

MC/24/2034

Date Received: 7 October 2024
Location: 18 Arethusa Road, Rochester, Medway ME1 2TZ
Proposal: Construction of outbuilding to rear together with side access ramp.
Applicant: Mrs Robyn Foster
Agent: GMArchitect
Mr Giovanni Mastromartino
Innovation Centre Medway
Maidstone Road
Chatham
Kent
ME5 9FD
Ward: Rochester East & Warren Wood
Case Officer: Jonathon Simon
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 15th January 2025.

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:

Received 6 October 2024:
Block Plan Proposed
18AR01/PR - Site Plan Proposed
18AR04/PR - North and South Elevations Proposed

Received 22 November 2024:
18AR02/PR Rev G - Ground Floor Plan Proposed
18AR03/PR Rev A - Roof Plan Proposed
18AR05/PR Rev A - East Elevation Proposed
18AR06/PR Rev A - West Elevation Proposed

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

- 3 All materials used externally shall match those of the existing 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 annexe forming part of the development hereby permitted shall only be occupied ancillary to the main dwellinghouse, 18 Arethusa Road, and shall not be occupied as a separate dwelling.

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 proposed development is for the construction of a detached outbuilding within the rear garden together with a side access ramp. The proposed outbuilding would have a footprint of approximately 51.15m² measuring approx. 5.2m x 10m. The outbuilding would be in the north western corner of the rear garden close to the boundary with no26. The building would have a flat roof to a height just under 3m.

The outbuilding would comprise an annexe with a bedroom and ensuite and a combined living room/kitchen/diner. The entrance would be on the western side, along with a window to the ensuite. The northern and southern elevations would be blank, with the eastern elevation facing the garden having a patio door and a bedroom window. The annexe would be linked to the main dwelling by a ramp along side the western boundary with no.26.

In addition, 2 new patio areas are proposed, one for the annexe and one for the main dwelling with some steps to connect the two owing to the land level changes as you go down the rear garden.

Relevant Planning History

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|------------|--|
| MC/24/0897 | Construction of a single storey extension to side/rear - demolition of existing. Decision: Approval with Conditions Decided: 21 June 2024 |
| MC/02/2211 | Lawful Development Certificate (proposed) for the construction of a loft conversion with roof lights to side and rear. Decision: Approval with Conditions Decided: 6 November 2002 |

Representations

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

Southern Water have advised that they have no objections to the proposed development.

Two letters of objection have been received raising the following material planning considerations:

- The proposed outbuilding would be too close to the rear garden of no.31 Bedgebury Close.
- The proposals would result in a new residential unit, constituting backland development.
- The proposed outbuilding is too large which would be inappropriately distinct from the main dwellinghouse.
- The proposed annexe would be intrusive to neighbouring properties and when viewed from the rear gardens of adjacent properties on Bedgebury Close.

In addition, **three** anonymous letters of objection have been received and whilst they are not normally considered to the same degree as representations that are not anonymous, it is important to list the following material planning considerations that have been raised:

- Loss of privacy.
- The proposed outbuilding would be too close to the boundary.
- Incorrect certificated of ownership filled out.
- Overlooking into neighbouring properties.
- Loss of trees and hedges.
- Outbuilding would be too large and out of character with the surrounding area.
- The proposals would exceed the 50% rule under Part 1, Class A of the GPDO.

Other matters were also raised, however these were not material planning considerations.

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 2024 (NPPF) and are generally considered to conform. Where non-conformity exists, this is addressed in the Planning Appraisal section below.

Planning Appraisal

Design

The proposed outbuilding would have a footprint of approximately 51.15m² and whilst this is quite large, it would still be relatively modest in comparison to the rather large plot that the host property occupies. In addition, the proposed outbuilding would be constructed from materials that match the existing house and the approved extension which is currently under construction.

Concerns have been raised that the proposed outbuilding would be out of character with the surrounding area, however the outbuilding is of typical design and is the type of development you would expect to see in rear gardens within a residential area. In addition, there are a number of outbuildings, of varying sizes and scales, present within the rear gardens of the majority of properties within the vicinity of the application site and as such, it is considered that the proposed outbuilding would not be out of character with the surrounding area.

Concerns have also been raised in relation to the proximity of the outbuilding to the boundary with neighbouring properties. However it is fairly typical for an outbuilding to be close to a boundary and this can be seen from outbuildings within the vicinity of the application site. In this instance, the proposed outbuilding would be approximately 1.3m from the boundary with adjacent property 26 Arethusa Road and between approximately 1.8m and 2.6m from the boundary with the rear gardens of properties on Bedgebury Close and it is considered that these distances are acceptable, especially when considering that this is a larger gap than some of the outbuildings within the gardens of neighbouring properties and the outbuilding is approx. only 3m in height with a flat roof.

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 and paragraphs 131 and 135 of the NPPF.

Residential Amenity

The proposed outbuilding is a single storey flat roofed building within the rear garden and, whilst there is a difference in land levels across the rear garden, any overlooking that may occur from the proposed outbuilding, would not differ from any overlooking that would currently take place whilst an individual is stood within the rear garden and as such it is considered that there would not be any unacceptable levels of overlooking, over and above that which is already present, as a result of the proposed development.

It is considered that there would be no unacceptable impacts in terms of daylight, sunlight, and outlook, over and above that which is already present, arising from the proposed development. As such no objection is raised with regard to Policy BNE2 of the Local Plan or paragraph 135(f) of the NPPF.

Highways

As part of the proposals, the number of bedrooms overall at the property will increase by one and the outbuilding will be used as an annexe. However, the existing parking on site provides for a minimum of four off-street parking spaces which is in excess of Medways parking standards. There are no proposals to change this existing provision or the access.

The proposed development is not considered to impact highways safety and parking provisions. It would therefore be in accordance with Policies T1 and T13 of the Local Plan and paragraph 115 of the NPPF.

Trees and Hedges

Concerns have been raised in relation to the loss of trees and hedges and that this was not listed on the application form. However any trees or hedges that were previously within the rear garden were removed prior to the submission of this application. In addition, the proposed outbuilding would not be situated close enough to any remaining trees within the application site to cause any issues.

Other Matters

The outbuilding is proposed to be an annexe ancillary to the main property and an appropriate condition is recommended to ensure that the outbuilding is only occupied in association with the main dwelling and not as a separate dwelling.

Conclusions and Reasons for Approval

The proposed annexe is appropriately sited within the garden and of a size and design that fits in this location without causing harm to the amenities of neighbouring properties. Subject to the recommended conditions the annexe is considered to be acceptable and is in accordance with policies BNE1, BNE2, T1 and T13 of the Local Plan and paragraphs 115, 131, 135 and 135(f) of the NPPF.

The application would normally be determined under delegated powers but is being referred to the Committee as it has been called in by Councillor Murray.

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/>