

MC/20/1064

Date Received: 11 May 2020

Location: 51 Shepherds Gate Hempstead Gillingham Medway

Proposal: Demolition of existing garage and construction of a two storey extension to side to facilitate additional living space (Resubmission of MC/19/3081)

Applicant Mrs Carley Smith

Agent DKM Consultants Ltd
Mr David Meaney 82 Longfellow Road
Gillingham
Medway
ME7 5QQ

Ward: Hempstead And Wigmore Ward

Case Officer: Nick Roberts

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 24th June 2020.

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 DKM/7902/03 Rev 04 and DKM/7902/04 Rev 04 received 11 May 2020.

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 roof lights located in the roof slope of the south facing flank 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 completed before the room it serves is occupied and shall be retained 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.

- 5 The proposed first floor windows on the rear elevation serving the en-suite and secondary window to bedroom 2 and as indicated on drawing number DKM/7902/04 Rev 04 received 11 May 2020 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 completed before the room it serves is occupied and shall be retained 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.

- 6 The integral garage herein approved shall be kept available for parking and storage ancillary to the dwelling and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access and storage to the garage.

Reason: To enable the Local Planning Authority to control such development in the interests of amenity and highway safety, in accordance with Policies BNE2 and T1 of the Medway Local Plan 2003.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification), the extension herein approved shall remain in use with the rest of the house as a single family dwellinghouse falling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order amending, revoking and re-enacting that Order

with or without modification) and no change of use to C4 shall be carried out unless planning permission has been granted on an application relating thereto.

Reason: To enable the Local Planning Authority to control such development in the interests of amenity, 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

Demolition of existing garage and construction of a two-storey extension to side to facilitate additional living space (Resubmission of MC/19/3081). The proposed extension would be approx. 3m, wide and approx. 8m in depth with a catslide roof measuring approx. 2.4m in the eaves and approx. 8m to the ridge. The extension would facilitate an integrated garage and undercroft outside seating area on the ground floor and an additional bedroom and en-suite on the first floor.

Relevant Planning History

MC/19/3081	Construction of a two-storey side extension - Demolition of existing garage Decision: Refusal Decided: 16 March 2020
GL/92/863	First floor side extension to dwelling. Decision: Refusal Decided: 29 January 1993
GL/89/269	Conversion of existing garage to children's playroom and construction of new detached garage Decision: Approval with conditions Decided: 23 November 1989

Representations

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

Four letters of representation have been received, from **three** different addresses, objecting to the application on the following grounds:

- Loss of privacy
- Loss of sunlight, daylight, and outlook
- Extension would be overbearing

- Extension would be out of character

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 2019 (NPPF) and are considered to conform.

Planning Appraisal

Background

As detailed in the planning history section of this report above, planning permission for a two-storey side extension at this property was previously refused under planning reference MC/19/3081 on the 16 March 2020. The application proposed a two-storey side extension with hipped roof on the boundary with 52 Shepherds Gate. The application was refused by virtue of its overbearing nature, its design in relation to the existing property and those of neighbouring properties, and due to a loss of outlook to the neighbouring property at 52 Shepherds Gate. This re-submission seeks to address the previous concerns that were raised by the Local Planning Authority, the impact of these amendments is considered in detail below.

Design

Shepherds Gate is characterised by a collection of detached bungalows as you enter the close, followed by a mix of larger detached and semi-detached dwellings of a mock tudor design in a linear format with similar spacing along the road with front gardens and driveways that give the area a unified feel. There is also an assortment of smaller terraced properties as the close wraps around to the north. A number of the houses within the close, including the application property have also been designed with cat slide roofs, not only to add contrast from the more traditional hipped and gabled ended roofs within Shepherds Gate but also to provide a smoother transition between the bungalows and two storey properties.

With regards to design, although the width and layout of the ground floor would be the same as the previous application, this new application has reduced the width of the proposed first floor element by approx. 2m, therefore reducing the size of bedroom one as indicated on the submitted plans. In doing so it has also reintroduced the cat slide roof therefore preserving the character of the existing dwelling and those of a similar design within the close, whilst also maintaining the visual gap at first floor level. In addition, by virtue of its design the eaves height at the boundary with the neighbouring bungalows to the south has also been significantly reduced from approx. 5m under the previous scheme to approx. 2.4m which is further linked to the amenity section of this report below.

