

APPLICATION: MA/10/0381 Date: 25 February 2010 Received: 5 March 2010
APPLICANT: Mr & Mrs T & S Fuller
LOCATION: 14, PLANTATION LANE, BEARSTED, MAIDSTONE, KENT, ME14 4BH
PARISH: Bearsted
PROPOSAL: Erection of a part two storey part single storey side and rear extension as shown on plan numbers 1673.01 Rev A, 1673.03 Rev B, 1673/04 and application form received 5th March 2010.
AGENDA DATE: 20th May 2010
CASE OFFICER: Kevin Hope

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

- it is contrary to views expressed by the Parish Council
- an officer of the Local Planning Authority is the applicant

1. POLICIES

Maidstone Borough-Wide Local Plan 2000: H18
South East Plan 2009: BE1, CC6
Government Policy: PPS1, PPS3
Residential Extensions Supplementary Planning Document

1. HISTORY

MA/ 81/0887 – Erection of a garage – (Approved)

2. CONSULTATIONS

Bearsted Parish Council – Have recommended refusal on the following grounds:-

- “loss of light
- overshadowing in contravention to the ‘45 degree rule’
- the proposed two storey extension would result in a bulky visual appearance, whilst the total extension to the property will now measure 4m, which is over the 3m ruling regarding extensions”.

Conservation Officer – Recommends approval on the following grounds:-

- "The extension would be located in a position where it is unlikely to affect the setting of the listed building.
- The design of the proposed extension also seems to be of sufficient quality and appropriate character for its setting".

3. REPRESENTATIONS

One objection has been received raising the following points:-

- Loss of light
- Overshadowing to house and patio area

4. CONSIDERATIONS

5.1 Site Description

5.1.1 The application site is located on Plantation Lane which is within the defined urban area, in the parish of Bearsted. The application property is one of a pair of semi-detached two-storey dwellings which have an 'art-deco' appearance to the front elevation. The street scene comprises largely of two-storey semi-detached dwellings which vary in scale, design and age. The property is set back from the road by approximately 7m with a front drive and attached garage to the east of the dwelling. The property is screened, to a degree, by a 2m high hedge on the front boundary. There is a distance of approximately 0.7m at ground-floor level between the garage and the side extension of the neighbouring dwelling to the east, 16 Plantation Lane. At first-floor level, the distance between the property and No16 is 2.8m. To the rear, the property has a single storey flat roofed rear extension which was constructed under permitted development entitlements. The rear garden faces south and extends approximately 28m with a slightly sloping topography to the south. The rear garden is bordered to the east, west and south by 1.8m high close boarded fencing. The neighbouring dwelling to the east, (No16), has a single-storey side and rear extension projecting 1.8m from the side and 3m from the rear elevation. The neighbouring dwelling to the west, (No12), currently has a single-storey rear extension projecting 4m from the rear elevation.

5.2 Proposal

5.2.1 Planning permission is sought for the erection of a part two-storey/part single-storey side and rear extension which would replace the existing single-storey rear extension. The two-storey element of this proposal would project 4m from the original rear elevation of the dwelling, would be 4.6m in width and would measure 6.6m to the ridge. This would also have a hipped roof and an eaves height that would match that of the existing dwelling at a height of 5m. The single-storey element would have a sloping roof design and would be 2.9m in width, would also project 4m from the rear elevation and would be 3.4m in height with an eaves height of 2.3m.

5.3 Principle of Development

5.3.1 In principle, the proposal is considered acceptable given that it is within the defined urban area. The key policy is H18 of the Maidstone Borough Wide Local Plan 2000. This policy states that:-

"EXTENSIONS AND ADDITONS TO RESIDENTIAL PROPERITES WILL BE PERMITTED PROVIDED THAT THE PROPOSAL:

- (1) IS OF A SCALE AND DESIGN WHICH DOES NOT OVERWHELM OR DESTROY THE CHARACTER OF THE ORIGINAL PROPERTY; AND*
- (2) WILL COMPLEMENT THE STREET SCENE AND ADJACENT EXISTING BUILDINGS AND THE CHARACTER OR THE AREA; AND*
- (3) WILL RESPECT THE AMENITIES OF ADJOINING RESIDENTS REGARDING PRIVACY, DAYLIGHT, SUNLIGHT AND MAINTAINANCE OF A PLEASANT OUTLOOK; AND*
- (4) ENSURES THAT ADEQUATE CAR PARKING PROVISION WITHIN THE CURTILAG OF THE DWELLING IS PROVIDED, IN ACCORDANCE WITH THE ADOPTED CAR PARKING STANDARDS.*

I will therefore consider the proposal against each of the criterion set out in this policy.

The Residential Extensions SPD also provides guidance on rear extensions. This document states that:-

- *"Rear extensions on semi-detached and terraced houses should not project more than 3 metres from the rear elevation.*
- *"The in filling of spaces between dwellings with two-storey extensions could create a terraced appearance at odds with the rhythm of the street scene".*
- *"An extension should not cause any significant loss of daylight or cutting out of sunlight for a significant part of the day to principle rooms".*

I will consider these points under sections 5.4 and 5.5 below.

5.4 Design and Visual Impact (criterion 1 and 2)

5.4.1 With regard to the impact upon the existing dwelling, the design of the proposal would be in keeping with the existing dwelling with the inclusion of a matching rendered finish and window design. It is also noted that the extension would have a lower ridge height than the dwelling with a difference of 1.5m; this would ensure the extension is modest and subservient in appearance. Although the extension would project 4m from the rear elevation, which is contrary to the guidance stated within the Residential Extensions SPD, it is considered that by virtue of its siting, it would not

overwhelm the existing form of the dwelling or have a detrimental impact upon its visual appearance.

5.4.2 In terms of visual impact upon the street scene, only the two-storey element of the proposed development would be visible, to a degree, from Plantation Lane through the gap between the dwellings. However, this would be set back from the road by approximately 15m and would be largely screened by the existing dwelling. It is also noted that the extension would be set back from the front elevation by 6.1m; there would also be a gap of 1.6m between the extension and the side elevation of No16 at first-floor level. Consequently, this proposal would not result in a terraced appearance and would not have a detrimental impact upon the appearance of the street scene. The nearby listed buildings are located approximately 32m to the north-west of the proposal and would be screened by the front boundary hedging at the site. Therefore, I concur with the view of the conservation officer in that the setting of the listed buildings would not be harmed by this proposal.

5.5 Residential Amenity (Criterion 3)

5.5.1 With regard to neighbouring amenity, it is noted that a number of issues have been raised regarding potential loss of light and overshadowing to the neighbouring dwelling, (No16) caused by the two-storey element of this proposal. After applying the 45° light test to the extension, it is clear that there would be a loss of light to the near side of the property. However, the first floor near side window on the rear elevation of No16 serves a bathroom and the first floor window to the side elevation serves the landing area. These are not considered to be habitable rooms, therefore in this case, this loss of light would not sufficiently affect the neighbouring dwelling to warrant and sustain a refusal of planning permission on this ground. The single-storey element would be in line with the neighbouring rear extension to the west and therefore would not result in any significant amenity issues to No12. It is considered that this proposal would not cause any significant amenity issues to any other neighbouring properties.

5.6 Highways (Criterion 4)

5.6.1 This development would have no impact upon parking provision at the site, there would remain parking provision for a least three vehicles within the existing front drive and garage.

5. CONCLUSION

6.1 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. I therefore recommend that the application should be approved subject to the following conditions.

6. 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 in accordance with policy H18 of the Maidstone Borough Wide Local Plan 2000 and policies BE1 and CC6 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 South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.