

MC/15/0106

Date Received: 15 January, 2015

Location: 666 Lower Rainham Road, Rainham, Gillingham, ME8 7TY

Proposal: Construction of a two storey front extension to existing workshop and re-location of existing fuel tank

Applicant: Berengrave Service Station

Agent: Mr Montgomerie LJM Drafting & Design 48 Shanklin Close
Walderslade Chatham Kent ME5 7QL

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 4 March 2015.

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:
02B received 22 January 2015.

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. and the proposed shutter shall be painted red to match the red on the 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 The landscaping shown on drawing 02B received 22 January 2015 shall be planted within two months of the first growing season after the development is brought into use and shall be maintained in perpetuity.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality.

For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.

Proposal

This application seeks planning permission for the construction of a two storey front extension to the existing workshop and relocation of the existing fuel tank. The plans show the existing situation as per the plans approved under reference MC/14/2569). This additional extension will result in the approved two storey front extension being approx. 3.3m wider than that which was approved. The roof height will remain the same as approved at approx. 4.9m. The proposals will result in an improved layout of the new service bay approved under MC/14/2569 so vehicles are able to drive straight in rather than at an angle.

Relevant Planning History

MC/14/2569	Construction of a double height side extension to existing garage space Decision Approval with Conditions Decided 30 October 2014
MC/02/1296	Retrospective application for construction of single storey extension to rear of workshop. Decision Approval with Conditions Decided 24 October, 2002
MC/01/1450	Application for Lawful Development Certificate (existing) for repair of a building and continued use as a service bay/workshop Decision Approval with Conditions Decided 16 October, 2001
MC/00/0680	Alterations to existing roof and installation of new doors to front of garage. Decision Approval with Conditions Decided 13 June, 2000
97/0681/MG	Proposed Change Of Use From First Floor, Residential Unit To Office Accommodation, With Associated Staff Car Parking Decision Approval with Conditions Decided 15 April, 1998
GL/97/0073/60/0167	Proposed erection of a single storey extension to provide sales office to replace existing temporary structure Decision TPO Decided 3 October, 1997
GL/95/0396/60/0167	Proposed retention of portable building for a further temporary period

Decision Approval with Conditions

Decided 18 August, 1995

GL/92/0183/60/0167

Proposed siting of a portable building for office use

Decision Approval with Conditions

Decided 29 May, 1992

GL/60/67/91/295

Proposed installation of 1,500 gallon diesel tank and erection of fence at petrol filling station

Decision Approval with Conditions

Decided 07/06/1991

GL/60/167/91/38

Proposed extension to the counter service area of the service station

Decision Approval with Conditions

Decided 22/02/1991

GL/60/167H

Erection of canopy over petrol pumps.

Decision Approval with Conditions

Decided 09/01/1987

GL/60/167G

Extension to form a new M.O.T. Test bay.

Decision Approval with Conditions

Decided 02/06/1977

Representations

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

Seven letters of objection have been received. Concerns raised include:

- Noise pollution
- Pollution
- Congestion – when cars and fuel is being delivered
- Waiting and facilities – it is felt that the site is at capacity and cannot expand further in this rural location
- Sunday trading – recently the garage has been open Sundays (*there is no overall planning restriction on opening hours other than for a small part of the workshop to the rear which restricts hours to 8am-6pm Monday to Saturday. The remainder of the site has no planning restriction with regard to opening/operating hours*)

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

Principle

The application site is located within a rural settlement in Rainham. Policy BNE26 of the Medway Local Plan 2003 states that business development proposed within or on the edge of villages and other rural settlements will only be permitted when the development is small in scale, appropriate to the size of the settlement, and without detriment to the amenity, character or setting of the village. This proposed extension to this small business is considered small in scale and therefore the principle of this extension is considered acceptable. The application therefore turns to be assessed by the criteria below.

Design

The application site is a garage which offers vehicle repairs, MOTs, fuel, a shop and car sales. There are residential properties surrounding the site. The proposal, if approved, will provide a double height space to allow the garage to service much large vehicles as well as a bay for cars and differs from that approved under MC/14/2569 in that the larger vehicles will be able to drive straight into the bay rather than in at an awkward angle. This requires an extension and the relocation of the fuel tank. The large double doors will be replaced with roller shutters. In terms of scale and proportion the proposal is not considered large and will not dominate the original building. The first floor element will be set down from the main roof height by approx. 1m and therefore will appear subservient. The flat roof design matches that which exists and the roller shutter is of a design that would be expected on such a commercial building. The colour theme of the building is red and white and the roller shutter will complement the property if painted red. A condition is therefore recommended to ensure it is painted red.

The relocation of the existing fuel tank will result in rotating it so its length is adjacent to the boundary of number 664 Lower Rainham Road. The tank measures 4.6m in length, 2.8m in width and 2.06m in height and this will remain the same. A new surround will be built that is similar to that which exists. The applicant is proposing some planting to this boundary to aid in screening the tank. The height of the tank is approx. 6cm higher than what would be allowed to be built under permitted development along this boundary as a form of enclosure. The applicant would therefore be able to build a fence along this boundary to a height of 2m without requiring planning permission. The tank surround is only slightly over this and therefore no objection is raised. The introduction of soft landscaping around the tank compound is welcomed and given the tank will be slightly closer to the road a condition is recommended to ensure this is undertaken.

The proposed alterations therefore accord with policy BNE1 of the Medway Local Plan 2003 and the advice given in the NPPF (section 7).

Amenity

Number 664 is located to the west of the application site. The proposed additional two storey element will result in no additional build along this boundary but rather the

'squaring off' of the building. It will result in the fuel tank being relocated with the length extending along the boundary rather than just the width (which is the current situation). As stated above, the compound within which the tank will be situated, will be only 6cm higher than what would be permitted under the General Permitted Development Order for enclosures. The applicants could therefore erect a fence along the boundary of 2m height without requiring planning permission. The relocation of the tank and additional extension set away from the boundary will therefore have no detrimental impact on this property in terms of loss of outlook, privacy, sunlight or daylight.

179 Berengrave Lane is located to the south of the application site. It is a sufficient distance from the first floor element to ensure there is no loss of amenity in terms of loss of outlook, sunlight or daylight. No windows are proposed to the rear at first floor level and therefore there will be no loss of privacy. Neighbours to the front are over 20m away from the proposals and therefore no concerns are raised with regard to loss of amenity for these neighbours.

There have been a number of objections regarding noise. The extension to the workshop will contain the noise from the activities and therefore will be of benefit to the surrounding residents where work is currently undertaken in the open air. The site has no planning conditions regarding opening hours (other than a small part to the rear of the workshop adjacent to no. 664) and therefore it is not considered reasonable to impose a planning condition restricting opening hours on this 3.3m wide extension.

The proposals therefore accord with policy BNE2 of the Medway Local Plan 2003. Accordingly no objections are raised with regards policy BNE2 of the Medway Local Plan 2003 and para. 17 of the NPPF.

Highways

The proposal will not result in any additional vehicles or the loss of any parking provision and therefore no objection is raised on highways grounds.

Local Finance Considerations

None relevant.

Conclusions and Reasons for Approval

The proposed two storey front extension is considered in keeping with the scale and proportion of the existing building and the design is such that it will complement the existing site. The proposals, including the relocation of the fuel tank, will have no detrimental impact on the street scene or neighbouring amenities and therefore accords with the abovementioned policies and is recommended for approval.

This application would normally fall to be determined under officer's delegated powers but is being reported for Members' consideration due to the number of letters of representation expressing a view contrary to the officers' 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://publicaccess.medway.gov.uk/online-applications/>