

7 MC/08/1416

Date Received: 25 July, 2008

Location: 533 Mierscourt Road Rainham Gillingham ME8 8QZ

Proposal: Conversion of existing garage to form annex and construction of a detached garage to rear

Applicant: MR Quereshi

Agent: MR B L Cullen Kent Drawings Office 1, First Floor 25 High Street Rainham Gillingham, Kent. ME8 7HX

Ward Rainham South

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 31 March, 2010.

Recommendation - Approval with Conditions

(as amended by drawing received 10th February 2010)

- 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 All materials used externally on the conversion and new garage shall match those of the existing building.

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 1995 (or any order amending, revoking and re-enacting that Order with or without modification) no development shall be carried out within Class A of Part 2 of Schedule 2 of that Order 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 Policies BNE1 and BNE2 of the Medway Local Plan 2003.

- 4 The annexe hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling know as 533 Mierscourt Road, Rainham, Gillingham.

Reason. To ensure that the development permitted does introduce a form of flatted development at a later date.

- 5 Notwithstanding the submitted details, no work on the conversion shall take place until a plan detailing full size windows to the west facing elevation to secure the living room and bedroom within the hereby approved converted garage have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with those details prior to occupation and thereafter maintained.

Reason. To provide an adequate level of outlook from a habitable room.

For the reasons for this recommendation for approval please see Planning appraisal section and conclusions at the end of this report.

Site Description

The application dwelling is a detached chalet bungalow property located within a residential area. The immediate street scene comprises of other chalet bungalow properties within the immediate vicinity which are similar in design and style. The dwelling is set approximately 10m back from and perpendicular to the highway so that the attached double garage is the closest part of the dwelling to the highway.

Due to the siting of the property, the private garden areas are to the side with the larger (rear) garden area being to the south.

Proposal

The submitted application proposes the conversion of the existing attached garage to form an annex comprising bedroom, kitchen, bathroom and lounge which will all be accessed internally. It is also proposed to construct a replacement detached single garage to the south within the "rear" garden.

Relevant Planning History

HIS/98/65286 Roof, lounge and garage extension and conservatory
Approval 11 June, 1982

HIS/98/65288 Dormers to be constructed in roof.
Approval 9 August, 1985

HIS/98/65287 Proposed extension of dormers to the front and rear of dwelling
Approval 8 June, 1990

HIS/98/70963 Proposed erection of a conservatory
Approval 4 January, 1994

HIS/98/72006 Proposed garage extension to side of dwelling
Approval 30 June, 1995

Representations

Neighbour notification letters have been sent to the owner/occupiers of 531 and 533a Mierscourt Road and 21 and 22 Maryland Court of both the original scheme and the revised alterations.

Five letters of representation have been received from three separate addresses with the following points:

- The garage is too near to the neighbouring boundary,
- The rear elevation / roof of the garage will be ugly,
- The extent of driveway is too much,
- The annex is to be rented off,
- There will be a transmission of smells,
- The development will lead to a loss of well established shrubs

Development Plan Policies

South East Plan 2009

Policy BE1	(Management for an Urban Renaissance)
Policy T4	(Parking)

Medway Local Plan 2003

Policy BNE1	(General Principles for Built Development)
Policy BNE2	(Amenity Protection)
Policy T13	(Parking Standards)

Planning Appraisal

Street scene and Design

As originally proposed the conversion also included extension works with a new pitched roof being provided over the converted garage with dormer windows to facilitate accommodation within the roof space. This new build element has now been deleted as it was considered to be poor design and harmful to the street scene.

In terms of the annex accommodation the only external changes will be the replacement of the garage doors with windows and brickwork. This work is conditioned to be undertaken in materials to match the existing house and is acceptable. On the west elevation fronting the road there are two high level windows. In the conversion they will serve the living room and bedroom. There is concern that in terms of the bedroom there are no other windows and this will

provide a poor level of internal amenity. A condition is therefore recommended that these high level windows be changed to full height windows to match the proposed windows to the front and in visual terms this will be acceptable as well as providing the necessary internal amenity.

The annexe accommodation proposed is to provide a living room, small bedroom, bathroom and kitchen area. It is not proposed to have a separate external entrance and will be linked internally by two doors to the existing dwelling.

The proposed detached garage has been well designed, will have little impact on the street scene and indeed complements the existing garage to the neighbouring property. It is therefore acceptable.

The applicants have shown the existing hard standing being extended and taking up part of the “rear” garden. This is not totally necessary to serve the development and reduces the private garden area. However, this element does not require consent and is purely a matter of the applicant’s choice. In order to protect the street scene and character of the area as a result of the changes though a condition removing permitted development rights for further extensions and building works within the curtilage is recommended.

It is considered that the scheme has been well designed reflecting the character of the existing property and street scene and is in accordance with Policy BE1 of the South East Plan 2009 and Policy BNE1 of the Medway Local Plan 2003 subject to the conditions recommended.

Neighbour Amenities

The proposed windows to the converted garage will either face towards the road or towards the applicants own land. There will not therefore be any overlooking or loss of amenity to neighbours as a result. Internally satisfactory amenity can be achieved with the larger windows referred to above and conditioned.

In relation to the proposed garage, due to the distance from neighbouring properties and the height of the proposed garage, the proposal would not have a detrimental impact in terms of daylight, sunlight, outlook and privacy. The proposal is, therefore, in accordance with Policy BNE2 of the Medway Local Plan 2003.

Highways

The garage conversion would result in the loss of two parking spaces, however given the amount of off-street parking retained and proposed and the proposed additional garage, the proposal is considered to be acceptable and in accordance with Policy T13 of the Medway Local Plan 2003.

Conclusions and reasons for approval

The proposal would not be the first site where the garage would be converted, and those external alterations are relatively minor. The proposed annex retains a significant degree of internal connection with the main dwelling and the replacement garage is in accordance with neighbouring examples. There would be no impact on neighbouring property and an acceptable level of off street parking spaces would remain to serve the needs of the occupiers. The proposal would be in accordance with Policies BE1 of the South East Plan 2009 and Policies BNE1, BNE2 and T13 of the Medway Local Plan 2003.

This application would normally be determined under delegated powers but is being referred for committee determination due to the amount of representations received expressing views that are contrary to the recommendation.
