

**MC/21/0661**

Date Received: 8 March 2021  
Location: 248 Maidstone Road Chatham  
Medway ME4 6JN  
Proposal: Construction of a two storey side and part two storey part single storey rear extension - demolition of existing store, lean-to and detached garage  
Applicant: Mr Michael Lock  
Agent: Anderson North Partnership  
Mr Barry North  
43 Lambourne Drive  
Kings Hill  
West Malling  
ME19 4FN  
Ward: Rochester South & Horsted Ward  
Case Officer: Amy Tamplin  
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 26th May 2021.**

**Recommendation - Refusal**

1. The proposed development by reason of its height and excessive projection, within close proximity of the shared boundary with no. 250, and in particular to the first-floor rear extension, would be a dominant form of development that would result in significant impact on the outlook from the habitable windows on the side (north facing) elevation of the neighbouring property (no.250), detrimental to their amenity and living conditions. The proposal is considered to be contrary to Policy BNE2 of the Medway Local Plan 2003 and paragraph 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**

Construction of a two-storey side and part two storey/part single storey rear extension – demolition of existing store, lean-to and detached garage.

**Relevant Planning History**

None

**Representations**

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

**One** letter of objection has been received, raising the following:

- Loss of daylight and sunlight
- Overbearing
- Loss of outlook
- Overdevelopment of the site

Following the above objection, the applicant has written to their MP to complain about the case officer's assessment of the application.

Considering this complaint, the Head of Planning has requested the application be referred to the Committee for determination in the interest of transparency.

## **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**

### *Design*

The property sits within a large plot, and benefits from a detached garage to the side. The neighbouring property to the north, no. 246, is a two-storey detached house, also set within a similarly large plot. The property to the south, no. 250, is a detached bungalow that has been extended at roof level with habitable dormer windows on the side facing the application site.

The proposed extension would result in the demolition of the detached garage and in its place erect a two-storey side, and part two-storey part single storey rear extension. The extension (on the side) would have a width of 4.45m and would have a hip end roof with the ridge set lower than the main roof. On the rear the extension would extend approx. 5m from the back of the house and the first-floor element would have a width of approx. 4.6m with roof ridge linked to the side element and set lower. The single storey element would have a flat roof design.

In terms of the design, the proposed extension would be in keeping with the host property in terms of roof style matching on the front and set lower to give a distinguishing break between the old and new.

In terms of the scale, the extension would be set in from the southern boundary by 1.1m and as such would maintain a visual gap between the application site and neighbouring land to the south. Given, the size of the plot, the extension would not result in over development of the site.

The proposal would have a subservient appearance to the host dwelling and by maintaining the gap would not cause harm to the character or appearance of the streetscene.

Consequently, given the detached nature of the property and the mixed style of dwelling on Maidstone Road, the proposed extension is considered to be acceptable in terms of its design and scale, and would comply with Policy BNE1 of the local plan and paragraphs 124 and 127 of the NPPF.

### *Amenity*

The proposed development would not impact on the amenity of no. 246, as there are no extensions proposed along the northern boundary with this property. The single storey extension is set considerate distance from the northern boundary and such no impact would occur to the amenity of the occupiers of no. 246.

The extension would, however, have a significant impact on the amenity of the occupiers of the property to the south, no. 250. No.250, is a bungalow with dormer windows on the side elevation which faces the application site. Currently, there is a large gap along this southern side of the property provided by the detached garage and a further 1.1m gap along the side of no. 250. The proposed side and rear extension would reduce this gap significantly from approx. 6.8m to 2.2m and, by extending a further 5m on the back, would present a longer blank wall/elevation closer to the habitable windows and rear garden of no. 250.

Whilst the scale of the extension is considered to be acceptable, the excessive projection and height along this southern elevation would have a negative impact on the outlook of the occupiers of no. 250, from the habitable windows that face north.

Currently, the natural outlook for these habitable room windows is towards the flank of no. 248 and to the rear gardens which provides more than adequate outlook due to the separation between the two properties.

The resultant flank wall will be approximately 15m in depth at first-floor level which would be excessively oppressive within this outlook and would significantly obstruct the view due to the significant reduction between the habitable room window and the proposed first floor side/rear extension. Therefore, this aspect of the proposal by virtue of its height, siting length within close proximity of the boundary would result in a dominant form of development resulting in significant loss of outlook that would prejudice the amenities of the occupiers of the neighbouring property at no. 250.

In terms of daylight/sunlight, it is noted that any side extension, on its own, would have some impact however when considered with the projection to the rear (5m), it would further impact on the amount daylight/sunlight to these windows. However, a sun on ground test concludes that the impact would not be severe.

Given the above, the proposed development by reason of its height and excessive projection, within close proximity of the shared boundary with no. 250, in particular to the first floor rear extension, would be a dominant form of development that would result in significant impact on the outlook from the habitable windows on the side (north facing) elevation of the neighbouring property (no. 250), detrimental to their amenity and living conditions. The proposal is considered to be contrary to Policy BNE2 of the Medway Local Plan and paragraph 127f of the NPPF.

## **Conclusions and Reasons for Refusal**

Given the above, the proposed development by reason of its height and excessive projection, within close proximity of the shared boundary with no. 250, and in particular to the first-floor rear extension, would be a dominant form of development that would result in significant impact on the outlook from the habitable windows on the side (north facing) elevation of the neighbouring property (no. 250), detrimental to their amenity and living conditions. The proposal is considered to be contrary to Policy BNE2 of the Medway Local Plan 2003 and paragraph 127f of the NPPF.

The application would normally be determined under delegated powers but is being referred for Committee determination due to the applicant's complaint against the assessment of the application by the case officer in light of the objection received from the occupiers of the neighbouring property (no. 250). The Head of Planning has requested the application be referred to the Committee for determination in the interest of transparency.

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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/>