

MC/19/2437

Date Received: 16 September 2019
Location: 13 Canon Close Rochester
Medway ME1 3EN
Proposal: Part retrospective application for raised timber decking, boundary screening and associated ramp to provide disabled access to outside space and garden
Applicant: Mr Owen Fredericks
Agent: Bernard Hyde Associates
Mr Bernard Hyde 79 Wilson Avenue
Rochester
Medway
ME1 2SJ
Ward: Rochester West Ward
Case Officer: Lisa Maryott
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 8th December 2021.

Recommendation - Approval with Conditions

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

Received 16 September 2019:

OF-HR-04 Rev A - Elevations and Section as existing.

Received 20 September 2019:

OF-HR-01 Rev B - Site location plan, ground floor plan and decking plan as existing

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

- 2 The approved screening as shown on drawing numbers OF-HR-01 Rev B and OF-HR-04 Rev A received 16 September 2019, shall match the materials of the existing boundary treatment between the application site and 14 Canon Close and shall be installed no later than 1 calendar month from the date of the decision notice and shall thereafter be retained.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality and does not prejudice conditions of amenity by reason of unneighbourly overlooking of adjoining property, in accordance with Policies BNE1 and 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 is a part retrospective application for the construction of raised timber decking, boundary screening and associated ramp to provide disabled access to the outside space and garden.

Relevant Planning History

MC/15/3170 Construction of a single storey rear extension and part single/part two storey extension to side together with conversion of existing garage to provide additional habitable living space

Decision: Approval with Conditions

Decided: 3 November 2015

MC/15/2539 Application for a lawful development certificate (proposed) for construction of a single storey rear extension and part single/part two storey extension to side together with conversion of existing garage to provide additional habitable living space

Decision: Refusal

Decided: 4 September 2015

MC/08/1372

Retrospective application for construction of a car port to front

Decision: Approval with Conditions

Decided: 29 September 2008

MC/05/2427

Construction of a two-storey rear extension (demolition of conservatory)

Decision: Approval with Conditions

Decided: 27 January 2006

Representations

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

1 letter has been received raising the following objections:

- Overdevelopment due to height
- Out of keeping
- Loss of privacy

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 2021 and are considered to conform.

Planning Appraisal

Design

Policy BNE1 of the Local Plan states that development should be satisfactory in terms of scale and mass and should respect the visual amenity of the surrounding area, this is further supported by paragraphs 126 and 130 of the NPPF which emphasises the importance of good design.

The application site is a two-storey, detached property located within a residential close. The property benefits from a generous plot, and the dwelling has been

extended several times resulting in a large family sized dwelling. The area is characterised by two-storey detached and semi-detached properties of similar designs, many of which have also been extended.

This application proposes a raised platform area to the rear to provide level access to the rear doors of the existing property. The rear garden slopes down away from the rear of the house and therefore the elevation of the platform increases. The proposal also includes a 1.8m high screen (measured from surface of the raised platform on the side of the application site) to prevent a loss of privacy to the neighbouring garden, No. 14 Canon Close.

It is considered that the raised platform does not detract from the character and appearance of the dwelling and would only be visible from within the application site.

The screening would be visible from the neighbouring property at No.14. To ensure consistency in design, it is recommended that a condition be included for the design of the screening to match the materials of the existing boundary treatment between the application site and No.14.

Therefore, it accords with Policy BNE1 of the Local Plan and paragraphs 126 and 130 of the NPPF.

Amenity

The main amenity consideration is the impact of the proposed decking and screening on the neighbours, particularly, No. 14 Canon Close. Policy BNE2 of the Local Plan and paragraph 130f of the NPPF relates to the protection of these amenities.

One objection has been raised relating to overdevelopment due to the height of the screening and a loss of privacy due to the height of the raised platform. It should be noted that the land levels of the neighbouring rear garden at No. 14 have been increased by approx. 200mm to level the sloping gradient of the garden.

The raised platform has been erected and planning permission applied for retrospectively. The raised platform has been erected at a height of between 0.2m - 0.8m. This is due to the sloping gradient of the application site, which slopes down to the rear boundary of the site from the rear of the dwelling. By virtue of the height of the raised platform and the height of the existing boundary treatment, the existing development results in a loss of privacy by way of overlooking into the rear garden area of No. 14 Canon Close.

To overcome concerns with loss of privacy and to prevent overlooking, this proposal includes a privacy screen to be erected along the boundary with No. 14 at a height of 1.8m when measured from the surface of the raised platform. When taking into account the land level changes that have been undertaken by No. 14, the proposed screening would be approx. 2.4m high when measured from the rear garden of No. 14 Canon Close.

Whilst a 2.4m high boundary treatment would be taller than what is allowed under permitted development (being 2m in height in this location), it is not considered that the additional 0.4m in height would result in an overdevelopment of the application site that would be overbearing in nature or result in significant overshadowing of the neighbouring rear garden of No. 14 Canon Close. Therefore, it is considered that the proposal would not result in a detrimental impact to neighbouring amenities, in accordance with Policy BNE2 of the Local Plan and paragraph 130f of the NPPF.

Highways

The development does not increase pressures or demands on the local highway system or parking in the area, accordingly no objections are raised on highway grounds regarding Policy T1 of the Local Plan and paragraph 111 of the NPPF.

Conclusions and Reasons for Approval

The proposed decking and screening would respect the character and appearance of the existing dwelling and would not detrimentally impact neighbouring residential amenities in terms of a loss of daylight, sunlight, outlook, or privacy or be overbearing in nature. The proposal is in accordance with Policies BNE1, BNE2 and T1 of the Medway Local Plan 2003 and paragraph 111, 126 and 130 of the National Planning Policy Framework 2021.

The application would normally be determined under delegated powers but is being referred for Committee determination due to the balanced nature of the application.

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 on Medway Council's Website <https://publicaccess1.medway.gov.uk/online-applications/>