

REPORT SUMMARY

REFERENCE NO - 17/502262/FULL			
APPLICATION PROPOSAL - Erection of first floor rear extension.			
ADDRESS - 56 Valley Drive Loose Maidstone Kent ME15 9TL			
RECOMMENDATION - GRANT planning permission subject to conditions:			
SUMMARY OF REASONS FOR RECOMMENDATION - The current submission is considered to overcome the Council's previous reasons for refusal, and the reasons as to why the previous appeal was dismissed. The proposed first floor rear extension is now deemed to be consistent with the existing character and appearance of the property, and there are no significant adverse impacts upon the character, appearance and visual amenity of the locality generally. The proposed extension complies with requirements set out in the development plan. It would not result in any adverse impacts on adjoining neighbouring properties considering that the window openings on the western elevation would be conditioned to be obscure glazed.			
REASON FOR REFERRAL TO COMMITTEE - Loose Parish Council requested that the application be determined by the planning committee if the case officer was minded to recommend approval.			
WARD Loose	PARISH/TOWN COUNCIL Loose	APPLICANT Dr Pancholi AGENT Prime Folio Ltd	
DECISION DUE DATE 30/06/2017	PUBLICITY EXPIRY DATE 04/06/2017	OFFICER SITE VISIT DATE 15/05/2017	
RELEVANT PLANNING HISTORY			
App No	Proposal	Decision	Date
15/505586/FULL	Single-storey side extension, front porch and first floor extension; First floor sun room and balcony at rear	REFUSED	03.09.2015
15/510004/FULL	Erection of a single-storey side extension, front porch extension and first floor rear extension.	REFUSED	27.01.2016
APP/U2235/D/16 /3150675	Erection of a single-storey side extension, front porch extension and first floor rear extension.	APPEAL DISMISSED	12/09/2016
17/504355/LAWP RO	Lawful Development certificate for proposed single storey side extension and conservatory. Conversion of existing integral garage to bedroom/gym.	PERMITTED	24/08/2017
17/502264/FULL	Erection of New double Garage	PERMITTED	29/09/2017
17/502032/FULL	Erection of front Porch	PERMITTED	29/09/2017

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 10.1 The application site is located on the southern end of Valley Drive within the settlement and Parish of Loose. The property is a relatively large detached bungalow on a large, irregular shaped mature garden plot. The application property is of brick construction with a hipped tiled roof. It has a bland uninspiring main façade featuring a double integral garage. The property is significantly set back from Valley Drive and the immediate neighbouring property to the north of the site no.54 Valley Drive. The front boundary of the application site has matured vegetation and trees which screens the site from Valley Drive.
- 1.02 The neighbouring development comprises of a mix detached bungalows of varied design and scale, interspersed with a handful of detached two-storey properties, all set within a sizeable and well planted and manicured garden plots. The site is located outside the Loose Valley Conservation Area, which runs along its western boundary. A 1.8 metre high evergreen hedge of Leylandii species runs along the common boundary with the neighbouring dwelling to the north west of the site no.54 Valley Drive. The rear boundary abuts the Loose Valley Conservation Area, with matured trees and boundary vegetation screening the site from view.
- 1.03 Part of the application site lies within the urban boundary as defined by the Maidstone Borough-Wide Local Plan (2000), with the other half within the open countryside. The part of the site where the development is proposed is within the urban boundary, therefore the relevant development polices would apply.

2.0 PROPOSAL

- 2.01 This application for the erection of a first floor rear extension over the existing hall, lounge, kitchen and study. It is in part a re-submission of 15/505586/FULL and 15/510004/FULL which was refused by the Council and found to be unacceptable at appeal. The appeals inspector took issue with the three dimensional form of the proposed first floor addition, the relationship of the eaves line to the roof of the existing bungalow, its fenestrations pattern, and the introduction of the glazed bay with slopping roof on the eastern elevation of the landing. In dismissing the previous appeal, the appeals inspector stated that the first floor rear addition as designed 'would serve to overwhelm and destroy the character of the original property'.
- 2.02 The current resubmission for a first floor addition comprises of master suite and landing area above the existing single storey rear projection. It would be approximately 8 metres in depth and just under 7.5 metres across the full width of the rear projection. It would have a hipped roof which would project above the existing roof incorporating dormer windows within the eastern, western and rear southern roof slopes. In addition to other amendments, the height of the first floor rear extension in the current proposals has been considerably set down when compared with the previously refused applications. Other changes include a significantly scaled back fenestrations pattern, and removal of the glazed bay with sloping roof on the southern and eastern elevations referred to in the inspectors report. Also, the relationship of the eaves line to the roof of the existing bungalow which was subject to criticism in the inspector's report has been replaced with a significantly reduced eaves height which is below the ridge line of the existing roof.
- 2.03 The applicant have submitted design amendments removing the element of the proposals involving replacement of the Leylandii boundary hedging along the common

boundary with the neighbouring dwelling to the north west of the site (no.54 Valley Drive) with Yew hedge.

