

REPORT SUMMARY

REFERENCE NO - 14/0418		
APPLICATION PROPOSAL Demolition of two garage buildings and erection of An application for the erection of attached dwelling		
ADDRESS 90, Holland Road, Maidstone, Kent, ME14 1UT		
RECOMMENDATION		
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL The development would fit in well in this locality without causing harm to the amenities of the adjoining properties or detracting from the character of the areas or the street scape.		
REASON FOR REFERRAL TO COMMITTEE Cllr David Naghi has requested this application to be referred to planning committee for members' consideration.due to the design of the dwelling.		
WARD East Ward	PARISH/TOWN COUNCIL Maidstone	APPLICANT Mr & Mrs Parsons AGENT Fowler
DECISION DUE DATE 08/05/14	PUBLICITY EXPIRY DATE 08/05/14	OFFICER SITE VISIT DATE
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites): None		

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MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01** No 90 is a semi-detached two storey house with front bay window feature at both ground and first floor level together with front roof dormer and flat roofed double garage building along the eastern boundary. The garage building is set well back from the front elevation of the house.
- 1.02** The area marked red covers the existing house and the land where the proposed new dwelling would be erected. The dwelling plot area would have a width of 5.8m to the front and 7m about a half way down the over 40m deep back garden.
- 1.03** A 1.5m high fence separates the application site from no 92 which is a semi-detached two storey house with front bay window and rooms in the roof space involving gable window. This property has a large back extension as well as 4 windows and a side door at ground floor level and further window at

first and second floor level on its western flank elevation. These windows secondary windows and landing windows.

- 1.04** Holland road comprises mix of terrace, semi and detached two/three storey properties from Victorian and Edwardian period with varied design and scale. There are also more contemporary houses that were built during the second half of twentieth century. Most properties have on-site car parking along their frontage with deep back gardens. Front bay window and front gable/dormer are common features of most buildings and street scene in Holland Road.
- 1.05** There are some trees in the bottom of the garden.

2.0 PROPOSAL

Background

- 2.01** Original submission involved a three storey flat roofed building that presented itself as three rectangular cubes stacked on top of one another. That design was considered incongruous design in the street scene.
- 2.02** Following extensive discussion and negotiation with the applicant and his agent a much revised house design has been submitted for consideration.
- 2.03** The proposal as revised seeks full planning permission for the construction of part single, part two storey house with rooms in the roof space.
- 2.04** The proposal comprises the following elements:
- Introduction of a front gable with peak to complement other gable features along Holland Road.
 - The gable incorporates 'barge-board' framing, reminiscent of surrounding dwellings.
 - The ridge height has been arranged to provide continuity with the adjoining properties.
 - Front elevation fenestrations have been designed to closely reflect that of the neighbouring properties.
 - Use of 90degree forward looking splayed projecting (Oriel) window for 3rd bedroom on the eastern flank elevation.
 - Use of obscured fixed shut roof light on the roof slope to response to any concern about overlooking.
 - Use of red and buff bricks and slate as palette of materials to reflect surrounding building.
 - Retain a distance of 4.5m between the eastern flank of the proposed house and western flank of no 92.
 - Ground floor set back to add visual interests to the front elevation and provide parking spaces.
- 2.05** The new dwelling would provide living room, lounge, kitchen and dining room at ground floor area, three bedroom and bathroom at first floor and 4th bedroom plus an office space in the roof area. Front and back gable windows

together with three roof lights on the east and west slopes of the roof would provide natural light to the accommodation in the roof space.

- 2.06 The foot print of the building would be about 100sqm this is reduced to 88sqm at first floor and 73sqm in the roof space of which 24sqm would be office space.
- 2.07 The application site represents a rare gap between properties in this road and the proposal would close up this gap. The new building would be set back from the road almost in line with the adjoining properties; and is designed to have front and back gable similar to no 95 Holland Road. The eaves and ridge height would be 6.7m and 9.3m respectively.
- 2.08 The proposed new dwelling would have provision for two on site car parking and use the existing vehicular access on to Holland Road.
- 2.09 The proposed development would represent a density of 16.6 dwelling per hectare.

3.0 PLANNING CONSTRAINTS

- 3.1 There are a number of trees in the rear garden. These trees would not be impacted upon by the proposed development.

4.0 POLICY AND OTHER CONSIDERATIONS

- 4.01 National Planning Policy Framework (NPPF)
Planning Practice Guidance (NPPG)
Maidstone Borough Local Plan 2000 ENV6, T13
Maidstone Borough Local Plan Regulation 18 Consultation 2014 Policies SS1, SP2, DM2, DM4, DM5

5.0 LOCAL REPRESENTATIONS

- 5.01 The application has been advertised by display of a Site notice and neighbour notified of the application with regard to the original submission and re-consulted following submission of revised proposal.
- 5.02 Two letters of representation have been received from the occupiers of the adjoining properties and request from Cllr Naghi to present this application to committee.
- 5.03 The property to the west has objected on design ground and suggested that the design of the new house should mimic the design of no 86 Holland Road.
- 5.04 The occupiers of the property to the east is concerned about the impact of the proposal on light to the ground floor windows on the western flank of the building and consider the design of the building to be out of character with the traditional design of the houses in Holland Road.

