

REFERENCE NO - 20/505546/FULL		
APPLICATION PROPOSAL Construction of a first floor side extension. (Resubmission of 20/504292/FULL)		
ADDRESS 10 Meadow View Road, Maidstone, Kent ME17 4LH		
RECOMMENDATION GRANT PLANNING PERMISSION subject to planning conditions		
SUMMARY OF REASONS FOR RECOMMENDATION The proposed extensions and alterations to 10 Meadow View Road would accord with the relevant policies and guidelines on residential extensions. On balance there would not be significant harm to visual or residential amenity, nor other material planning considerations such that this is an acceptable development and approval is therefore recommended subject to conditions.		
REASON FOR REFERRAL TO COMMITTEE Boughton Monchelsea Parish Council has requested that the application be considered by the Planning Committee if Officers are minded to recommend approval due to the impact on neighbouring amenity and street scene.		
WARD Boughton Monchelsea	PARISH/TOWN COUNCIL N/A	APPLICANT Lee Gardham AGENT Cb Planning
TARGET DECISION DATE 01.03.2021 (EOT)		PUBLICITY EXPIRY DATE 08.01.2021

Relevant Planning History

13/0183- Erection of a single storey side and rear extension and retrospective conversion of garage to additional habitable accommodation -Permitted

20/504292/FULL - First floor side/rear extension – Refused

MAIN REPORT

1. DESCRIPTION OF SITE

1.01 The application site comprises a semi detached 2-storey house located on Meadow View Road. The property benefits from a private drive way which could potentially park two vehicles and a large rear garden of approximately 33 metres in length. The dwelling is within Boughton Monchelsea larger village as shown in the councils adopted local plan policies map. The majority of properties surrounding the application site are of a similar scale with many benefiting from front, side and rear extensions. The site is not subject to any other land designations.

2. PROPOSAL

2.01 The application seeks permission to extend the existing dwelling incorporating, the construction of a first floor side extension.

2.02 In terms of design the first floor extension would have a width of 2.7 metres, depth of 7.8 metres, eaves height of 4.8 metres and an overall height of 6.6 metres with a gable end roof.

2.03 The materials proposed are to match the existing materials of the property.

- 2.04 The block plan shows space to park vehicles on the front private forecourt and the retention of the garden/amenity area to the rear of the property.

3. POLICY AND OTHER CONSIDERATIONS

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Maidstone Borough Local Plan 2017:

DM1 – Principles of good design

DM9 - Residential extensions, conversions and redevelopment within the built up area.

SPG 4 - KCC Parking Standards (2006)

Maidstone Local Development Framework, Residential Extensions Supplementary Planning Document (2009)

4. LOCAL REPRESENTATIONS

Local Residents:

- 4.01 One representation from a neighbouring property has been received raising the following objections (summarised):

- Overhanging/encroachment
- Prevent having the same extension in the future
- Loss of light/overshadowing
- Boundary issues

There were no representations in support of the application.

5. CONSULTATIONS

- 5.01 Boughton Monchelsea Parish Council-

- The side wall of the extension appears to be constructed on the boundary between numbers 8 and 10. Any projections from this boundary wall such as flues, windows and roof overhang would be encroaching onto neighbouring property.
- Constructing and maintaining the proposal would not be possible without access onto neighbouring property
- If this proposal were approved then it would take away the right of the neighbour to do a similar extension without turning the properties into a terrace
- We are concerned at the detrimental effect of the proposal on the private amenity of the neighbouring property, eg lack of light

6. APPRAISAL

- 6.01 The key issues for consideration relate to:

- Design and visual impact of the proposed development in relation to the dwelling and the streetscene.
- The potential impact upon the amenities of neighbouring householders.

6.02 Policy Context

- 6.03 The Maidstone Borough Local Plan was adopted in October 2017. Policy DM1 sets out the principles of good design. In particular, proposals should respond positively to local character and particular regard should be paid to scale, height, materials, detailing mass and bulk.
- 6.04 More specifically, Policy DM9 sets out the criteria for domestic extensions. Within the defined boundaries of the urban area, rural service centres and larger villages, proposals for the extension, conversion or redevelopment of a residential property which meet the following criteria will be permitted if:
- i. The scale, height, form, appearance and siting of the proposal would fit unobtrusively with the existing building where retained and the character of the street scene and/or its context;
 - ii. The traditional boundary treatment of an area would be retained and, where feasible, reinforced;
 - iii. The privacy, daylight, sunlight and maintenance of a pleasant outlook of adjoining residents would be safeguarded; and
 - iv. Sufficient parking would be provided within the curtilage of the dwelling without diminishing the character of the street scene.
- 6.05 The Supplementary Planning Document Residential Extensions (2009) (SPD) states that extensions should respond sensitively to the positive features of the area which contribute to the local distinctive character and sense of place in terms of scale, proportion and height. It is also desirable that the form, proportions, symmetry and detail of the original building should be respected. The scale, proportion and height of an extension should not dominate the original building, should be subservient to the original house and should fit unobtrusively with the building and its setting. The form of an extension should be well proportioned and present a satisfactory composition with the house. Extensions should respect the amenities of adjoining properties in respect of daylight and sunlight and maintain an acceptable outlook from a neighbouring property.
- 6.06 Paragraph 4.41 of the residential extension supplementary document states that a range of devices are available to subordinate an extension such as set backs and lower roofs. In normal circumstances, a proposal of this nature would be required to be set down from the apex of the original roof and set back from the principle elevation to ensure the extension is subservient and less obtrusive in relation to the existing dwelling.
- 6.07 In the context of policy provisions set out above, the key issues for consideration in this submission are the impact of the proposal on the character and appearance of the existing property and streetscene together with the impact on the amenities of neighbouring occupiers.

