

MC/18/0433

Date Received: 6 February 2018

Location: 1 Ashby Close Halling Rochester ME2 1DF

Proposal: Construction of a first floor extension to side

Applicant Mr Tony Eaton

Agent Mr Paul Fowler 1 Discovery Road  
Maidstone  
Kent  
ME15 8HF

Ward: Cuxton And Halling Ward

Case Officer: Hayley White

Contact Number: 01634 331700

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**Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 6th June 2018.**

**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: Proposed Plans and Elevations (revised) received 19 March 2018.

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 window to the side elevation on the first floor of the proposed first floor side extension shall be fitted with obscure glass. 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 originally sought the construction of a single-storey side extension to existing garage and a first floor extension to side. The application has since been amended and re-consulted for the construction of a first floor side extension only. The proposed first floor side extension would create an additional bedroom with an en-suite shower room.

### **Relevant Planning History**

None.

### **Representations**

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

**Halling Parish Council has objected to the proposal** for reasons that it is believed the proposed scheme would result in a significant loss of light for the adjacent listed dwellings on the High Street, in conjunction with non planning considerations.

**2 letters of representation have been received both objecting to the proposal on the following grounds:**

- Loss of light for adjacent listed building No. 124 High Street as a result of the development
- Adjacent dwelling No. 124 is already compromised with light levels
- No. 124 High Street is a listed building, and thus there would be little mitigation measures that could be put in place to mitigate any impact from the proposed development.
- Loss of privacy
- Loss of outlook/views to the church
- Loss of parking
- Non planning considerations

The proposed scheme has since been amended, and the Parish Council and neighbours were re-consulted on 5 April 2018; no further representations were received.

## **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**

### *Design*

No. 1 Ashby Close is located within a cul-de-sac in a residential area and lies adjacent to a grade II listed building: 'Manor House' (No. 122 & 124 High Street). The street scene is comprised of two storey detached and semi-detached properties. The site also lies directly adjacent to the Halling Conservation Area.

The original proposed scheme sought a first floor side extension above the existing garage to accommodate a further bedroom and en-suite. The original proposed design saw a dominant, bulky and overbearing extension that would cantilever the entire length of the garage to create a spacious fourth bedroom with en suite facilities. This, in conjunction with an awkwardly designed shallow-pitched roof resulted in a design that would be inappropriate in terms of scale, appearance and proportion in relation to the character and functioning of the Conservation Area and Street Scene. These concerns were also raised by the Local Planning Authority's Senior Conservation Officer.

Amended plans were submitted to show an amended roof design, no extension to the existing garage and such that the extension would not cantilever the length of the garage. The amended plans have largely reduced the bulk of the scheme and improved the roof design so that it would better reflect, and be in keeping with, the street scene and Conservation Area. Overall, the newly proposed scheme would not detract from the host dwelling or street scene and would be considered acceptable in terms of scale, proportion and design and thus would accord with Policies BNE1, BNE12 & BNE14 of the Local Plan.

### *Amenity*

A sun on ground indicator test was conducted to assess the impact on the levels of light/shadowing for the adjacent neighbouring properties at times of 12pm, 2pm and 4pm for both the existing and amended proposed plans. The test results showed that, due to the natural path of the sun and orientation of the site, there was no significant difference between levels of light between the existing and proposed scheme. The proposed scheme resulted in slightly more loss of light/ overshadowing for both No. 122 and No. 124 High Street at 2pm, but predominantly for No. 124. However, this is not considered to have a significant impact on No. 124 for it to warrant refusal.

The amended scheme would see a reduction in the development's original overbearing nature and would reduce the loss of outlook for neighbouring dwellings. The proposed window to the first floor elevation would result in some overlooking into the adjacent neighbour's rear gardens and thus a condition is recommended to condition this window obscure glazed. Overall, subject to the recommended condition, the proposal would be in accordance with Policy BNE2 of the Medway Local Plan (2003).

### *Highways*

The proposed development would see the existing garage remain, whilst the existing car parking arrangements would meet Medway's residential car parking standards for a dwelling with 3 bedrooms and above. The proposed development would not significantly impact the existing highways or car parking arrangements and would comply with Policy T13 of the Local Plan.

## **Conclusions and Reasons for Approval**

Subject to the condition recommended, the proposed scheme would not be detrimental to the character of the Conservation Area and street scene, and would not significantly impact the residential amenity or existing parking provisions or highways. Therefore, the proposal is in accordance with Policies BNE1, BNE2, BNE12, BNE14 & T13 of the Medway Local Plan (2003) and Paragraphs 17 & 56 of the NPPF (2012).

The application would normally be determined under delegated powers but is being referred to Planning Committee for determination due to representations received from residents and Halling Parish Council expressing views contrary to the officer's recommendation.

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## **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://publicaccess1.medway.gov.uk/online-applications/>