
Appeal Decision

Site visit made on 17 November 2021

by Mr Kim Bennett BSc DipTP MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 25 November 2021.

Appeal Ref: APP/A2280/D/21/3277127

65 Norman Close, Wigmore, Gillingham ME8 0TQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Nicholas Ward against the decision of Medway Council.
 - The application Ref MC/20/3216, dated 25 November 2020, was refused by notice dated 7 April 2021.
 - The development proposed is a single storey front, single and two storey side and rear extensions.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey front, single and two storey side and rear extensions at 65 Norman Close, Wigmore, Gillingham ME8 0TQ in accordance with the terms of the application, Ref MC/20/3216, dated 25 November 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 65NC001; 65NC003; 65NC005; 65NC002a-REV3; 65NC004b-REV3; 65NC006-REV2 and 65NC007a.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal property comprises a semi-detached house located on the western side of Norman Close which is a cul de sac. It has an attached garage on its northern side with a small pitched roof which extends across a front porch. The character of the area is wholly residential with semi-detached properties of similar design.
4. The proposal involves two elements. At the front it is proposed to continue the small pitched roof across the whole frontage so that there would be a small front extension of the living room which would adjoin the front common boundary with No 64 Norman Close. At the side and rear, there would be a

part single part two storey extension. The first floor element would be set back from the front of the property but would extend at two storey level beyond the main rear elevation by a distance of just over 2m according to the submitted plan. The application was recommended for approval by officers but following consideration at the Council's Planning Committee was refused for reasons relating to adverse impact on the amenities of the occupiers of Nos 64 and 66 Norman Close.

5. Dealing with the side/rear extensions first, I noted from my site visit that the adjoining property to the north, No 66 Norman Close, has an existing single storey rear extension adjoining the common rear boundary with the appeal property. Its main living area is also separated from the appeal property by this extension and its own attached garage. The proposed two storey side extension would have minimal direct impact on the occupiers of No 66, because of the separation involved and that the main window affected would appear to be a non-habitable room in the southern flank wall of No 66. At the rear, the proposed two storey element would extend to a depth slightly beyond that of No 66's extension, albeit at two storey level, and would also be marginally inset from the rear common boundary. In my view and having carefully assessed the proposed impact on site, I consider that whilst the extension would be apparent, it would not overshadow the rear of No 66 nor result in any serious harm to the amenities currently enjoyed by the occupiers of that property, including any loss of daylight to living accommodation.
6. Although the appeal property lies to the south of No 66 and there may be some marginal loss of afternoon sunlight to the rear of that property, I do not consider that would be significant or sufficient a reason to withhold planning permission given the separation distances involved and the presence of the existing extension at No 66. Finally, although there would be scope for overlooking of the neighbour's rear garden from the proposed first floor rear window, that is already the case from existing first floor rear windows, as indeed it is with other properties in the vicinity, and I do not consider the proposed extension would materially worsen that situation.
7. Turning to the proposed front extension, I note that it would only project forward by a distance of approximately 1 metre where it would adjoin the front common boundary with No 64. That property has a large front living room window and an open aspect as do the majority of the properties in the road. Whilst the forward projection may be apparent from inside the property of No 64, it would not be significant and in my view would cause no harm to loss of outlook from the living room of that property.
8. The Council raises no objections to the design of the proposed extensions and I see no reason to take a different view. Similarly, although the proposal involves the loss of a garage, the Council notes that there is sufficient parking on the frontage to accommodate two vehicles in accordance with its standards.
9. Having regard to the above, the proposal would comply with Policy BNE2 of the Medway Local Plan 2003 in that the amenities enjoyed by the occupiers of nearby and adjacent properties would be protected.
10. Conditions for the development to be built in accordance with the approved plans and for matching materials, are necessary in the interests of certainty and visual amenity. Although the Council considers a condition is required to prevent the property changing to a small House of Multiple Occupation in the

future, there is no evidence before me to suggest that would be the case, nor that it would result in any significant harm given that even as extended, the property would only accommodate four bedrooms. Such a condition is therefore unnecessary in my view.

11. Accordingly, subject to the conditions set out, the appeal is allowed and planning permission granted.

Kim Bennett

INSPECTOR