

APPLICATION: MA/09/1928 Date: 22<sup>nd</sup> October 2009 Received: 16<sup>th</sup> November 2009

APPLICANT: Mr Alder

LOCATION: 6, IDEN CRESCENT, STAPLEHURST, TONBRIDGE, KENT, TN12 0NU

PROPOSAL: Erection of single storey side extension, single storey rear extension including additional living accommodation in the roof and insertion of 5no. dormer windows to facilitate loft conversion as shown on drawing nos. BH583-01-PL Rev P1 and BH583-02-PL Rev P1 received 30/10/09 and site location plan received 16/11/09.

AGENDA DATE: 14<sup>th</sup> January 2010

CASE OFFICER: Kathryn Altieri

The recommendation for this application is being reported to Committee for decision because:

- It is contrary to views expressed by Staplehurst Parish Council

### **POLICIES**

Maidstone Borough-Wide Local Plan 2000: H18

South East plan 2009: BE1, CC6

Government Policy: PPS1 - Delivering Sustainable Development

PPS3 - Housing

'Supplementary Planning Document - Residential Extensions' (May 2009)

### **HISTORY** (relevant)

MA/09/1275 - Planning application for erection of single storey side extension, single storey rear extension including additional living accommodation in the roof and insertion of six dormer windows to facilitate loft conversion - withdrawn

66/0131/MK3 - Details of 116 dwellings - approved/granted with conditions

66/0131A/MK3 - The erection of garages - approved/granted

### **CONSULTATIONS**

Newspaper Advertisement Expiry Date: N/A

Parish Council: Staplehurst Parish Council wish to see the application refused on the following grounds;

*"Councillors noted the incorrect description in that the rear extension was two-storey with a window. The Chairman read out three letters of objection from residents and after extensive discussion Councillors concluded that this new application (one dormer window replaced by a window) was very little changed from*

*MA/09/1275. Councillors recommended REFUSAL for the following reasons; the proposal and dormer window design was out of keeping and would over-whelm the original two bedroom bungalow. The five dormer windows and two additional windows would overlook and cause loss of privacy to neighbours. The size, mass and bulk of the proposal would create an over-intensification of the site, be incongruent to and cause detriment to the street scene. The small size of the proposed garage would make it unfit for purpose and the remaining onsite parking space (for one vehicle) was insufficient for the proposed four bedroom house. In addition, Councillors had concerns about suitable access for emergency services with additional on-street parking and lack of rear access."*

## **REPRESENTATIONS**

Neighbours: five objections received raising concerns over loss of privacy, it being out of character with surrounding area, parking, loss of light, the scale of the development, the description, house values, damage to boundaries and structural issues.

## **CONSIDERATIONS**

### **The Site**

The application site relates to a general rectangular shaped residential plot currently occupied by a detached bungalow with detached garage and side drive. This bungalow is built with facing brick and concrete roofing tiles with parts of the gable ends being white uPVC cladding. With its dual pitched roof, the dwelling sits perpendicular to the road. The property is separated from Iden Crescent by a lawned area of grass to the front of the site that is some 7m in depth and the property sits some 35m to the east of the junction with Hanmer Way.

Although this property and its neighbours to the west are different in style, the immediate streetscene is generally made up of semi-detached bungalows of a similar scale and design and two-storey dwellings are found to the north of the application site. There are no parking restrictions along Hanmer Way and it appears that all of the properties have off road parking provision.

The site is within the village envelope of Staplehurst but does not fall within any other special economic or environmental area, as designated by the Maidstone Borough Wide Local Plan 2000.

### **The Proposal**

This planning application is for the erection of single storey side extension to provide a garage and utility area and for a rear extension and insertion of five dormer windows that will help facilitate additional living accommodation within the roof space.

The proposal would create a larger living room and kitchen/dining area for the occupants, as well as creating an additional bedroom and bathroom. The existing garage would be removed.

The proposed side extension would project 2.2m from the west flank of the main dwelling, it would be set back 5.5m from the front elevation and it would extend 10m

towards the rear of the property. With its flat roof, this element of the proposal would stand 2.1m in height from ground level.

The proposed rear extension would project 2.5m from the southern flank and it would continue the existing ridge and eaves heights of the property, some 5.5m and 2.2m respectively.

The three proposed dormer windows that would be inserted into the east flank would serve the two bedrooms and bathroom; and the two that would be inserted into the west elevation would serve the landing and front bedroom. Each dormer window would project 2.1m from the roof slope, would stand 2m in height and would measure 2.4m in width. All proposed dormers would have a hipped roof.

### **Planning Issues**

The most relevant policy under the Maidstone Borough-Wide Local Plan 2000 relating to householder development within a village envelope is Policy H18. I will consider the proposal against the criteria set out in this policy.

#### **Impact upon the existing property**

The proposed dormers would be set well within the roof slope, being some 0.8m from the eaves and 0.6m from the main ridge and they would remain 1.8m back from the front gable end. In addition, I am happy with the 1.7m separation gap between each dormer window, as this prevents the roof slope appearing over cluttered. I therefore consider each dormer to be modestly sized with the hipped roofs only further reducing their bulk whilst complimenting the design of the main house.

The proposed rear extension would only project a modest 2.5m from the southern flank, continuing the same roof design as the original dwelling and the proposed side extension would remain single storey and set down more than 3m from the main ridge line of the property. It should also be noted that that footprint of this property has been increased by less than 50% and it has only created one further bedroom, which I do not consider to be an over-intensification of the site.

