

MC/16/4518

Date Received: 4 November, 2016

Location: 9 Clematis Avenue Wigmore Gillingham ME8 0TB

Proposal: Construction of a part two storey /part single storey rear extension with roof lights (Resubmission of MC/16/0898)

Applicant: Mr Haque

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

Ward Hempstead & Wigmore

Case Officer Robert Neave

Contact Number 01634 331700

---

**Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 15 February 2017.**

**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 00004R rev B received 20 December 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 on the first floor side (south facing) 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/part single storey rear extension with roof lights (Resubmission of MC/16/0898)

The proposed two-storey rear and single storey rear extension due to the angle would have a maximum width of approx. 5.7m, the ground floor level would project approx 6.6m from the rear elevation with the first floor rear extension projecting approx 4.5m. With regards to the roof, the two storey aspect would have a hipped roof with the eaves height of approx. 4.8m with a ridge height of approx. 7.3m and the ground floor would have an eaves height of 2.4m and a ridge height of 3.6m.

## **Relevant Planning History**

MC/16/0898	Construction of a part two storey side/part single storey rear extension with roof lights  Decision Approval With Conditions Decided 30 June, 2016
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.

**3 letters** of representation have been received objecting to the proposal and a further **two letters** making comments which can be summarised as:

- detrimental to the character
- overdevelopment of the site
- loss of light
- overbearing

All other matters raised that are not listed above are non material considerations and therefore not taken into account when determining the application.

### **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 application revised the drawings after it was noted that a drafting error relating to windows on the existing side elevation (south facing) had occurred. 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.

The addition of the second storey would introduce a new feature to the rear and with respect to the hipped roof, it is not considered to have a detrimental impact on the host property and therefore is considered acceptable. The ground floor rear extension would have a similar style hipped roof and no objection would be raised in terms of design.

The proposed development would be in keeping 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.

---

## **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/>