

**MC/22/0500**

Date Received: 24 February 2022  
Location: 48 Kingfisher Drive Princes Park  
Chatham Medway  
Proposal: Construction of a single storey extension to rear - demolition of existing conservatory  
Applicant: Mrs Gloria Opara  
Ward: Princes Park Ward  
Case Officer: Andrew Headley  
Contact Number: 01634 333713

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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 4<sup>th</sup> May 2022.****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:

Received 24 February 2022:

21/352/02 Proposed Floor Plan and Elevation

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 All materials used externally shall match those as set out on the application form received 24 February 2022.

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.

**Proposal**

This application is for the construction of a single storey extension to rear, including the demolition of existing conservatory.

The proposed single storey rear extension would measure approx. 5.3m in width, 3m in depth and 2.9m in height (flat roof).

## Relevant Planning Applications

MC/21/3141

Application for a Lawful Development Certificate (Proposed) for the change of use from a dwellinghouse Class (C3a) to semi supported living for up to four young adults Class (C3b) and single storey rear extension.

Decision: APP

Decided: 20 January 2022

## Representations

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

**One** letter received raising the following concerns:

- Proposed use not suitable for area
- Lack of consultation on previous application (LDC)

## 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 (NPPF) and are considered to conform.

## Planning Appraisal

### *Background*

Members of the Planning Committee approved an application for Lawful Development Certificate at the meeting held in January 2022 for construction of a single storey and change of use class from Class C3(a) to Class C3(b). The approved rear extension was considered under Class A of the GDPO (as amended) and was considered to meet the set criteria. The current proposal seeks to alter the material of the approved extension from brick (matching the existing) to cladding. The dimension of the extension including the lawful change of use does not change.

### *Design*

Policy BNE1 of the Local Plan and paragraphs 126 and 130 of the NPPF set out the importance of good design and state that development should reinforce positive design features of an area, respect the scale, materials, colours, style, and detailing of surrounding areas.

The proposed extension is of an acceptable design, size, and height. In respect of the proposed alteration to the material, the use of cladding would not significantly differ from the appearance of the host property. The extension would be to the rear and

would not be visible from public vantage points and as such would not cause harm to the streetscene.

The proposal would be in compliance with Policy BNE1 of the local plan and paragraphs 126 and 130 of the NPPF.

### *Amenity*

Policy BNE2 of the Local Plan relates to the protection of amenities for existing residents within the locality. The impact on neighbouring properties is considered with regard to privacy protection, visual dominance, and potential loss of outlook, loss of daylight and overshadowing.

The extension, in terms of the scale, is acceptable. The minor projection at 3m would not result in unreasonable loss of light or overshadowing to neighbouring occupiers. The window and door are to the rear and overlook the rear garden of the host property. As such the proposal would not result in direct overlooking or loss of privacy to neighbouring occupiers.

The proposal is considered to be acceptable and would not cause harm to the living conditions of the neighbouring occupiers and would be in compliance with Policy BNE2 of the local plan and paragraph 130f of the NPPF.

### *Highway*

There is currently no off-road parking for the property and the proposal would not result in additional parking demand on the road. The use of the property and comment received to the application is discussed below.

The proposal raises no highway or parking concerns in so far as it relates to the alteration to the extension. The proposal is in line with Policies T1 and T13 of the local plan.

### *Use*

The site obtained a lawful development certificate for a Class C3(b) use (a dwelling house where care is provided for residents) under ref: MC/21/3141. Consequently, the use of the property for Class C3(b) does not require planning permission and is not for consideration under this application.

The representation received made reference to the lack of publication for the LDC application. Under such applications, as they are not application, there is no requirement for the public to be notified or consulted during the processing of the application. As such the council has not acted unreasonably in the determination of that application.

Under this current application, the layout of the property does not change, the number of rooms does not increase and as such it is not reasonable or justifiable for the lawful use of the property as determined under MC/21/3141 to be reassessed under this application.

## **Conclusions and Reason for Approval**

The proposed single storey rear extension is considered to be acceptable and would not cause harm to the amenity of neighbouring occupiers in terms of reduction in light, overshadowing or loss of privacy. The proposal would therefore be in compliance with Policies BNE1, BNE2 and T13 of Medway Local Plan 2003 and paragraphs 111, 126 and 130f of the NPPF (2021).

The application would normally be determined under delegated powers but is being referred for Committee determination due to the applicant being a Councillor.

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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/>