The proposal would compliment the main property in terms of scale and design and a condition will be imposed, ensuring that matching external materials are to be used in this development's construction.

As a result, I consider this proposal to be subordinate and ancillary to the existing house and believe that it would not significantly overwhelm or destroy the character of the existing property.

### Impact upon the streetscene

The bulk of the proposal would be to the rear of the site and so would not be significantly visible from any public vantage point. The orientation of the applicant's property and its neighbours is such that the bulk of the proposal would not be noticeable when approaching the site from either end of Iden Crescent, the proposed dormers would be set well back from the front elevation and the proposed side extension would be set back more than 11m from the road.

It should also be noted that the application site is within a built up area, where additional development to dwellings is to be expected and the area is of no historical importance.

As such, I believe that this development would not significantly affect the character and appearance of the area or adjacent buildings.

### Impact upon the neighbours

The proposal would be more than 22m from the rear flanks of the properties to the south that are part of a neighbouring road called 'Hallwards'. I therefore have no overriding concern that the new window in the southern flank, serving the bedroom, would have a significant impact upon the amenity of these residents.

In accordance with the Council's 'Supplementary Planning Document – Residential Extensions', the BRE daylight elevation and plan tests were carried out. This was to see if there would be any impact upon both neighbours either side (no.4 and no.8) in terms of loss of daylight. The proposal passed both of the BRE daylight plan tests and passed both of the BRE daylight elevation tests. Therefore, due to the proposal's scale and separation distance from either neighbour, there would be no significant loss of light caused. In addition, the orientation of the application site and both neighbours is such that the proposal would not cause a significant loss of sunlight to either neighbour.

The two dormer windows proposed for the west elevation would be at such an angle that I do not believe that there would be a significant issue of overlooking onto the immediate outdoor amenity space to the rear of no.4. In addition to this, the dormer window that would be closest to the rear of the no.4 would serve a landing, a non-habitable room and there are no openings to the eastern flank of no.4.

No new openings at ground floor level would directly face either neighbour and the existing 1.8m close boarded fencing that is shared by both neighbours would ensure that privacy is maintained at ground level.

The side openings at ground floor level to no.8 serve a study and bathroom, which are non-habitable rooms and the first floor window is obscure glazed and appears to also serve a bathroom. I therefore believe that this proposal would not have a significant impact upon these rooms in terms of loss of privacy.

My main concern is with the three dormer windows that would be inserted into the eastern roof slope of the application site. I do believe that these openings would cause a significant loss of privacy to the occupiers of no.8 in relation to their immediate outdoor amenity space. As such, I deem it appropriate to impose a condition that all three of these dormers are obscure glazed and fixed shut, to ensure that privacy and outlook is maintained for this neighbour. Please note that the two dormers to be obscure glazed that serve either bedroom are not the only sources of light into the relevant rooms and there are other means of escape in case of emergency.

It is therefore considered, because of the proposal's scale, design and location, that there is no significant detrimental impact upon the residential amenity of any neighbour, in terms of loss of privacy, outlook, daylight and sunlight.

#### Impact upon the parking

The proposal would see the existing garage removed and it would create an additional bedroom, making the property three bedroomed. However, a new garage is proposed under this application and the site would also have two other spaces available on its private drive. This would provide adequate off road parking provision for a property of this scale and I therefore believe that this proposal would not significantly impact upon the parking provision within the area or generate any need.

#### **Other considerations**

The proposed rooflight shown in the eastern roof slope could be provided without planning permission under the *Town and Country Planning (General Permitted Development) (Amendment) (no.2) (England) Order 2008, Schedule 2, Part 1, Class C.*

It should also be noted that the provision of the three proposed dormers to the east flank, that are to be obscure glazed and fixed shut, would also be possible without the need for planning permission under the *Town and Country Planning (General Permitted Development) (Amendment) (no.2) (England) Order 2008, Schedule 2, Part 1, Class B.*

#### **Conclusion**

The issues raised by Staplehurst Parish Council and neighbours have been dealt with in the main body of this report. However, I would also like to add that issues of house values, structural concerns and damage to boundaries are not material planning considerations and cannot be considered in the formal determination of this application. I am also happy with the description, as it does clearly identify that the proposal includes creating additional living accommodation within the roof space.

It is therefore considered overall that the proposal is acceptable with regard to the relevant provisions of the development plan and amenity impacts on the local environment and other material considerations such as are relevant. I therefore recommend conditional approval of the application on this basis.

## **RECOMMENDATION**

**GRANT PLANNING PERMISSION** 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 materials to be used in the construction of the external surfaces of the building(s) hereby permitted shall match those used in the existing building;

Reason: To ensure a satisfactory appearance to the development. This in accordance with policy H18 of the Maidstone Borough Wide Local Plan 2000 and policies CC and BE1 of the South East Plan 2009.

3. Before the development hereby permitted is first occupied, the proposed first floor dormer windows in the eastern elevation, serving the front and rear bedrooms and bathroom, shall be obscure glazed and shall be incapable of being opened except for a high level fanlight opening of at least 1.7m above inside floor level and shall subsequently be maintained as such;

Reason: To prevent overlooking of adjoining properties and to safeguard the privacy of existing and prospective occupiers. This in accordance with policy H18 of the Maidstone Borough Wide Local Plan 2000 and policies CC and BE1 of the South East Plan 2009.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and the South East plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.