

MC/14/0040

Date Received: 8 January, 2014

Location: 32 Coppertree Walk, Lordswood, Chatham, ME5 8TS

Proposal: Construction of a part two/part single storey side extension with single storey to rear - demolition of existing conservatory

Applicant: Mrs C Beadle

Agent:
Ward Lordswood & Capstone

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 20 May 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:
Drawing Number(s) 3, 4, 6, 7 and 8 received on 30 January 2014; Drawing Number 4.1 received on 17 February 2014; and the site plan received on 19 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 No development shall take place until a Tree Protection Plan (TPP) and method statement have been submitted to and approved in writing by the Local Planning Authority. The TPP and method statement shall detail the siting of existing protected trees on and immediately adjacent to the site and the means by which they shall be protected. Furthermore the TPP and method statement shall include: details of the siting and storage of any materials, waste or equipment to avoid the root protection areas; details of surface water drainage routes from the extension itself; the siting and type of protective fencing that shall be erected prior to any works being carried out

and the means by which the existing conservatory shall be demolished without damaging the protected trees or their root systems. The approved details shall be maintained on site for the duration of the works.

In this Condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs a) and b) below shall have effect until the expiration of 5 years from the date of occupation of the building for its permitted use.

- a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any pruning approved shall be carried out in accordance with British Standard 3998 (Tree Work).
- b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.
- c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this Condition and the ground levels within those areas shall not be altered, nor shall any excavation be made without the written consent of the Local Planning Authority.

Reason: Pursuant to condition 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Policy BNE1 and BNE6 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

Construction of a part two/part single storey side extension with single storey to rear
- demolition of existing conservatory

The development would provide a games room/study, dining room, enlarged kitchen and w/c at ground floor level and fourth bedroom, dressing room and bathroom / wc at first floor level. The development would project 3.3m to the side (the current conservatory being 4.2m) and 2m to the rear (single storey). The extension would have a gable ended design. The development would be set back 1m from the existing frontage.

Relevant Planning History

MC/07/0545	Construction of one 3-bedroomed end of terraced house Decision Refusal Decided 29/05/2007
MC/98/0401/MG	Erection of a conservatory to side of dwelling. Decision Approval with Conditions Decided 26 June, 1998
ME/90/1032	Inclusion of land for use as garden area Decision Approval with Conditions Decided 12/03/1991

Representations

Neighbour notification letters have been sent to adjacent owner occupiers:-

Three letters of representation have been received objecting to the proposal on the following grounds:

- the owners of the property were previously advised that only a conservatory would be acceptable to the side due to the impact on the existing tree
- loss of light
- no permission would be given for access across neighbouring gardens to facilitate the works
- the existing vehicle turning area is used as a parking bay which obstructs the public highway and turning within the cul de sac to the rear
- loss of privacy and sunlight
- the development would increase competition for parking spaces, restrict emergency access for vehicles, and increase noise levels from parties.

The applicants have written in to explain the following in support of their application

- Advice has been sought from the Council's tree officer and reflected in the scheme to prevent adverse impact on the health and stability of nearby trees
- no access was required for the survey in neighbouring properties
- the siting of the development would not have an adverse impact in terms of sunlight daylight or privacy (obscure glazing is proposed at first floor level)
- building materials and storage will be on the existing paved patio area to the rear of the garden
- three parking spaces and a garage serve the application property and there is parking on street within the vicinity
- there will be no increase in the number of people living on site and the development will improve floorspace for the occupants
- noise levels will be no greater than the existing situation

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, 2012 and are considered to conform.

Planning Appraisal

Main Issues

This application falls to be assessed against the policy in the Local Plan that relates to the impact of the proposal on the street scene, neighbours amenity and the highway.

Principle

The principle of an extension is generally accepted in this residential area. The property is a two storey end of terraced house with relatively large side and rear garden. The garden has protected trees within. A conservatory to the side of the property is within proximity to one of the trees but the tree is located on soft landscaping at a lower level to the property. To the rear the property has a paved rear garden area with access to parking on the south western side of the plot. There is general overlooking between gardens from first floor level windows in particular. An area of amenity land exists to the north and a school playing field to the east.

Design

The proposed design would be complimentary to the appearance of the property with the set back at first floor level to the front, drop in ridge height and the modest projection to the side and rear. With the gable approach taken and taking into consideration the size of the plots and views of the development from surrounding gardens, the public footway and amenity land, the development would be considered to comply with the objectives of Policy BNE 1 of the Local plan.

Amenity

The impact on neighbouring properties is considered with regard to privacy protection, visual dominance and potential loss of outlook, loss of daylight and shadow cast/loss of sunlight. Due to siting from the boundaries, distance from neighbouring properties, orientation of plots, and current overlooking between gardens no objection is raised.

The proposal would therefore comply with policy BNE2 of the local plan

Trees

There are protected trees within the applicants garden. It is considered important to protect these trees with consideration given to storage of materials, movement of

works vehicles around the site and impact on footings where the development may require the removal of the existing conservatory base and laying of new foundations. The works can potentially be undertaken without detriment to nearby trees provided a method statement is provided of how this will be achieved and appropriate mitigation measures are undertaken on site before and during the course of construction. It is considered appropriate to approve the application with tree conditions to ensure details of the tree protection measures are provided and adhered to. This is to ensure that the trees are protected during construction. With such measures in place, the development would accord with the objectives of policy BNE43 of the Local plan.

Highways

There are no highway implications resulting from this proposal. Parking is provided on site that would meet the interim parking standards applied and therefore no objection is raised on highways grounds. The proposal would comply with the objectives of policy T1 and T13 of the local Plan.

Local Finance Considerations

There are no local finance considerations.

Conclusions and Reasons for Approval

The application is considered to accord with the above mentioned development plan policy and is recommended for approval.

This application would normally fall to be determined under delegated powers but has been referred to Committee due to the number of representation received contrary to the Officer's 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>