

MC/13/3271

Date Received: 16 December, 2013

Location: 14 Birling Avenue, Rainham, Gillingham ME8 7HB

Proposal: Construction of rear extension together with raising of roof height to form first floor level and insertion of dormer to rear and rooflights to front and side to facilitate conversion of bungalow to a house and with living accommodation within the roof (removal of chimney)

Applicant: Ms Waters

Agent: Mr Paine DP-Architecture 18 Odo Rise Gillingham Kent ME7 2WG

Ward Rainham North

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 12 March, 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:

Drawings 100 received 17 December 2013, 101 and 102 received 18 December 2013 and 104 received 20 February 2014.

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.

- 4 Before the additional accommodation hereby permitted is first brought into use, the additional two first floor windows on the western elevation serving

the bathroom and ensuite, shall be fitted with obscured glass and be non opening apart from any top hung fanlight that shall have a minimum floor to cill height of 1.7m measured from the internal floor level of the room they serve. Once installed, the windows shall be maintained in this form.

Reason: To ensure the development does not prejudice conditions of amenity by reason of unneighbourly overlooking of adjoining property, 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

This application proposes the construction of a part two storey part single storey rear extension together with the raising of the roof height of the bungalow to approx. 9.1m, an increase from the existing roof height by approx. 2.45m, to form a first floor level. The dwelling will retain its hipped roof form and a dormer will be inserted to the rear with two roof lights to the front elevation and one to the eastern elevation. These alterations will facilitate the conversion of the 2-bedroomed bungalow to a 7-bedroomed dwelling. A ramped access is proposed to the eastern side of the property of up to approx. 350mm in height and another to the front elevation of up to approx. 275mm in height.

The existing property is single storey and provides for a lounge, kitchen, bathroom, dining room and 2 bedrooms. As proposed the property would comprise a large kitchen/dining/living room, utility room, bathroom, living room and a bedroom at ground floor level. At first floor level 5-bedrooms (with one bedroom having an ensuite) and a bathroom and within the roof space a bedroom with en-suite.

Relevant Planning History

MC/06/2222	Raising of roof height and construction of two storey rear extension with insertion of four dormer windows to facilitate conversion of existing dwelling to a six bedroomed chalet bungalow (demolition of outbuilding to rear) Refused 6 September, 2007
MC/06/1606	Raising of roof height and construction of 2 storey rear extension with insertion of 5 dormer windows to facilitate conversion of existing dwelling to six bedroomed chalet bungalow (demolition of existing outbuilding to rear) Refused 16 October, 2006

Representations

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

Three letters of representation have been received with the following comments:

- The side access will create an invasion of our privacy and security.
- This is the only extension that exceeds the building line along the road and is far from in keeping with the streetscape of the avenue.
- Invasion of our privacy and light and sunlight would be diminished far too much.
- The proposed side entrance is of insufficient width to make a ramp access workable.
- The roof line appears to be far higher than other properties both adjacent and in the near vicinity and does not sit comfortably with the general look in the avenue.
- Drawings have been based on survey data which is at least 6 years out of date and the accuracy of the measurement in relation to proximity to neighbouring dwellings needs to be reviewed.
- The rear extension would appear to project c1800mm further than the neighbouring properties and would be overbearing in size and scale.
- The loss of the variety in property type on the avenue where bungalows and homes suited to the elderly are becoming rare.
- The impact on parking caused by another large dwelling on an avenue already choked with vehicles.
- The proposed roof height would also be out of scale with the rest of the properties on the avenue and would give an appearance of terracing and in-filling.

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

Background

In August 2006 a planning application was submitted seeking permission for the "raising of roof height and construction of 2 storey rear extension with insertion of 5 dormer windows to facilitate conversion of existing dwelling to six bedroomed chalet bungalow (demolition of existing outbuilding to rear) (ref: MC/06/1606). This was refused planning permission on the following grounds:

1) The proposed extension by virtue of its extent of projection to the rear would represent a dominant form of development when seen from the rear of the neighbouring properties. The design is considered inappropriate in terms of scale and proportion of the original footprint of the dwelling and in comparison with surrounding properties in conflict with policies QL1 of the Kent and Medway Structure Plan 2006 and BNE1 of the Medway Local Plan 2003.

2) The proposed extension, due to the siting of dormer windows in the roof, would cause significant loss of privacy to Number 13 Birling Avenue to the east and will cause loss of privacy to the garden of Number 15 Birling Avenue to the west. It would therefore be contrary to the provisions of Policy QL1 of the Kent and Medway Structure Plan 2006 and Policy BNE2 of the Medway Local Plan 2003.

3) The proposed balcony development would, by virtue of its siting and projection to the rear of the dwelling cause unacceptable loss of privacy to adjacent neighbours and would be contrary to Policy QL1 of the Kent and Medway Structure Plan 2006 and Policy BNE2 of the Medway Local Plan 2003.

On this application the projection of the rear extension was 7m from the western side of the rear elevation and 9.2m from the eastern side of the rear elevation.

In December 2006 a further planning application was submitted seeking permission for the "raising of roof height and construction of two storey rear extension with insertion of four dormer windows to facilitate conversion of existing dwelling to a six bed roomed chalet bungalow (demolition of outbuilding to rear)" (ref: MC/06/2222). This was refused planning permission on the following grounds:

1) The proposed extension by virtue of its extent of projection to the rear would represent a dominant form of development when seen from the rear of the neighbouring properties. The design is considered inappropriate in terms of scale and proportion of the original footprint of the dwelling and in comparison with surrounding properties in conflict with Policy QL1 of the Kent and Medway Structure Plan 2006 and Policy BNE1 of the Medway Local Plan 2003.