Design and visual impact

- 6.08 Policy DM9 of the Maidstone Borough Local Plan (2017) is supportive of extensions to dwellings within urban areas provided that the scale, height, form and appearance and siting of the proposal would fit unobtrusively within the existing building and the character of the street scene/or its context. In advising on side extensions, the Residential Extensions SPD (2009) notes that the acceptable depth

and height of a rear extension will be determined by the ground levels distance from the boundaries and size of the neighbouring garden/amenity space.

- 6.09 The proposed side extension is not an uncommon extension within sub-urban areas of Maidstone and it is evident that many properties of this style and age throughout the borough have similar additions. It is not considered that the proposed first floor side extension would be of an excessive scale or unsympathetic design that it would be detrimental to the visual amenity of the property as seen from the highway.
- 6.10 The proposal would be assessed against policies DM1 and DM9 in the adopted local plan and The Councils Residential Extensions SPD. Within the SPD it states that 'other than in areas with significant spacing between dwellings, there should normally be a minimum gap of 3 metres between the side wall of a two storey side extension and the adjoining property for the full height of the extension.' The gap retained between No. 10 and No. 8 will be approximately 2.9 metres. Although this is 100mm less than recommended, it is considered on balance, that the retained gap would be sufficient to comply with this guideline.
- 6.11 It is important to confirm that should an application be submitted by the neighbouring property for another first floor side extension, such a proposal could be refused on the grounds of terracing. Indeed, similar applications that result in terracing have been refused in the past and upheld at appeal.
- 6.12 There are also no policies to suggest that a property cannot erect an extension that would comply with the local plan and relevant SPD because it may set precedence for other properties to erect a similar extension within a vicinity that does not currently have a specific type of extension. We have to look at the property and neighbouring situations as it currently stands when the application is submitted, otherwise this risks owners in this estate not being able to extend their properties like other areas in Maidstone. As stated previously this is not an uncommon extension in sub-urban Maidstone. Each proposal must be considered on its own merits at the time of submission.
- 6.13 Meadow View Road is predominately made up of two storey semi-detached dwellings of a similar design to the application site and chalet style bungalows built in a similar period. It is considered that, in its context, the proposed development would not appear significantly out of place or out of character with its surroundings.
- 6.14 It is not considered that the property is of such high visual amenity value that the minor change in character would result in significant harm. The application site is not restricted in terms of being located in a conservation area or AONB and is not listed.
- 6.15 The proposal would be set down from the original apex and set in from the principal elevation which assimilates a subservient extension that would not overwhelm the existing property and reduces the mass and bulk to appear sympathetic within the street scene.
- 6.16 The materials proposed are to match the existing property which will be in keeping and would appear sympathetic within the street scene.

Impact on neighbouring amenities

- 6.17 Policy DM9 specifically states that domestic extensions will be supported provided that the privacy, daylight, sunlight and maintenance of a pleasant outlook of the adjoining residents would be safeguarded. This requirement is also observed in the Residential Extensions SPD (2009) where it is noted that the design of domestic alterations should not result in windows that directly overlook the windows or private amenity spaces of any adjoining properties and should also respect daylight, sunlight and outlook.

