

MC/17/3738

Date Received: 31 October, 2017

Location: 100 Jarrett Avenue, Wainscott, Rochester, ME2 4NG

Proposal: Retrospective application for construction of a dormer window to rear to provide additional living accommodation within roof space

Applicant: Mr H Nirwan

Agent: Mr S Nagpal Design and Plan Consultants Ltd 14 Leechcroft Avenue Sidcup Kent DA15 8RS

Ward Strood Rural

Case Officer Amanda Grout

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 20 December 2017.

Recommendation - Refusal

- 1 Due to the siting, size and proportion of the dormer in relation to the roof slope, the development results in bulky and unattractive addition that is dominant, overbearing and detrimental to the visual amenity of the locality and the appearance of the existing property when viewed from the surrounding neighbouring rear gardens and the recreation ground to the rear. The development is contrary to Policies BNE1 and BNE2 of the Medway Local Plan 2003 and Paragraphs 17 and 56 of the NPPF.

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

Proposal

Retrospective application for construction of a dormer window to rear to provide additional living accommodation within roof space.

Relevant Planning History

MC/17/2515	Retrospective application for the formation of hip to gable end, two storey side extension, single storey rear extension, dormer to the rear and installation of rooflights to front and rear
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Refusal
16 October, 2017

- MC/17/1140 Part retrospective application for the formation of hip to gable end, two storey side extension, single storey rear extension, dormer to the rear and installation of rooflights to front and rear (removal of existing first floor rear projection and alterations to existing extensions and dormer)
Approval With Conditions
25 May, 2017
- MC/16/1798 Construction of a 2 storey side and part rear extension with garage to be converted into habitable space with front Porch
Approval With Conditions
29 July, 2016
- MC/16/1963 Application for a Lawful Development Certificate (Proposed) for formation of a gable end, construction of a dormer window to rear and installation of roof lights to front to provide additional living accommodation within roof space
Approval
27 June, 2016
- MC/16/1828 Neighbourhood consultation application for the construction of a single storey rear extension.
The details submitted are as follows:
The extension will extend beyond the rear wall by 6m
The maximum height of the proposed extension from the natural ground level is 2.925m
The height at eaves level of the proposed extension measured from the natural ground level is 2.8m
PD - Approval with Conditions
26 May, 2016

Representations

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

Two letters of representation have been received; one from Frindsbury Extra Parish Council with no objections and a request for the application to be taken to Planning Committee and one letter of support from a local resident.

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

Background

As listed under Planning History above, several applications have come forward relating to this property.

An enforcement case was opened (ENF/16/0431) following an enquiry received from a local resident on 5 October 2016 with the following description:

Without the benefit of planning permission, the erection of various single storey and two storey extensions including dormer to rear, alterations to roof and increase of ridge height.

The enquiry made particular reference to the dormer to the rear and encroachment onto the neighbouring property's roof (No. 98).

An initial site visit was undertaken on 27 October 2016 where it was clear that different elements from planning applications MC/16/1828, MC/16/1963 and MC/16/1798, had been incorporated into the build that was, at the time of the site visit, being undertaken. The development overall was at odds with the host property in terms of design and scale which resulted in an unacceptable built form that was both detrimental to the host property and the character of the area.

A letter was sent to the owner on 3 November 2016 to cease works on the property and to make contact with the Planning Department.

A pre-application was submitted 7 December 2016 (PRE/17/4842) to discuss regulating the breach and a part-retrospective planning application (MC/17/1140) was received on 27 March 2017 with the following description:

Part retrospective application for the formation of hip to gable end, two storey side extension, single storey rear extension, dormer to the rear and installation of rooflights to front and rear (removal of existing first floor rear projection and alterations to existing extensions and dormer).

This application sought to address the issues raised under the enforcement case which included a smaller dormer to the rear. This application was approved subject to the following conditions:

1. *The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Numbers 05, 06 and 07 received 28 March 2017.*

Reason: For the avoidance of doubt and in the interests of proper planning.