2) The proposed extension, due to the siting of dormer windows in the roof, would cause perceived overlooking into windows and roof lights of Number 15 Birling Avenue to the west. It would therefore be contrary to the provisions of Policy QL1 of the Kent and Medway Structure Plan 2006 and Policy BNE2 of the Medway Local Plan 2003.

On this application the projection of the rear extension was 4.5m from the western side of the rear elevation and approx. 6.8m from the eastern side of the rear elevation.

Street Scene and Design

The application site is situated within a residential part of Gillingham. The road slopes slightly down to the east. Within the vicinity there is on street and off road parking available. The properties within close vicinity are two storey houses and bungalows of semi-detached or detached form and therefore a variety of roof heights. The dwellings either side of the application property are two storey houses that have been extended to the rear and have dormers.

Due to the position in which the application property sits, in between two storey dwellings in this mixed character area, it is not considered that the proposal to form a two storey dwelling would adversely impact on the street scene. The proposal from

the front elevation will create a first floor level with a hipped roof, therefore maintaining the roof shape of the original bungalow along with the bay windows with gabled roof form above to the front elevation. From the street scene the proposal will sit well between the neighbouring properties with the overall roof height being lower than the neighbouring dwelling to the west and slightly higher by approx. 300mm than the property to its east. This works well with the slope in the road. The hipped roof maintains the space between the neighbouring properties and due to the extensions proposed being to the rear will not create a terracing effect to these properties.

To the rear the extension will be the full width of the bungalow and project out at single storey level from the western side of the rear elevation by 3m and by approx 5.150m from the eastern side. At two storey level the extension will be set back from the rear building line of the single storey extension by 2m leaving a flat roof to this single storey element. This pull back of 2m from the rear building line of the single storey extension maintains that the bulk of the two storey is within keeping with the projections of the neighbouring properties two storey extensions with only the ground floor projecting out slightly further. A dormer is proposed to the rear of flat roofed design and although this design is not ideal it is considered to work well within the hipped roof design and with its rendered finish will create a feature within the roof space. Roof lights are proposed evenly spaced within the front roof slope and one in the western roof slope; these are considered acceptable in design and position.

Two access ramps are proposed to the front and the eastern elevation. These are considered acceptable in design terms.

The development complies with the objectives of policy BNE1 of the Medway Local Plan 2003.

Amenity

Number 15 to the west has a driveway parallel to that of the application site. The side elevation of number 15 has a window in the gable end serving the landing/stairs, two windows at first floor level serving the landing and a bathroom and at ground floor level a window serving a utility room. The proposed application on its flank wall facing this property will introduce at ground floor level a further window serving a utility room and no concern is raised to this window in regards to loss of privacy due to its position and the existing approx. 2m high boundary fencing. Two windows at first floor level will be introduced to the property that will serve an ensuite and bathroom. Overlooking of the neighbouring property from these windows could occur and to overcome any potential privacy issues and considering these windows serve non-habitable rooms it is recommended a condition be imposed restricting these windows to be obscure glazed and non-opening apart from any top hung fan light no less than 1.7m from the floor level of the room it serves to the opening.

In terms of outlook from the neighbours' windows, as the windows in the side elevation of number 15 serve a bathroom and landing areas and these are not habitable rooms, any loss of outlook caused to these windows is considered minimal. The extent of projection to the rear does not directly impact on this neighbour in

terms of loss of outlook from any windows. The increase in loss of sunlight is minimal and any additional loss of daylight caused by the proposal to the non-habitable room windows on the side is considered minimal.

Number 13 to the east has various additions most notably a dormer in the roof, single storey extension to the western side and two storey extension to the eastern side of the rear elevation. There are no windows in the existing western side elevation of the property. The proposed development on its flank wall facing this property will introduce at ground floor level a new entrance door and ramped level access. As there are no windows in the flank of number 13 and the adjacent room is a garage there will not be any detrimental impact on neighbouring amenities. At first floor level a window is proposed serving a bedroom. In consideration of the position of this window it would not be significantly detrimental to the neighbours in terms of overlooking or privacy. Due to the path of the sun there will be some loss of sunlight in the afternoon for number 13; however it shades less than a quarter of the garden and therefore is not considered to be significantly detrimental to this neighbours amenities.

The introduction of first floor windows and the dormer to the rear will introduce overlooking to the rear gardens of neighbouring properties, but in consideration of existing mutual overlooking between the existing two storey dwellings within the vicinity it is not considered to be detrimental to the immediate neighbours in terms of loss of privacy.

With the above recommended condition imposed the proposal would therefore comply with policy BNE2 of the Medway Local Plan 2003.

Highways

The proposed development will convert the property from a two bedroomed bungalow to a seven bedroomed house. Since the application has been submitted a hardstanding area to the front of the property has been formed that provides 3 off road parking spaces. The development is therefore in accordance with the parking standards for a 3+ bedroomed dwelling. No objection is raised on highways grounds and the proposal would comply with the objectives of policy T1 and T13 of the Medway Local Plan.

Conclusions and Reasons for Approval

The application is has been designed to address the concerns raised with the previous applications and is now acceptable in design, amenity and highway terms. The proposal therefore accords with the above mentioned Development Plan policies and is recommended for approval.

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