

## MC/24/0710

Date Received: 8 April 2024  
Location: 46 Cloisterham Road, Rochester, Medway ME1 2BW  
Proposal: Construction of a two-storey extension to rear.  
Applicant: Endurance Ichofu  
Agent: bMac Studio Architects  
Mr Bruno Machado Suite M5  
Old Library St Faiths Street  
Maidstone  
ME14 1LH  
Ward: Rochester East & Warren Wood  
Case Officer: Jonathon Simon  
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 11th July 2024.**

### **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:

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A.02 - Existing and Proposed Site Plan  
A.04 - Proposed Floor Plans  
A.06 - Proposed Elevations

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 dwellinghouse (as extended) shall remain in use as a dwellinghouse falling within Class C3 only 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 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 The windows on the left side elevation as shown on drawing number A.06 - Proposed Elevations 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.

**For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.**

## **Proposal**

The proposed development is for a part two-storey, part single storey rear extension. The extension will project 4m from the rear wall at ground floor level and 2.76m at first floor level.

On the ground floor, this will facilitate and increase to the size of the kitchen and lounge with bi-fold doors and separate patio doors all accessing the rear garden. Additionally, at ground level, the dining room is proposed to be changed to an additional bedroom with ensuite. There will be new windows in the flank elevation that would serve the new kitchen area, utility room and downstairs ensuite (which are in part of the original house).

At first floor level, this will facilitate an increase to the size of two existing bedrooms along with providing ensuites to these bedrooms. These will be served by three rear facing windows (replacing the four rear facing windows in the existing dwelling) as well as three rooflights within the new roof. Similarly to the ground floor there will be two new windows in the flank elevation of the original house, which will serve an ensuite and the main bathroom.

## Relevant Planning History

- MC/24/1098 Construction of a single storey extension to front.  
Decision: Pending Consideration
- MC/06/1627 Retrospective application for the conversion of garage into habitable accommodation.  
Decision: Approval with Conditions  
Decided: 16 October 2006
- ME/86/481 Proposed roof extension incorporating dormer, window.  
Decision: Approval with Conditions  
Decided: 21 July 1986

## Representations

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

**Two** letters of objection have been received raising the following material planning considerations:

- Loss of privacy.
- Loss of light.
- Overshadowing.
- The development would be overbearing and dominant.
- The development is not appropriate in relation to the character and appearance of the area.
- The development would be harmful to the street scene.

Other matters were also raised, however, these are not material planning considerations.

## 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 December 2023 (NPPF) and are generally considered to conform. Where non-conformity exists, this is addressed in the Planning Appraisal section below.

## Planning Appraisal

### *Design*

The proposed extension will project approximately 4m at ground level and 2.7m at first floor level from the rear of the host property. The extension is to be constructed using materials that will match the host property.

Concerns have been raised by neighbours with regard to the development being dominant, however the proposed rear extension at its lowest height is approximately 0.2m below the ridge height of the host property. This coupled with the projection being only 2.7m from the rear of the existing dwelling mean that it would not be seen as a dominant form of development.

Whilst the proposed development would have some visibility from the street scene, a rear extension, which in this instance is of a relatively modest size, is the type of development that you would expect to see within a residential area and as such, it is not considered that there would be any detrimental harm to the street scene, nor would the proposed development be inappropriate to the character of the area.

The proposed development is not considered to cause detrimental harm to the appearance of the host dwelling or wider street scene therefore complies with Policies BNE1 of Medway Local Plan 2003 and paragraphs 131 and 135 of the NPPF.

### *Residential Amenity*

Due to the properties within this area having different orientations, the side (southwest) boundary of the application site is shared with the rear boundaries of nos. 18, 19 and 20 Wemmick Close.

Concerns have also been raised by neighbours that the proposed development would be overbearing, however the side (southwest) flank wall of the host property is over 10m from the original rear walls of the adjacent properties on Wemmick Close and again with the first floor element only projecting 2.7m, it is not considered that this would not be overbearing. It is also noted that there is a number of similar situations that exist within the surrounding area, where the flank wall of a property is across the whole width of a rear garden of an adjacent property.

A sun on ground test has been undertaken and it is considered that there will not be any significant overshadowing impacts, nor would there be a significant level of light loss that is over and above that which is already present from the existing dwelling.

As part of the proposals, a number of windows will be added to this southwest elevation, at both ground and first floor level, which could result in overlooking occurring into the gardens of Wemmick Close. The rooms all serve non-habitable rooms (bathrooms, utility room and a secondary window to the kitchen) so could be obscure glazed which would prevent overlooking. The windows are shown to be obscured on the plans and an appropriate condition to ensure these are maintained as such is recommended.

Subject to the obscure glazing remaining in place, it is considered that there would be no unacceptable impacts in terms of daylight, sunlight, and outlook, over and above that which is already present, arising from the proposed development. As such no objection is raised with regard to Policy BNE2 of the Local Plan or paragraph 135(f) of the NPPF.

## *Highways*

As part of the proposals, the number of bedrooms will increase from four to five (although this is as a result of the change of the existing dining room to a bedroom which could be undertaken without the need for planning permission), however the existing parking provides for a minimum of two off-street parking spaces which is in accordance with our parking standards. There are no proposals to change this existing provision or the access.

The proposed development is not considered to impact highways safety and parking provisions. It would therefore be in accordance with Policies T1 and T13 of the Local Plan and paragraph 115 of the NPPF.

## *Conditions*

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 class C3 and C4.

## **Conclusions and Reasons for Approval**

The proposed development is considered to be acceptable and is in accordance with policies BNE1, BNE2, T1 and T13 of the Local Plan and paragraphs 115, 131, 135 and 135(f) of the NPPF.

The application would normally be determined under delegated powers but is being referred to Committee as it has been called in by the Chief Planning Officer.

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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 on Medway Council's Website <https://publicaccess1.medway.gov.uk/online-applications/>