2. *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.

3. *The development and alterations to the existing dormer window hereby permitted and as shown in approved drawing numbers 06 and 07 received 28 March 2017 shall be completed within three months from the date of this permission.*

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

On 17 July 2017 a further application MC/17/2515) for; *Retrospective application for the formation of hip to gable end, two storey side extension, single storey rear extension, dormer to the rear and installation of rooflights to front and rear* was received. This application included the existing larger dormer and was refused for the following reason:

1. *Due to the siting, size and proportion of the dormer in relation to the roof slope, the development results in bulky and unattractive addition that is dominant, overbearing and detrimental to the visual amenity of the locality and the appearance of the existing property when viewed from the surrounding neighbouring rear gardens and the recreation ground to the rear. The development is contrary to paragraphs 17 and 56 of the NPPF and Policies BNE1 and BNE2 of the Medway Local Plan 2003.*

In relation to Condition 3, of MC/17/1140, no alterations were made within three months of the decision date and a Breach of Condition Notice was issued on 19 October 2017 under reference ENF/17/0293.

The current application seeks permission for the larger dormer as existing and has not altered from the previous refused application.

Design and Impact on Streetscene

Policy BNE1 of the Medway Local Plan 2003 (Local Plan) requires extensions to respect the scale and appearance of buildings and to be satisfactory in relation to scale, mass and proportions. This is consistent with the National Planning Policy Framework (NPPF) which states that new development should respond to the local character, reflect the identity of local surroundings, be visually attractive as a result of good architecture and add to the overall quality of the area.

The application property is a two storey semi detached dwelling located within a residential area with recreation ground to the rear. The property benefits from a modest garden to the rear and off road parking to the front for approx. two vehicles.

Apart from a smaller dormer to the rear of No. 96 which has a more subservient appearance to the host dwelling, there are no other rear dormers in the vicinity. Whilst an addition of a dormer to a dwelling house can normally be carried out under Class B of the Town and Country General (Permitted Development) (England) Order 2015 as amended, this would be subject to meeting all the criteria set by the legislation including setting any such dormer away from the party wall with the neighbouring

properties and away from the eaves including siting below the ridge of the original roof.

In this instance, the dormer to the rear extends across the full width of the original roof slope of the dwelling and sits higher than the ridge height which is clear by both the size of the replacement ridge tiles when viewed from the front of the property and when viewed at the rear in comparison to the adjoining neighbour and the shared chimney. It has a dominant, overbearing and bulky appearance out of keeping with the area and has a detrimental impact when viewed from the rear garden of the adjoining property No. 98 and from the recreation ground to the rear.

In light of the above, the development is considered to be contrary to Policy BNE1 of the Medway Local Plan 2003 and paragraphs 17 and 56 of the NPPF 2015.

Amenity

When standing in the rear garden of the adjoining property No. 98, the dormer has an imposing, dominant and overbearing impact, detrimental to the visual neighbour amenity of the occupiers of No. 98.

In light of the above, the proposal is considered to be contrary to Policy BNE2 of the Medway Local Plan 2003.

Highways

The hardstanding to the front of the property provides parking for two cars which would accord with the Medway Interim Parking Standards and would therefore accord with Policies T1 and T13 of the Medway Local Plan 2003.

Local Finance Considerations

There are no local finance considerations.

Conclusions and Reasons for this Recommendation

Due to the siting, size and proportion of the dormer in relation to the roof slope, the development results in bulky and unattractive addition that is dominant, overbearing and detrimental to the visual amenity of the locality and the appearance of the existing property when viewed from the surrounding neighbouring rear gardens and the recreation ground to the rear. The development is contrary to paragraphs 17 and 56 of the NPPF and Policies BNE1 and BNE2 of the Medway Local Plan 2003.

The application would normally be determined under delegated powers but is being referred to Members for determination at the request of Councillor John Williams, local ward councillor for Strood Rural.

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/>