6.18 8 Meadow View Road

- 6.19 It is agreed that there may be a risk of having a terraced effect if this neighbouring property wanted to extend in the same manner in the future, however, I would not consider this to be a reason for refusal as every property is judged on its own merits and in this case there will be a gap of 2.9 metres retained. The Councils Residential Extensions SPD states that 'other than in areas with significant spacing between dwellings, there should normally be a minimum gap of 3 metres between the side wall of a two storey side extension and the adjoining property for the full height of the extension. Albeit the extension falls short 100mm but in terms of visual impact this would not be detrimental to the street scene or character of the area and would not change the situation regarding this neighbouring property. There would be no policy basis for a refusal on grounds of potential future terracing.
- 6.20 The residential extension guideline states that a 45 degree angle light test should be carried out on the elevations and floor plan of a proposed development in relation to neighbouring habitable windows in this case it would be No 8 Meadow View Road. When carrying out this test on the application site in relation to the adjacent neighbour, the proposal passes on the floor plan and passes on the elevational drawings. As the window in the side elevation of this neighbouring property is non-habitable it cannot be assessed for loss of light/overshadowing however the window will still receive a sufficient amount of light and there will only be a degree of overshadowing for part of the day. The proposal passes the BRE light test as set out in the Residential extension SPD and I am satisfied that the extension will not result in a loss of light or overshadowing.
- 6.21 Concerns were also raised in regards to encroachment. The plans show the extension wholly within the boundary and the applicant would have to build this in accordance with the plans to avoid enforcement action in the future. Informatives would be placed on any decision relating to encroachment and party wall issues.
- 6.22 This neighbouring property has one window in the side elevation closest to the proposed development which I assume is a non-habitable room (hallway). Therefore, due to the nature, scale and location of the proposal, due to the existing situation at this neighbouring property in terms of extensions, the first floor window closest to the development to the rear serving a bathroom, I do not consider, on balance, there to be any significant residential amenity issues in terms of outlook that would warrant a refusal on this ground.
- 6.23 There are no windows proposed in the flank elevation of the extension and it is considered that due to the siting and orientation of the proposed windows in the front and rear elevations it is unlikely that the extension would result in overlooking or loss of privacy.
- 6.24 12 Meadow View Road
- 6.25 The residential extension guideline states that a 45 degree angle light test should be carried out on the elevations and floor plan of a proposed development in relation to neighbouring habitable windows in this case it would be No 12 Meadow View Road. When carrying out this test on the application site in relation to the adjacent neighbour, the proposal passes on the floor plan and passes on the elevational drawings. The proposal passes the BRE light test as set out in the Residential extension SPD and I am satisfied that the extension will not result in a loss of light or overshadowing.
- 6.26 Due to the siting and nature of the extension it would not result in a detrimental impact to the outlook of this neighbouring property and would not appear overbearing within the vicinity.
- 6.27 It is not considered that the proposed windows would result in overlooking or loss of privacy for this neighbouring property.

- 6.28 On balance, it is considered that the proposal would not result in significant residential amenity impacts and that the consequences of the low quality design would directly discord with the requirements of policies DM1 and DM9 and the residential extension SPD by virtue of the resulting impact on the outlook and loss of light/overshadowing of the adjacent neighbouring properties.

Other Matters

- 6.29 KCC Highways state within their residential parking standards that a property with 4+ bedrooms should be allocated at least 2 independently accessible spaces within a suburban area. I would consider the amount of space retained on the private forecourt to accommodate 2+ cars and would therefore be in accordance with policy DM9 and KCC Highways recommendation for properties of this size.
- 6.30 There are no significant trees in close proximity to the site that will be detrimentally impacted by this development.
- 6.31 Policy DM1 of the local plan sets out at point viii that proposals should 'protect and enhance any on-site biodiversity and geodiversity features where appropriate, or provide mitigation.'
- 6.32 A biodiversity condition has been imposed to enhance on-site biodiversity.

7. CONCLUSION

- 7.01 The above assessments indicate that the extensions and alterations to 10 Meadow View Road, on balance, accord with the relevant policies and guidelines on residential extensions. On balance, this is an acceptable development and approval is therefore recommended subject to conditions.

8. 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:

Householder Application

CB-001	Existing East and West Elevations
CB-003	Existing Ground Floor Layout
CB-003	Existing North and South Elevations
CB-004	Existing 1st Floor Layout
CB-005	Proposed East and West Elevations
CB-006	Proposed North and South Elevations
CB-007	Proposed Ground Floor Layout
CB-008	Proposed 1st Floor Layout
CB-009	Block Plan

Reason: To clarify which plans have been approved.

- 3) The external facing materials to be used in the construction of the extension hereby permitted shall match those used on the existing building;

Reason: To ensure a satisfactory appearance to the development.

- 4) The extensions hereby approved shall not commence above slab level until details for a scheme for the enhancement of biodiversity on the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of biodiversity through either integrated methods into the design and appearance of the extension by means such as swift bricks, bat tube or bricks, or through provision within the site curtilage such as bird boxes, bat boxes, bug hotels, log piles and hedgerow corridors. The development shall be implemented in accordance with the approved details and all features shall be maintained thereafter.

Reason: To protect and enhance the ecology and biodiversity on the site in the future.

INFORMATIVES

The grant of this permission does not convey any rights of encroachment over the boundary with the adjacent property in terms of foundations, eaves, guttering or external cladding, and any persons wishing to implement this permission should satisfy themselves fully in this respect. Regard should also be had to the provisions of the Neighbour Encroachment and Party Wall Act 1995 which may apply to the project.

Case Officer: Sophie Bowden