

MC/13/2726

Date Received: 29 October, 2013

Location: 7 Laurel Road, Gillingham, ME7 1NT

Proposal: Construction of a two storey side extension including internal alterations and the provision of 2 parking spaces to the rear

Applicant: SpaceÂ²

Agent: Mr McCarthy DCM Architectural Consultants 2 Whitbourne Court
Essex Street Whitstable Kent CT5 4WB

Ward Gillingham North

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 19 February 2014.

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:
7LR.PL01, PL02, PL03, PL04, PL05, PL06, PL07, PL08 and PL09

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

- 3 All materials used externally 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.

For the reasons for this recommendation for approval please see planning appraisal section and conclusion at the end of this report

Proposal

This application is for the construction of a two storey side extension including internal alterations and the provision of 2 parking spaces to the rear.

The development would be of the same footprint as a recently approved house on the site under reference MC/13/1599 but is now proposed as an extension. The development would be of hipped roof design with a projecting rear gable end and would comprise a lounge dining room and kitchen with the ground floor rooms renamed and at first floor level two bedrooms and a bathroom are proposed. There would be five bedrooms in total. A bay window is proposed to the front at ground floor level and to the rear, at lower garden level, a parking area is proposed to accommodate 2 cars accessed from a private access road.

Relevant Planning History

MC/03/1515	Construction of attached double garage to side Approved 20 August 2003
MC/13/1599	Construction of a dwelling on land adjacent to number 7 Laurel Road, Gillingham Approved 2 October, 2013

Representations

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

A Petition/letter on behalf of the residents of 8 properties in the area has been received objecting to the proposal on the following grounds:

- The purpose of the existing use and that of the extension is for business purposes as student accommodation
- The development would be out of character with the small private residential properties in the street
- Nuisance to residents caused by noise from the intensification in the use of the site
- Loss of privacy by overlooking of front windows through manoeuvring cars in the street
- Parking has restricted pedestrian movement and blocked the road
- Loss of light, outlook and closeness of extension to neighbouring property.

The letter also covers potential breach of covenants and states that only one amount of council tax will be paid. These are not material planning considerations.

In addition **6 copies of the same letter** but from individual properties have been received and a copy of a letter to be submitted to the applicant from the solicitor of the above mentioned properties has been received commenting about the potential breach of covenants.

The applicant has written in response to the letters of representation as follows:

- The allegations made are unfounded and there has been no breach of any obligations in the use of the property.
- The application is clearly for a family dwelling and not for student

accommodation.

- The legal issues alleged are not relevant in planning law and therefore should not be taken into account when considering a planning application.
- The plans clearly demonstrate the proposal as a family home. The elevations have been carefully designed to fit in with the street scene of Laurel Road.
- The proposed extension does not create any loss of light, outlook, or privacy to the surrounding properties. An extended family home would also not create any additional noise disturbance. The property is currently let out on a residential basis with the occupiers using the property as any other resident is entitled to.
- The current occupiers of the property use the road in the same manner as all other road users. The application includes additional parking spaces to the rear of the property which will improve on the current parking situation.
- There is already an approval for this property to build a new dwelling attached to No 7 Laurel Rd (Ref. MC/13/1599). The current application covers the same footprint as the previous proposal and is very similar in external design so as to complement the street scene. The parking provided will now serve just one property and so is an improvement in this regard over the planning permission already granted.

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003. The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework, 2012 and are considered to conform.

Planning Appraisal

Street Scene and Design

The proposed scheme would facilitate the enlargement of the property to the side and up to the southern boundary. The extension would be in line with the general building line in the street and would retain a front garden of a similar depth to others in the street. The width of the extension would be similar to the width of the main house and would not appear out of scale with the existing built form. While the proposed extension would infill the whole space to the side of the dwelling up to the side boundary of the site (including roof overhang), the character of the area is quite mixed and permission has been granted for a house on the same footprint as the extension now proposed.

The appearance of the proposed extension, with the use of a bay window, matching window design and pattern on the front elevation as the main house is also considered to be acceptable within the street scene subject to the use of external materials matching those of nos. 6 and 7. To the rear, the removal of high hedging and replacement with a parking area would have no adverse impact on the streetscape where garaging and parking already exists.

No objection raised to the design of the extension or its impact on the street scene and the proposal would comply with the objectives of Policy BNE1 of the Medway Local Plan 2003.

Impact on Amenities

Policy BNE2 of the Medway Local Plan seeks to ensure that the amenities of prospective occupiers and those of existing residents are safeguarded. Within the street the ground levels fall gradually from south to north with the proposed extension being at a ground level of about 1.35m below that of no.8 Laurel Road to the south. No windows are proposed in the southern flank wall. All of the dwellings in this street are two storey and the proposed development will not introduce a form of overlooking that does not already exist. The proposal will not cause unacceptable overlooking of neighbouring property. In terms of overshadowing, loss of daylight and impact on outlook the proposed dwelling will not harm neighbours' amenities in view of siting and distance.

Parking and Highways

The existing house does not have any off street parking and relies wholly on on-street parking. The proposal will provide two parking spaces at the rear which meets the requirements of Medway Council's adopted Vehicle Parking Standards. As such the proposal will improve off-street parking for the property and to a degree relieve potential competition for spaces, meeting the required levels for the property overall. The access and vision splays would safeguard potential pedestrian safety at the.

As such, the proposal meets with policy T13 of the Medway Local Plan 2003.

Local Finance Considerations

None relevant to this application.

Conclusions and Reasons for Approval

The proposed extension is of a size, design and location that is acceptable against policies BNE1, BNE2 and T13 of the Medway Local Plan 2003 and the NPPF. The application is therefore recommended for approval

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

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://planning.medway.gov.uk/dconline/AcolNetCGI.gov>