6.0 CONSULTATIONS

- 6.01 **KCC Highway Services:** Has no objection to the proposal and considered the two parking spaces and on site turning area proposed to be satisfactory.

7.0 BACKGROUND PAPERS AND PLANS

- 7.01 Application form, site plan, floor plans, elevation plans, Garden layout plan, design and access statement, landscaping scheme plans and lighting assessment report Received 19 November 2014.

8.0 APPRAISAL

Principle of Development

- 8.03 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that all planning applications must be determined in accordance with the Development Plan unless other material considerations indicate otherwise.
- 8.04 The application is within the urban area of Maidstone town. The site area where the proposed new dwelling would be erected forms the eastern and rear part of the garden of no 90 Holland Road and has frontage with Holland Road. The proposed new dwelling would represent an infill in the street and adds to the existing structure and becomes a new layer over the old/existing. The site is surrounded by residential properties and as such there is no in principle objection to the residential development of the land.
- 8.05 It is however important to ensure that the details of the proposal accord well with all the other relevant local plan policies and relate well with the grain and character of the surrounding development without causing harm to the amenities of the surrounding properties, highway safety and trees on site.

Visual Impact

- 8.06 The NPPF has a general presumption in favour of sustainable development, whilst encouraging the delivery of homes of a high quality design and a good standard of amenity for all. On the specific issues of design the NPPF states that:
- “Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.”(para 60)
- 8.07 The width of the building plot and width of the proposed house are similar to that prevailing in the immediate street frontage. Similarly the building height and general roof form and design very much reflect the existing houses in Holland Road.

- 8.06 The foot print of the proposed house is of a similar size to nearby dwellings, typical two storey with room in the roof space. The proposed house would be in keeping with the existing pattern of development and would not disrupt the overall scale and siting in relation to the surrounding properties and would not appear either intrusive or result in a cramped form of development in compatible with spatial characteristics of the street scene.
- 8.07 The proposed house would be set in from its eastern boundary by just over a meter however; overall there would be a distance of 4.5m between the eastern flank of the proposed house and western flank of no 92. This would provide a gap/ break between these two properties which is a common feature of Holland Road spatial character.
- 8.08 The massing of the proposal dwelling contributes to the existing hierarchy of properties in the street scene and reinforces local character. This would enable the new building to blend in with its wider surrounding and become an integral part of the character of the locality and street scene.
- 8.09 The design of the house is one of modern contemporary design on three floors (including the rooms in the roof space) and a generally more spacious and contemporary environment. The façade treatments to the building will include a simple palette of materials, which incorporate, brick, glass, render and slate. In this case a condition will be imposed seeking detail/samples of the specific materials proposed. The proposed building will have a pitched roof that would not exceed the ridge height of the adjoining properties.
- 8.10 While taking these comments on design into account, regards need to be had of guidance on design outlined in NPPF (referred to above). It is considered that successful design does not come necessarily from copying the style of 20th century houses, but rather development being sympathetic to its townscape, in terms of building height, set back, plot width, rhythm. The application site will not compete with the Victorian and Edwardian buildings which front onto Holland Road and represent the historic pattern of the development and character of this part of Maidstone.
- 8.11 The new dwelling by reason of its infill and design would represent a complementary addition to this road façade and street scene. Given the existing nature of the garage building on site the proposed development, (building forms and materials and associated landscaping), will serve to enhance the character and appearance of the area.

Impact on Residential Amenity

- 8.12 As mentioned above the proposed new house would be comparable with the adjoining properties with respect to its siting, height and overall mass and as such it would not cause any over bearing impact on the amenities of the adjoining properties.
- 8.13 To ensure that the dwelling would not adversely impact on the day light and sun light of the no 92 a light assessment study was commissioned and this study concluded that although the proposal would have an impact, the extent

of the impact is minor and the gap of 4.5 that will remain between the flanks of the new dwelling and no 92 will significantly protect the level of day light received by the flank windows.

