

MC/16/0898

Date Received: 25 February, 2016

Location: 9 Clematis Avenue, Wigmore, Gillingham, ME8 0TB

Proposal: Construction of a part two storey side/part single storey rear extension with roof lights

Applicant: Mr Haque

Agent: Mr T Hawkins Coteq Ltd 187 Edwin Road Gillingham Kent ME8 0AH

Ward Hempstead & Wigmore

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 29 June 2016.

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 numbers 00001 Rev A and 0002 Rev A received on 28 March 2016.

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 The shower room window in the ground floor south facing side elevation shall be fitted with obscure glass and apart from any top-hung light, that has a cill height of not less than 1.7 metres above the internal finished floor level of the room it serves, shall be non-opening. This work shall be carried out and completed before the room is occupied and shall be retained at all times thereafter.

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 is for the construction of a part two storey side/part single storey rear extension with roof lights.

The proposed two-storey rear and single storey side extension would have a width of approx. 7m at ground floor level with first floor width of approx. 6.4m with a rear projection of approx. 4.5m. The two storey rear extension would have a hipped roof with the eaves height of approx. 5m with a ridge height of approx. 7.1m. The two-storey rear extension would be set approx. 2.2m from the southern boundary.

The single storey side extension would project a maximum of approx. 1.8m from the side elevation and due to the angle would have a minimum projection of approx. 1m. The side extension would be of flat roof construct with a height of approx. 2.8m.

Relevant Planning History

MC/14/3040	Construction of a single storey side/rear extension linking to altered and converted garage Decision Refusal Decided 29 December, 2014
HIS/98/60030	Erection of detached house with detached garage at rear of house (as amended plan received on 3/12/75). Decision Approval with Conditions Decided 14 January, 1976
HIS/98/88668	Outline application - The erection of a detached house and garage. Decision Approval with Conditions Decided 23 March, 1973

Representations

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

8 letters of representation have been received, 3 of which are copies, making the following summarised comments:

- detrimental to the character
- would set a precedent for other large extensions

- objecting on size and positioning
- overdevelopment of the site
- loss of privacy
- loss of light

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

Streetscene & Design

9 Clematis Avenue is a two storey, detached dwelling located within a residential area. The property benefits from a detached double garage to the rear. The properties in Clematis Avenue are two storey, detached properties with garages, front gardens and generous gaps separating them from the neighbouring properties. The character of the area is of large, spacious and open plots with driveways. The gaps between the properties are generous, adding to the character of the area. The boundaries are approx. 2m high brick walls to the side and approx. 2m high close board fencing to the rear.

The applicant during the early stages of the application revised the proposal of their own accord, the amendments show the removal of the first floor side extension (proposed to serve an en suite) and to insert a two storey extension to the rear to enlarge the room labelled as bedroom 1. The proposed extension would be situated to the side (south facing) and rear of the dwelling. The single storey side extension would be visible from the streetscene, however the two storey element of the proposal would only be clearly visible from the surrounding rear gardens. There is both on street and off road parking available.

Whilst the addition of the second storey would introduce a new feature to the rear with respects to the hipped roof, it is not considered to have a detrimental impact on the host property and therefore is considered acceptable. Furthermore the single storey extension to the side would have a flat roof. Whilst not considered a good design feature, due to its limited appearance on the streetscene, it would not be considered to have a severe impact on the existing streetscene and therefore would be acceptable.

The proposed development would be in keeping with character of the host dwelling and would appear to be in proportion to the size of the host property. There are no objections raised in relation to design and the development is considered to conform with Policy BNE1 of the Medway Local Plan 2003.

Residential Amenities

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.

The development would not introduce any direct loss of privacy. The plans show there would be a window to the side elevation to serve a bathroom, it is considered that due to its location and nature of the room, a suitably worded condition requiring it to be obscure glass is recommended.

In terms of any loss of sunlight or daylight, the two-storey rear extension would be a moderate addition to the property and would be positioned approx. 1m from the side boundary with No. 10 and approx. 6m from the side boundary with No. 8. Due to the orientation of the host property and position of the rear extension, the shadowing would fall towards to the north in the direction of No.8. Due to the distance between the host property and the immediate residential amenity space of No.8, it is not considered that the proposal would introduce any level of overshadowing that is considered detrimental to the amenity of the occupiers.

With regards to outlook, an assessment has been made from the neighbouring property rear elevation windows at ground floor and first floor level. The assessment demonstrates that there would be no significant impact on No.10. In relation to loss of daylight, it is noted that No.10 has a window to the side elevation that serves the kitchen area, it is considered that whilst there would be some loss daylight to the kitchen, as there is second window that serves the room the impact would not be considered to be at a level that would justify refusal of the application.

With regards to overdevelopment and any overbearing impact on No.10, there is a distance of approx. 3m between the two storey extension and the neighbouring property, therefore it would not be considered that the proposal would have a significant and detrimental affect on the neighbouring property.

Overall, the proposed development conforms to the objectives of Policy BNE2 of the Medway Local Plan 2003.

Highways

The proposed development would not result in any increase in the number of bedrooms. The Councils interim parking standards require that a four bedroom property provide two off street parking spaces. The applicant's front driveway is able to accommodate more than two cars. As such it is considered that the proposed development conforms to the objectives of Policy T13 of the Medway Local Plan 2003.

Other Matters

With regards to the Planning Covenant on the land at 9 Clematis Avenue, it should be noted that if a covenant is in place, that the existence of planning permission does not remove the legal impediment and appropriate legal advice should be sought before development commences.

Conclusions and Reasons for Approval

The proposed extension is an acceptable addition to the host dwelling and would not dominate the character and appearance of the street scene in general. The proposed development would not impinge on residential amenity or the highway and is considered to conform to the objectives of Policies BNE1, BNE2 and T13 of the Medway Local Plan 2003. Subject to conditions, the proposal is recommended for approval.

This application would normally be determined under delegated powers but is being referred for determination by Planning Committee due to the number of representations which have been received expressing views contrary to the Officer recommendation.

This application was considered by Members at the Planning Committee on the 1 June 2016, when it was determined to defer for further clarification of issues.

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/>