3.0 POLICY AND OTHER CONSIDERATIONS

- 3.01 The National Planning Policy Framework (NPPF) Paragraphs 57, 60 and 61 of the government guidance in the National Planning Policy Framework.
National Planning Practice Guidance (NPPG)
Development Plan: Policy DM8 of the adopted Maidstone Borough Local Plan (2017)
Supplementary Planning Documents: Residential Extensions (May 2009), Loose Road Character Assessment SPD (2008)

4.0 LOCAL REPRESENTATIONS

- 4.01 **Local Residents:** The owners/occupiers of dwellings adjoining the site were notified of this application by letter and a site notice displayed. Representations were received from neighbouring occupiers of nos. 41, 52, 54 and 56 Valley Drive, objecting to the proposal on the following summarised grounds;
- Overlooking and loss privacy
 - Over dominant and out of character with the area;
 - Loss of Leylandii hedge;
 - First step towards commercialisation of the site
- 4.02 The planning issues raised by the neighbouring objectors are addressed in the main appraisal section of the report.

5.0 CONSULTATIONS

- 5.01 Loose Parish Council raises objection to this proposal on the grounds that;
- Loss of Leylandii hedge;
 - The height and mass is out of proportion to the adjacent properties.
 - It would be detrimental to the views across the Conservation Area;
 - The application is not in keeping with the character of the surrounding area.
 - There will be significant harm to the architectural integrity as identified in the last inspectors report.
 - The removal of the hedge would open up the visibility into the rear of 54 Valley Drive.
- 5.02 Natural England has no comments to make on this application.

6.0 APPRAISAL

Main Issues

- 6.01 Existing and emerging development plan policies allows for extensions and alterations to dwellings within the settlement boundary. Therefore, the key issues for consideration and determination in this resubmission are;

- The impact of the first floor rear extension on the character and appearance of the application property, the general vicinity of the site, and the character and setting of the nearby Loose Valley Conservation Area; together with
 - The impact on the amenities of owners/occupiers of surrounding residential properties.
- 6.02 Being a resubmission of planning application 15/506785/FULL and 15/510348/FULL, the Local Planning Authority needs to be satisfied that this current application by reason of its scale, design and fenestration pattern overcomes the previous reasons for refusal and the reasons given for dismissal at appeal.
- 6.03 Given the presence of two storey buildings within the street, it needs to be pointed out that the key issues for consideration in this submission does not include the principle or acceptability of a two-storey developments within Valley Drive. Members are reminded that this did not form the basis of the appeals inspector's decision to dismiss the appeal.

Visual Impact

- 6.04 The application property forms part five individually designed properties located to the southern end of Valley Drive. The character of the area is depicted by bungalows and a handful of two storey buildings set well back from the road with generally low boundary wall treatment and glimpses of the countryside beyond. The application site is screened by tall conifers and boundary vegetation, which terminates the views from within the street. There are matured trees running along the rear boundary site with the Loose Valley Conservation Area, which screens the property and neighbouring properties from view within the Conservation Area.
- 6.05 The proposed first floor rear extension is set back from Valley Drive by approximately 60 metres, with views of the property from the streetscene terminated by the established vegetation along its front boundary. The roof of the proposed first floor addition would be hipped and significantly set down when compared with the height of ridge line of the previously refused applications. Therefore, whilst it would protrude slightly above the roof of the main dwelling, it would not appear of excessive bulk and massing when seen in the context of the site and neighbouring developments. The reduced height of the ridge line, the reconstituted relationship with the eaves, and change in fenestration pattern in the current application ensures that the development would not overwhelm or destroy the character of the host property.
- 6.06 Generally, the current resubmission is designed to accord with the character of the existing dwelling with limited visual impact when view from within the street of Valley Drive. Given its location, scale and distance from the front boundary of the site, it would not appear over dominant or visually harmful within the street when viewed as an addition to the host property. The proposed first floor addition would appear subordinate and a further unassuming change to Valley Drive.
- 6.07 The application property is set back from the neighbouring dwelling to the north west of the site (no.54 Valley Drive) by a distance of approximately 17 metres. Therefore, the proposed development would be to the rear of this property. Whilst the upper sections of the western elevation of the development would rise above the dense leylandii boundary vegetation running along the common boundary of both properties, the appearance of the extension from the rear garden of the application property would not detract from the existing character and appearance of the area. The first floor rear addition would have a separating distance of approximately 32

metres from the western flank of the neighbouring dwelling to the east of the site (no.41 Valley Drive). Therefore it would not appear over dominant when viewed from within the curtilage of this dwelling.