- 8.14 The proposed new house is designed to have its front door with a canopy over as well as windows to a lounge, dining room and a utility room to the side. It is considered that subject to a condition requiring the erection of a minimum 1.8m high close boarded boundary fence, these fenestration would not cause any overlooking or harm to the amenities of the occupier no 92; particularly when compared with current situation that the height of the fence is only 1.5m and the area is used for parking and there is direct view over the fence when the garages and drive area are in use.
- 8.15 There are also three windows at first floor level on the eastern flank; two of these windows would serve dressing and landing areas and are proposed to be obscured glazed and the third window would be to the third bedroom; this window would have an oriel design form that would project away from the flank wall with fixed sand etched glass facing east and the only clear glass and open able aspect would face the north. The roof light window also would be sand etched glass and fixed shut. It is thus considered that none of the fenestrations on this elevation would result in any overlooking and adversely impact on the amenities of occupiers of no 92.
- 8.16 The proposed windows and patio doors to the rear of the new dwelling would look directly down towards the rear garden and as such it is not considered that these fenestration would cause undue harm to the amenities of the occupiers of the adjoining properties.
- 8.17 With respect to the impact of the proposed dwelling on the existing house (no 90) it is considered that there will be limited impact on the level of day light received around the hallway area and this is compensated by the introduction of a roof light. Also some loss of sun light to the rear elevation and patio area in the morning. This impact is not considered to be significant that warrant refusal of the application.
- 8.18 It is therefore considered that the architecture of this development would not cause unacceptable harm to the amenity of surrounding buildings. Local plan policy expects new development to maintain the level of privacy enjoyed by adjoining properties and not to create problems of overlooking and this development achieves that.

Highways

- 8.19 The proposed development would make use of the existing drop kerb vehicle access to Holland Road and make provision for two on site car parking spaces for the existing and proposed dwellings. This is considered to be satisfactory and in compliance with the Council's car parking policy.
- 8.20 To ensure that highway safety is maintained and adequate sight line to the east is provided and the new boundary fence would not be adversely impact on the required sight line it would be expected that the height of the fence to

be no more than 1m in height for the first two meters next to the back edge of the footpath.

Landscaping

- 8.21 Currently there is no soft landscaping along the front aspect of the application site apart from a tree that is on the foot path and outside the application site. As such all the front garden is hard surface for parking and turning purposes. It is considered that the proposed development would not alter this situation and there is no space to in the front garden to carry out any soft landscaping.
- 8.22 With respect to the rear garden area, it is considered that the existing landscaping is limited and the applicant has submitted a landscaping scheme that would enhance the rear aspect of the proposed house. This is considered to be satisfactory for the rear garden of a dwelling house and a landscaping implementation condition would be necessary in this case.

Other Matters

- 8.23 The applicant has stated that the development would achieve a minimum of Level 4 in terms of Code for Sustainable Homes ensuring sustainable and energy efficient form of development. This will also be secured by a condition.
- 8.24 In order to preserve the character and appearance of the development and to protect the amenities of the adjoining properties, it is considered reasonable to remove some permitted development rights for the dwelling with respect to porches, the roof scape and extension to the house.

9 CONCLUSION

- 9.01 For the above reasons stated above it is considered that the proposed development would relate well with its surrounding and would not cause any demonstrable harm to the character of the area or the amenities of the adjoining residents. It is therefore considered overall that the proposal is acceptable for the reasons given and as such is recommended for approval subject to the conditions attached.

10.0 RECOMMENDATION – GRANT Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: OS map Site Plan received 14/03/2014, Floor, Elevations and external details and roof plans and landscape drawing no 1407/01, 1407/02 received 19/11/2014.

Reason: To ensure the quality of the development is maintained and to prevent harm to amenity.

3. The development shall not commence until, written details and samples of materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials

Reason: To ensure a satisfactory appearance to the development.

4. The approved details of the parking/turning areas shall be completed before the occupation of the new dwelling hereby permitted and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) Amendment (England) Order 2008 and the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude vehicular access to them;

Reason: Development without adequate parking/turning provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 and the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification), no development within Schedule 2, Part 1, Class(es) A, B, C, D, E and F shall be carried out without the permission of the Local Planning Authority;

Reason: To safeguard the character and appearance of the development and the enjoyment of their properties by prospective occupiers and surrounding neighbours.

6. The dwelling shall achieve at least Code 4 of the Code for Sustainable Homes. A final code certificate shall be issued not later than one calendar year following first occupation of the dwellings certifying that level 4 has been achieved.

Reason: To ensure a sustainable and energy efficient form of development.

7. Prior to the commencement of any development, details shall be submitted to, and agreed in writing by, the local planning authority showing the existing and proposed site levels and the finished floor levels of the buildings hereby

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permitted. The development shall be carried out in strict accordance with the details agreed;

Reason: In the interest of residential and visual amenities of the area.

8. The landscaping scheme referred to in condition 2 above shall be implemented in full prior to the first occupation of the dwelling or in the first planting season after the occupation of the dwelling.

Reason: In the interest of visual amenity of the area.

Case Officer: Majid Harouni

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.