

MC/21/0407

Date Received: 12 February 2021
Location: 51 Shepherds Gate Hempstead
Gillingham Medway
Proposal: Construction of a two storey extension to side incorporating
garage with catslide roof (Demolition of existing garage)
Agent C. B. Wright & Associates Ltd
Ms Clare Wright 123 Marlborough Road
Gillingham
ME7 5HD
Ward: Hempstead And Wigmore Ward
Case Officer: Josie Doherty
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 31st March 2021.

Recommendation – Refusal

- 1 The proposed development by virtue of its design, depth, height and proximity to the boundary with 52 Shepherds Gate, would be disproportionate and out of character with existing pattern of development in the area, and would be an overbearing form of development when viewed from the rear garden of 52 Shepherds Gate, detrimental to the amenity and living conditions of the occupiers of that property, contrary to Policies BNE1 and BNE2 of the Medway Local Plan 2003 and paragraphs 124 and 127f of the NPPF.

For the reasons for this recommendation for refusal 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/20/1064). 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/20/1064	Demolition of existing garage and construction of a two storey extension to side to facilitate additional living space (Resubmission of MC/19/3081) Decision: Refused Decided: 8 July 2020
MC/19/3081	Construction of a 2 storey side extension - Demolition of existing garage Decision: Refused Decided: 16 March 2020
GL/92/863	First floor side extension to dwelling. Decision: Refused Decided: 29 January 1993

Representations

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

Three letters have been received objecting on the following grounds:

- Design of proposal is visually overbearing
- Proposal is out of character with the area.
- Loss of privacy resulting from increased overlooking
- Loss of daylight, sunlight, and outlook

Five letters have been received in support of the proposed development.

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 and are considered to conform.

Planning Appraisal

Background

As detailed in the planning history section of this report, planning permission for a two storey side extension at this property has been previously refused. The most recent refusal under planning reference MC/20/1064 was refused for reason that by virtue of its design, depth, height and proximity to the boundary with 52 Shepherds Gate, the proposed development would be disproportionate and out of character with existing pattern of development in the area and overbearing when viewed from the rear garden of 52 Shepherds Gate, contrary to Policies BNE1 and BNE2 of the Medway Local Plan 2003 and paragraphs 124 and 127f of the NPPF.

This re-submission seeks to provide further context and information to the previous scheme. However, with the exception of the removal of two roof lights on the flank elevation, the design is not materially different. Therefore, the previous refusal is relevant to the assessment of the current application.

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.

The application property as well as several other houses within the close, have been designed with cat slide roofs. In order to add contrast to the more traditional hipped and gabled ended roofs within Shepherds Gate and provide a smooth transition between the bungalows and two storey properties.

This application seeks to retain the cat slide roof of the existing property whilst extending the existing first floor by approx. 2.9m, therefore bringing the eaves height of the property significantly closer to number 52 Shepherds Gate and reducing the visual gap at first floor level between 51 and 52 Shepherds Gate.

In view of this it is considered that the proposed extension would be an overbearing in nature, disproportionate and uncharacteristic of the existing pattern of development within the area. The proposal does not therefore comply with Policy 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.

The proposed extension would have increased prominence when viewed from the rear habitable rooms and gardens of both 52 and 53 Shepherds Gate, although it is acknowledged that the gap between the proposal and the boundary with 52 Shepherds Gate will be approx. 2m at the front of the property, due to the shape of the site this gap will taper to less than 0.5m at the rear between proposal and the shared boundary. The proposal is therefore considered to constitute an overbearing form of development when viewed from the garden of 52 Shepherds Gate contrary to Policy BNE2 of the Local Plan.

The submitted plans have amended the previously refused scheme and removed the proposed rooflights on the flank elevation. However, the plans still propose an additional two first floor windows on the rear elevation therefore increasing the level of overlooking from 51 Shepherds Gate. It is noted that these windows serve an ensuite and act as a secondary bedroom window therefore there is the potential to include a condition requiring these windows to be obscured glazed which would mitigate this perceived loss of privacy.

Regarding the proposals impacts on neighbouring daylight amenity and overshadowing. An overshadowing assessment has been submitted as part of this application and by virtue of its orientation there would be no overshadowing of the garden or habitable rooms of the neighbouring bungalows to the south. Similarly, 25° and 45° tests have been completed as part of this application which demonstrate that there would be no unacceptable impact in this regard.

In view of the above the development is not considered to comply 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 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

Regarding energy efficiency the submitted Planning and Design and Access statement states:

“Energy efficiency of the entire dwelling will be greatly increased through particularly construction of the roof extension that will be insulated to modern requirements.”

Local Finance Considerations

There are no local finance considerations.

Conclusions and Reasons for Refusal

The proposal by virtue of its design, depth, height and proximity to the boundary with 52 Shepherds Gate, is considered to be disproportionate and out of character with existing pattern of development in the area and overbearing when viewed from the rear garden of 52 Shepherds Gate. As such detrimental to the amenity and living conditions of the occupiers of that property, contrary to Policies BNE1 and BNE2 of the Medway Local Plan 2003 and paragraphs 124 and 127f of the NPPF.

The application would normally be determined under delegated powers but is being referred for Committee determination due to the number of representations received expressing a view contrary to officer's 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://publicaccess1.medway.gov.uk/online-applications/>