

MC/21/1773

Date Received: 15 June 2021
Location: 248 Maidstone Road Chatham
Medway ME4 6JN
Proposal: Construction of a part two/part single storey extension to side/rear
- demolition of existing store, lean-to and detached garage -
resubmission of MC/21/0661
Applicant: Mr Mike 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

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 18th August 2021.

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: 248-MAIDSTONE-ROAD-03 Rev B and 248-MAIDSTONE-ROAD-04 Rev B received 15 June 2021.

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 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 dwelling house falling within Class C3 of the Town and Country

Planning(UseClasses) 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.

- 5 If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until a method statement has been submitted to and approved in writing by the Local Planning Authority. The Method Statement must detail how this unsuspected contamination shall be dealt with. The development shall thereafter be implemented in accordance with the approved Method Statement.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 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

Construction of a part two/ part single storey extension to side/rear - demolition of existing lean to, existing store and detached garage – resubmission of MC/21/0661

Relevant Planning History

MC/21/0661	Construction of a two-storey side and part two storey part single storey rear extension - demolition of existing store, lean-to and detached garage Decision: Refusal Decided: 27 May 2021
------------	--

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

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 2021 and are considered to conform.

Planning Appraisal

Background

This is a resubmission application of a previously refused planning application. The previous application MC/21/0661 was previously refused for the following reason:

'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.'

This current application has aimed to scale back the proposal by reducing the projection of the proposed double storey rear extension by 2 metres and offsetting the first floor of the proposed double storey side extension by approx. 1 metre.

Design

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 maximum width of 4.45m on the ground floor and a maximum width of 3.45m on the first floor. The proposed side extension would have a hip end roof with the ridge set lower than the main roof. On the rear the extension would extend approx. 3m from the back of the house, 2m less than the previously refused application. The first-floor element would have a width of approx. 4.4m 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 have hip roof style matching the existing, set lower from the ridge and also set in from the side at first floor, giving a subservient appearance to the host property. Therefore, no objection is raised to the proposed design. Notwithstanding, the design did not form a reason for refusal.

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 paragraph 130f of the NPPF.

Amenity

In terms of the neighbour to the north, similarly, to the previous application, 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 as such no impact would occur to the amenity of the occupiers of no. 246.

In terms of the neighbour to the south (no. 250), under the previous application consideration, the main reason for refusal was due to the excessive projection of the rear extension in particular to the first-floor element, which was considered to result in a dominant development on the outlook of no. 250, when viewed from the habitable windows on the north facing elevation of that property. As such it was considered that the development would have a detrimental impact on the outlook of the neighbouring occupiers harmful to their amenity and living condition.

The current application seeks to address the reason for refusal and has reduced the extension on the rear at first floor level by approx. 2m in addition to setting it in from the side by 1m. It is considered that the cumulative reduction, although there would still be some impact on the outlook of the identified habitable windows on no. 250, would help to reduce this impact. The reduction from the side increases the distance to the property to the south providing a greater separation to the windows on the side of that property and coupled with the reduction in the projection would help to further reduce the dominance of the extension on their outlook.

There is no objection to the proposed development on loss of light or overshadowing.

On balance, it is considered that the proposed reduction would help to alleviate the impact, previously identified, on the outlook from the habitable windows on the side of no. 250 Maidstone Road. The proposal would, therefore, comply with Policy BNE2 of the Medway Local Plan and paragraph 130f of the NPPF.

Given the increase in the size of the property, there is potential for the property to be converted to a small HMO in the future, which in turn may result in a harmful impact to the amenity of neighbouring residents. It is therefore recommended that permitted development rights be removed with regard to the change of use between use class C3 and C4. A condition to remove permitted development for C3 to C4 is recommended.

Conclusions and Reasons for Approval

In conclusion, the proposal would comply with Policies BNE1, BNE2, T1 and T13 of the Medway Local Plan 2003 and paragraphs 111, 126 and 130f of the NPPF.

The application would normally be determined under delegated powers but is being referred for Committee determination due to the previous application being determined by the Planning Committee, and in the interest of transparency.

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/>