

MC/24/1145

Date Received: 4 June 2024
Location: 24 Broadwood Road, Chattenden, Rochester, Medway
Proposal: Retrospective application for construction of a barn/workshop.
Applicant Agent: Mr M. Dziadosz
DMG Designs
Mr Derek Graves
30 Woodside Green
Cliffe Woods
Rochester
ME3 8JY
Ward: Hoo St Werburgh and High Halstow
Case Officer: Amy Shardlow
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 28th August 2024.

Recommendation - Approval with Conditions

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

Received 4 June 2024:

CM-01166379 Site Location Plan
Proposed Block Plan
02 Proposed Elevations and Floor Plans

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

- 2 The works required to bring the development in accordance with the approved plan 02 Proposed Elevations and Floor Plans Received 4 June 2024 shall be completed within 2 months from the date of this decision notice.

Reason: To ensure the unauthorised part of the development is removed so that the development does not result in detrimental harm to neighbouring properties in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 3 The outbuilding shall only be used for purposes incidental to the enjoyment of the main dwelling house and shall not be occupied as a separate dwelling and no trade or business shall be carried out therefrom.

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

The application seeks retrospective planning consent for the construction of a single storey outbuilding located at the rear of the residential garden at number 24 Broadwood Road located in Chattenden. The main dwelling house is a detached chalet bungalow with a garage and driveway to the side. The streetscene consists of a mix a detached and semi detached properties varying from 2 storey houses, chalet bungalows and bungalows.

The outbuilding sits at the rear of the host dwelling's garden and is approximately 4.4m in height at its highest point of the pitch. There are varying ground levels on the site.

A public footpath runs along the rear of the site, to the south of which is the new Esquire Riverbourne development.

Relevant Planning History

MC/18/2560

Construction of single storey side extension with car port and insertion of roof lights to side/rear, together with alterations to the existing single storey rear extension from flat roof to gable end with roof lights - demolition of existing garage to side.

Decision: Approval with conditions
Decided: 12 November 2018

Representations

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

1 Letter of support has been received commenting that the outbuilding/barn/workshop acts as a barrier for the houses behind our properties.

1 Comment has been received requesting details regarding the use and matters such as hours of operation, noise and ventilation.

Dickens Country Protection Society – Have written in objecting to the application on the basis that the size of the building is excessive for the purposes described and therefore do not believe the location of the outbuilding is suitable for commercial use.

Hoo St Werburgh and Chattenden Parish Council have objected to the retrospective application raising concerns regarding;

- The lack of dimensional details included on the drawings
- The scale of the development
- The fact the outbuilding has power
- Over development of the site

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 December 2023 (NPPF) and are considered to conform.

The Hoo St Werburgh and Chattenden Neighbourhood Plan (The Neighbourhood Plan) has been examined and subject to minor modifications (which are being undertaken) has been recommended by the examiner to go to referendum. While not fully adopted as yet, it is in a very late stage in the process and therefore the policies contained in the Plan should be given significant weight in the processing of planning applications.

Planning Appraisal

Design

Development Plan policy places considerable emphasis on the importance of achieving high quality buildings and places.

The NPPF attaches great importance to the design of the built environment. Paragraphs 131 and 135 of the NPPF emphasise the importance of good design and Policy BNE1 of the Local Plan is a general, criteria-based policy for all development. It seeks appropriate design in relation to the character, appearance and functioning of the built and natural environment. Policy H006 of the Neighbourhood Plan relates to the need for well designed development that complements the character of the area.

The proposed outbuilding, whilst large in scale, sits at the furthest point of the rear garden and forms part of the boundary of the property. To the rear of the site is an public right of way footpath and further behind this sits a new housing site. The outbuilding has been constructed with a large front "porch". This is not considered acceptable and therefore the drawings have proposed the removal of the porch to the outbuilding reducing its scale and siting. A condition is recommended to secure the removal of this element within 2 months of a decision to approve.

The proposed development has some visibility from the street scene, both due to the land levels being higher at the rear elevation of the property and also between the properties. However, with the removal of the front porch element, it is not considered to be overly and unacceptably dominant either in the rear garden or from the street. The outbuilding has (with the exception of the porch) been well designed using good quality materials to reduce its impact and outbuildings are a common feature in rear gardens.

The proposed development is not considered to cause detrimental harm to the appearance of the host dwelling or wider street scene therefore complies with Policies BNE1 of Medway Local Plan 2003, H006 of the Neighbourhood Plan and paragraphs 131 and 135 of the NPPF.

Amenity

Paragraph 135(f) of the NPPF asserts that decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Local Plan Policy BNE2, sets out that all development should secure the amenities of its future occupants and protect those amenities enjoyed by neighbouring properties. The design of the development should have regard to privacy, daylight and sunlight, noise, vibration, light, heat, smell and airborne emissions and activity levels and traffic generation.

There have been concerns regarding the potential use of the outbuilding for either a trade or business or as additional residential accommodation separate from the main house. While the outbuilding does have power, this is not unusual for outbuildings particularly if they are used as domestic workshops or home working areas. The applicant has confirmed that there is no intention to use the outbuilding for any business use and an appropriate condition is recommended to restrict the use of the outbuilding to be used incidental to the main dwelling house.

A sun on ground indicator test has been conducted to assess the impact on the levels of light/shadowing for the adjacent neighbouring properties at times of 8am, 10am, 12 noon, 2pm and 4pm on 21 March. The test results showed that, due to the natural path of the sun and orientation of the site, there is no significant impact on daylight and sunlight from the outbuilding over and above the existing site including the previous fencing. The outbuilding resulted in slightly more loss of light/overshadowing for the neighbouring property at number 22 Broadwood Road at 08:00 and for No. 26 Broadwood Road at 16:00. However, this is not considered to have such a significant impact for it to warrant refusal.

The outbuilding does sit on the boundary of neighbouring properties and forms a rear boundary to the public right of way, however due to its siting in the rear garden, height and the external materials used it is not considered that the outbuilding is overbearing or detrimental to the amenity of neighbouring properties.

The proposal is therefore considered to be acceptable with regard to Policy BNE2 of the Local Plan (2003) and Paragraph 135(f) of NPPF.

Highways

The proposal does not increase the number of bedrooms and will not impact highways safety and parking provisions. It is therefore be in accordance with Policies T1 and T13 of the Local Plan and paragraph 115 of the NPPF 2023.

Conclusions and Reasons for Approval

The proposed scheme would not be detrimental to the character of the area or the street scene, and would not significantly impact on residential amenity, contamination or existing parking provisions or highways. Therefore, the proposal is in accordance with Policies BNE1, BNE2, BNE23, T1, T13 of the Medway Local Plan 2003, Policy H006 of the Neighbourhood Plan and paragraphs 115, 131, 135 and 135f of the NPPF 2023.

The application would normally be determined under delegated powers but is being referred for Committee determination or at the request of the Hoo St Werburgh and Chattenden Parish Council.

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/>