In view of the above it is therefore considered that the proposed extension would be sympathetic to the surrounding properties, and would be of an appropriate size and design that would not have a harmful effect on the character or appearance of the area and therefore has overcome the previous refusal reasons. Subject to a condition requiring the materials to match that of the existing dwelling the proposal is in accordance with Policies BNE1 of the Local Plan and Paragraphs 124 and 127 of the NPPF.

Amenity

The impact on neighbouring amenity has been considered with regards to privacy protection, loss of outlook, loss of daylight/sunlight and overshadowing. By virtue of the siting of the extension the main consideration would be the impact on 52 and 53 Shepherds Gate respectively. A sunlight and daylight assessment has also been completed as part of this application.

Although it is acknowledged that the extension would be more prominent when viewed from the rear habitable rooms and gardens of both 52 and 53 Shepherds Gate, due to their position in relation to this proposal, the extension has been purposely designed so the eaves height at the boundary is as low as feasibly possible to reduce the prominence of the flank elevation. The catslide roof would also hip back away from these properties at an angle of approx. 45° which would also help to further reduce its impact when viewed from the habitable windows and gardens of these properties. In view of this and when considering the intervening distance of the extension from the habitable rooms of both 52 and 53 Shepherds Gate, it is not considered to have a detrimental impact with regards to a loss of outlook and daylight. The 25° and 45° daylight tests completed as part of this application demonstrates that there would not be an unacceptable impact in this regard.

The proposed extension would also be sited approx. 2m off the shared boundary with 52 Shepherds Gate when measured from the front elevation which helps to provide some visual relief. Although it is acknowledged that due to the shape of the site the extension would get closer to the boundary as it reaches the rear elevation, by virtue of the eaves height and roof design, it is not considered to be overbearing in nature either. In view of the concerns raised regarding a loss of sunlight, an overshadowing assessment has been completed, by virtue of the orientation of the application property there would be no overshadowing of the gardens or habitable rooms of the neighbouring bungalows sited to the south.

Although concerns have also been raised with respect to potential overlooking, the existing first floor windows of 51 Shepherds Gate would already partially overlook the rear gardens of the properties to the south of the site. Whilst it is noted from the submitted plans that this proposal would result in the addition of two new first floor windows on the rear elevation of the property closer to the boundary with the neighbouring bungalows, as well as two roof lights located within the roof slope on the flank elevation of the property, these windows would serve an en-suite, and secondary windows to the bedrooms. As such, and in view of the concerns raised by local residents, conditions have been imposed to ensure these windows are obscured glazed and non-opening up to 1.7m from

the finished floor level to prevent a perceived loss of privacy to the neighbouring bungalows. The development therefore complies with Policy BNE2 of the Local Plan and Paragraph 127f of the NPPF.

Highways

The property has provision for off-road parking spaces for four vehicles in the form of the existing driveway to the front of the property and the proposed new integrated garage. This would be in accordance with the adopted Interim Residential Parking Standards for a dwelling with three or more bedrooms. In the interests of amenity, a condition has been imposed requiring the retention of the garage for parking and/or storage incidental to the dwelling. In view of the above the development is considered acceptable with regard to Policy T1 and T13 of the Local Plan and Paragraph 109 of the NPPF.

Climate Change and Energy Efficiency

The Planning Agent has provided the following details.

- Glazing will be thermally insulated to reduce overheating of the dwelling.
- The proposed extension is to be constructed using traditional methods and materials with the purpose that it can be built using local suppliers and sources.
- All materials are to be sourced responsibly from suppliers who are environmentally accredited (ISO14001, BES6001 or similar).
- All timber used onsite and in construction shall be sourced from accredited suppliers and sources.
- Materials with an Environmental Product Declaration (EPD) shall be chosen.
- All internal light fittings will be 100% LED lighting throughout.

Local Finance Considerations

No local finance considerations

Conclusions and Reasons for Approval

It is considered that the development would not detract from the character of the area, and by virtue of its design would not have a detrimental impact on neighbouring residential amenity. The development is therefore in accordance with Policies BNE1, BNE2 and T13 of the Medway Local Plan 2003 and Paragraphs 109, 124, 127 and 127f of the NPPF.

The application would normally be determined under delegated authority but is being referred to Members for a decision due to the number of neighbour representations received contrary to the officer's recommendation and at the request of the Ward Councillor Rodney Chambers who feels that due to the planning history the planning balance in the decision making process should be one for the Planning Committee.

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/>