- 6.08 In terms of visual appearance, the current resubmission is acceptable as it would not appear overly prominent or visually harmful when viewed in the context of the application property and developments within the street at Valley Drive. It is therefore considered to overcome reasons outlined in the Council's previous decision notices and the visual appearance reasons as to why the inspector dismissed the appeal.
- 6.09 The application states that external surfacing materials would be similar to those used in the construction of the existing dwelling, which would ensure that it is in keeping with the character and appearance of the host property.

Residential Amenity

- 6.10 The application incorporates two dormer windows in the eastern roof slope which is not considered to raise any significant overlooking concerns given its location and the separating distances with the neighbouring property to the east of the site (no.41 Valley Drive). An additional dormer window is proposed on the west facing roof slope which could overlook the rear garden of the neighbouring dwelling to the north west of the site (no.54 Valley Drive). Therefore, it is recommended that this window is conditioned to be obscure glazed and incapable of being opened except for a high level fanlight opening of at least 1.7m above the inside floor level to safeguard the privacy of neighbouring occupiers. The small roof light window opening incorporated on the same elevation is not considered to raise any significant overlooking concerns. The large glazing panels incorporated on the south facing rear dormer facing onto the rear garden of the application site, would not overlook any neighbouring dwelling or their garden. The proposal is considered acceptable on amenity.

Other Matters

- 6.11 In terms, of landscaping the submitted plans whilst showing some details of the existing driveway and the proposed garages do not indicate any additional landscaping within the site. As indicated above, the applicant has submitted design amendments removing the element of the proposal involving replacement of the existing Leylandii hedge with Yew. Considering that the site has a well landscaped front and rear garden which would be retained, I do not consider it necessary to impose a landscaping condition requiring submission of details of landscaping within the site.
- 6.12 Comments have been received from Loose Parish Council and neighbours objecting to the proposals on grounds that it is contrary to the Loose Road Character Assessment. However, as indicated in my assessment above, the amended proposal does not obscure the existing views and connections to the open countryside which is terminated by the tall trees surrounding the site. The proposal respects the quiet residential character and scale of developments within Valley Drive and therefore considered to protect the character and setting of the nearby Loose Valley Conservation Area and the vicinity of the site generally.
- 6.13 Further comments have been received from neighbouring occupiers objecting to the proposals on grounds that the submitted plans/drawings are conflicting and lack

dimension. The submitted plans/drawings are of appropriate dimension and there is no evidence to substantiate the claims made that the submitted scheme is conflicting.

- 6.14 Loose Parish Council have raised concerns over the loss of the hedge running along the common boundary with the neighbouring dwelling to the north west of the site. The removal of the boundary hedge in itself is not classed as development and therefore, cannot be considered as part of the application.

7.0 CONCLUSION

- 7.01 The design of the current scheme represents a significant improvement upon the previous applications. Officers have assessed the submission and consider the impact on the character, appearance and visual amenity of the application property and generally locality to be acceptable. The proposed development does not result in any adverse impact on the amenities of any neighbouring property.
- 7.02 The proposed development is acceptable in design terms. The development will assimilate well within the general streetscene of Valley Drive, particularly when considering that there are existing two storey dwellings within the street. In the circumstances, I recommend that this application is approved subject to appropriate conditions.

8.0 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 development hereby permitted shall be carried out in accordance with the following approved plans/drawings received on 27th April, 2017
Drawing Number 15-24-12 Proposed Plans and Elevations
Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers.
3. The materials to be used in the construction of the external work to the first floor rear extension hereby permitted shall match those used in the existing building;
Reason: To ensure a satisfactory appearance to the development.
4. Before the development hereby permitted is first occupied, the windows on the first floor of the west facing elevation of the extension hereby permitted (as shown on drawing no.15-24-12) 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 to the satisfaction of the Local Planning Authority.
Reason: To prevent overlooking of adjoining property and to safeguard the privacy of existing and prospective occupiers.

Case Officer: Francis Amekor

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