable in the setting and would not dominate the area or neighbouring gardens. The proposed grass block concrete pavements and/or terram grass reinforcement mesh would allow the occupier's vehicles ease of access into the garage, whilst protecting the grass landscape from deterioration and softening the development within the landscape. The former, in conjunction with threshold drains to the front elevation would allow surface water run-off to drain correctly, without flooding the surrounding land also.

The proposed outbuilding would be of a good quality and contemporary design, that would be acceptable in terms of scale and siting and would not detract from the host or neighbouring dwellings. Thus the proposal would accord with Policy BNE1 of the Local Plan.

It is also minded that if the proposed height of the outbuilding was 2.5m high in total, that the proposed scheme would be considered acceptable under permitted development.

Amenity

The proposed outbuilding would largely be screened from view from neighbouring dwellings due to the adjacent approx. 2m tall boundary fences and hedges, associated landscaping and flat roof. Thus, the proposal would not be considered to significantly

overbear neighbouring dwellings or result in any significant loss of outlook. A sun-on-ground indicator test was conducted to determine whether any neighbouring occupiers would be significantly impacted in terms of overshadowing or loss of light at times of 12pm, 2pm and 4pm. The test results showed that, due to the natural path of the sun and orientation of the site, properties to the east, south and west elevations would be minimally impacted. Properties to the north elevation of the outbuilding, namely No. 4 Hayley Close, would be impacted the most in terms of overshadowing, particularly at 4pm in the day. However, the overshadowing would not be significant enough to warrant it detrimental to the amenity of No. 4 Hayley Close.

No windows would be present to the north and west elevations of the outbuilding, but a window is proposed to the south elevation. However, this window is proposed as a high level window and therefore is not considered to introduce any unacceptable overlooking to properties to the south. The proposed outbuilding would provide long-term storage for the occupier's vehicles and a workshop space for domestic activities only. Thus, any vehicular traffic or noise that would be associated with the proposed scheme would be at a domestic scale only, causing no more activity or noise than what already currently takes place on site. Any light disturbance from vehicle headlights at night time would be largely offset from neighbouring habitable rooms due to the boundary fences and hedges to the north elevation, and proposed distance from the rear of No. 43 James Road. It would not be considered to impact neighbouring properties any more than what already currently takes place to the front of properties at night time. The issues regarding surface-water drainage have been considered in the design section of this appraisal. Any effluents or water that is a product of workshop activity would not be considered harmful to the landscape or health of neighbouring occupiers, considering activity would be kept to domestic scale only, and not for any commercial business. A condition is recommended to ensure the proposed outbuilding would not serve any commercial purposes.

Overall, the impact that the proposed outbuilding would have in terms of loss of light, loss of outlook, breaching of privacy or overshadowing would not be detrimental and, subject to the recommended conditions above, the proposal would be in accordance with Policy BNE2 of the Local Plan.

Highways

Access to the site from James Road would remain unchanged, and there would be no increase in traffic, considering no new bedrooms or additional habitable rooms are proposed. The proposed outbuilding would serve as a long-term storage space for the occupiers vehicles, and thus would free up space to the hardstanding area at the front of No. 43 James Road. This would also alleviate pressures for on-street parking. The proposal would not detrimentally impact highways or parking provisions and would accord with Policies T1 & T13 of the Local Plan.

Contamination

It is recommended that should any contamination be unveiled during demolition of the existing garage it is dealt with correctly. Given the history of the site, and the unlikelihood of finding said contamination, it is recommended that an informative be attached.

Conclusions and Reasons for Approval

The plot would satisfactorily accommodate the outbuilding proposed and the proposed design, siting and scale of the proposed outbuilding would be acceptable, would not dominate the area or detract from the host dwelling and would not significantly impact the residential amenity or highways. Subject to the recommended conditions within this appraisal, the application would be in accordance with Policies BNE1, BNE2, T1 and T13 of the Local Plan and Paragraphs 17 and 56 of the NPPF and is recommended for approval.

The application would normally be determined under delegated powers but is being referred to Planning Committee for determination due to the representations that have been 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://publicaccess1.medway.gov.uk/online-applications/>