

MC/18/2358

Date Received: 7 August 2018

Location: 3 Larchcroft Walderslade Chatham

Proposal: Retrospective application for construction of an outbuilding to rear

Applicant Mr Christopher Willbourne

Agent Mr Keith Rogers KCR Design
6 Chada Avenue
Gillingham
Kent
ME7 4BN

Ward: Walderslade Ward

Case Officer: Dylan Campbell

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 24th October 2018.

Recommendation - Approval with Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing number 01 REV A received 5 September 2018.

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

- 2 All materials used externally shall match those set out in the application form received 7 August 2018.

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.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-

enacting that Order) and/or Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order amending, revoking and re-enacting that Order with or without modification) the outbuilding shall not be used for the purposes of habitable accommodation 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 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 part retrospective planning application is for the construction of an outbuilding to rear.

The outbuilding would measure approx. 8.m in width, approx. 3.6m in depth, approx. 2.4m to the eaves and approx. 3m to the highest point.

Relevant Planning History

MC/18/1973	Construction of a single storey front, side and rear extension - demolition of the garage and conservatory - Resubmission of MC/18/1115 Decision: Approval with Condition Decided: 15 August 2018
MC/18/1115	Construction of a 2 storey side extension, single storey front and rear extensions and additional parking to front - Demolition of the garage and conservatory Decision: Refusal Decided: 11 June 2018
MC/02/1170	Construction of two storey side extension with single storey to front and rear Decision: Approval with Condition Decided: 4 September 2002

Representations

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

3 letters have been received raising the following objections:

- Prominent size and scale
- Out of character
- Materials
- Feeling of enclosure
- Loss of sunlight/ daylight
- Hardening of area

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 2018 and are considered to conform.

Planning Appraisal

Background

This application has been submitted following a site visit to the application site in relation to a previous planning application. During the site visit it was noted that the outbuilding was under construction but not yet completed. Measurements were taken onsite and it was found that the outbuilding did not exceed what was allowed under permitted development. The agent was advised that the outbuilding would require the benefit of planning permission if the development was going to exceed permitted development. It was also suggested that, to minimise the impact to neighbouring residential amenities, the development should not significantly exceed permitted development limitations. This planning application was received by the Council on 7 August 2018.

Design

The proposed outbuilding to rear would not be visible from the street scene, however it would be visible from neighbouring properties to the sides and rear of application site. The outbuilding would measure approx. 8.5m in width, approx. 3.6m in depth, approx. 2.4m to the eaves and approx. 3m to the highest. It would have a mono pitched roof and would be finished in timber cladding. It is considered that the proposal is in accordance with Policy BNE1 of the Local Plan and Paragraph 127 of the NPPF.

Amenity

Prior to the application process it was suggested that the height of the proposal should not significantly exceed permitted development limitations to minimise the impact to neighbouring residential amenities, specifically the residential amenities of the neighbouring property to the rear, 16 Juniper Close. This advice has been followed.

Following submission of the application, amendments to the existing and proposed plans were requested to better reflect what has already been constructed at the application site and to minimise the impact to neighbouring residential amenities.

Sited to the rear of the application site and taking into consideration the path of the sun and the size and scale of the proposal it is considered that the proposal would not detrimentally impact neighbouring residential amenities in terms of overbearing, loss of sunlight, daylight, outlook or privacy. The proposal is in accordance with Policy BNE2 of the Local Plan and Paragraph 127f of the NPPF.

In the interests of protecting residential amenity, a condition is recommended preventing the outbuilding being converted to any habitable accommodation at a later date.

Highways

The proposal would have no detrimental impact on highways and therefore is in accordance with Policy T13 of the Local Plan and Paragraph 105 of the NPPF.

Conclusions and Reasons for Approval

The proposed outbuilding would be of acceptable design and would not detrimentally impact neighbouring residential amenities in terms of overbearing, loss of sunlight, daylight, outlook or privacy. The proposal is in accordance with Policies BNE1, BNE2 and T13 of the Local Plan and Paragraphs 105, 127 and 127f of the NPPF.

The application would normally be determined under delegated powers but is being referred to Planning Committee for determination due to the number of representations received expressing a view contrary to officer's recommendation for approval.

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/>