

## REPORT SUMMARY

<b>REFERENCE NO - 22/500414/FULL</b>			
<b>APPLICATION PROPOSAL</b>			
Demolition of existing conservatory and erection of a two-storey rear extension and replacement front porch.			
<b>ADDRESS</b> South View Lodge Pilgrims Way Detling Maidstone Kent ME14 3JY			
<b>RECOMMENDATION : GRANT</b>			
<b>SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL</b>			
For the reasons set out in the report below it is considered that the proposed rear extension and replacement porch would be acceptable and would not cause significant visual harm, harm to neighbouring amenity nor would it be unacceptable in terms of any other material planning considerations. The proposed developments are considered to be in accordance with current policy and guidance.			
<b>REASON FOR REFERRAL TO COMMITTEE</b>			
The recommendation is contrary to the views of Detling Parish Council who have requested the application be presented to the Planning Committee.			
<b>WARD</b> Detling And Thurnham	<b>PARISH/TOWN COUNCIL</b> Detling	<b>APPLICANT</b> Garry Walker <b>AGENT</b> Cre8room Limited	
<b>DECISION DUE DATE</b> 28/03/22	<b>PUBLICITY EXPIRY DATE</b> 10/03/22	<b>OFFICER SITE VISIT DATE</b> 25/02/2022	
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
76/0292	Replacement of existing timber garages	Permitted	13/05/1976
76/0293	Two dwellings as amended by the agent's letters dated 10th June 1976, 30th July 1976, 24th August 1976 and accompanying Drawing No. 76/248/6A.	Permitted	17/09/1976

## MAIN REPORT

### 1.0 DESCRIPTION OF SITE

- 1.01 The application site relates to a two-storey detached dwelling. The existing materials of the dwelling comprise of brick and hung tile for the external walls, tiles for the roof and brown uPVC for the windows and external doors.

- 1.02 The site is accessed by a private driveway from Pilgrims Way and is situated slightly higher than the street. The driveway leads to a large parking and turning area and the property is situated to the east. The property sits in the centre of a spacious plot with a flat garden at the rear of the property. There are tall trees along the boundary of the site with Pilgrims Way which would act as a screen from the street scene. Other boundary treatments on the site consists of tall hedging and a wall.
- 1.03 The site is located just outside a conservation area but is within an area of outstanding natural beauty. It is within the countryside in Detling and within the 500m buffer of a local wildlife site. The site is also adjacent to a Grade II listed building.

## **2.0 PROPOSAL**

- 2.01 The proposal is for the demolition of an existing conservatory and the erection of a two-storey rear extension and replacement front porch.

### *Two-storey rear extension*

- 2.02 The extension would be on the east elevation to the rear of the original dwelling and would replace the existing conservatory which has an approximate width of 7.9m, depth of 3.7m, eaves height of 2.4m and ridge height of 3.3m. The proposed extension would have an approximate width of 12.7m (the same width as the existing dwelling) and an approximate depth of 5m. It would have a dual pitched roof with an eaves height of approximately 5.3m (to match the existing dwelling) and a ridge height of 8.3m (which would also match the height of the existing dwelling). The proposed materials would consist of plain tiles to match the existing for the roof, uPVC/aluminium for the windows and external doors and render for the external walls. The extension would consist of an open plan dining/lounge area and an extension to the existing kitchen on the ground floor. On the first floor the extension would consist of an extension to the three existing bedrooms, along with two new en-suites and a dressing area.

### *Replacement front porch*

- 2.03 The porch would be on the west elevation and would be at the front of the property. The existing porch has an approximate width of 2.4m and depth of 1.2m. It has a flat roof with an eaves height of approximately 2.3m. For comparison the proposed porch would have an approximate width of 4.2m and depth of 2.6m, it would also have a flat roof with an eaves height of approximately 2.7m. The proposed materials for the porch would be a mineral felt/fibreglass flat roof, uPVC/aluminium for the windows and external doors and facing brickwork to match the existing for the external walls.

## **3.0 POLICY AND OTHER CONSIDERATIONS**

The National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Development Plan – Maidstone Borough Local Plan 2017: Policies DM1, DM30, DM32 and SP17

Maidstone Borough Council – Local Plan Review, draft plan for submission (Regulation 19) dated October 2021: Policies LPRSP9 – Development in the Countryside LPRSP15 – Principles of good design LPRQ&D4 – Design principles in the countryside.

*The Regulation 19 draft is a material consideration and some weight must be attached to the document because of the stage it is at but its weight is limited, as it has yet to be the subject of an examination in public.*

Supplementary Planning Documents: Maidstone Local Development Framework: Residential extensions Supplementary Planning Document,

Kent Downs Area of Outstanding Natural Beauty Management Plan 2021-2026

#### **4.0 LOCAL REPRESENTATIONS**

4.01 Two neighbour representations have been received, objecting to the proposal on the following grounds (summarised):

- Proposed materials, design, and layout.
- The scale of the proposed two-storey extension causing an effect on listed buildings, the character of a conservation area and loss of landscape features.
- Overshadowing.
- Causing harm to nearby trees.
- Causing harm to local endangered wildlife.

#### **5.0 CONSULTATIONS**

5.01 Detling Parish Council

- Effect of listed buildings on the character of the Detling Conservation area.
- Design and Appearance.
- Density of buildings within the area.
- If the case officer is minded to approve the application, the parish council requests that this be referred to the MBC Planning Committee.

5.02 Ward Councillor raised the following concerns:

- The scale and design
- The impact it would have on the Detling conservation area.
- If that case officer is minded to approve, please refer this application to planning committee.

Detling Parish Council had already requested this application be referred to planning committee and the request by the Ward Councillor was outside the 21 day period of the weekly list date for the application.

5.03 Conservation Officer (Verbal comments) : No harm would result, the larger two storey extension would be to the east of the dwelling furthest from the Conservation Area and screened by the existing dwelling. Design acceptable and would not result in harm to setting of Conservation Area or adjacent Listed Buildings.

#### **6.0 APPRAISAL**

6.01 The key issues for consideration relate to:

- Site Background/Principles of development/Policy context
- Visual amenity (including setting of Conservation Area, Listed Buildings and impact on AONB)
- Residential amenity
- Parking/Highway safety
- Other Matters

**Site Background/Principle of Development/Policy Context**

6.02 The existing dwelling was built under the permission 76/0293.

6.03 The application site is located in the countryside, as defined in the Local Plan, Policy DM32 of the local plan allows for residential extensions provided that:

- i). The proposal is well designed and is sympathetically related to the existing dwelling without overwhelming or destroying the original form of the existing dwelling;
- ii) The proposal would result in a development which individually or cumulatively is visually acceptable in the countryside;
- iii) The proposal would not create a separate dwelling or one of a scale or type of accommodation that is capable of being used as a separate dwelling; and
- iv) Proposals for the construction of new or replacement outbuildings (e.g. garages) should be subservient in scale, location and design to the host dwelling and cumulatively with the existing dwelling remain visually acceptable in the countryside.

6.04 Policy DM1 (ii) in terms of design refers to developments responding positively to the local character of the area, with regard being paid to scale, height, materials, detailing, mass, bulk, articulation and site coverage. DM1 (iv) re-iterates consideration to be paid to adjoining neighbouring amenity.

6.05 Policy DM30 refers to design principles in the countryside, where development is proposed in the countryside the design principles set out in this policy must be met. DM30 (v) states:

*Where an extension or alteration to an existing building is proposed, it would be of a scale which relates sympathetically to the existing building and the rural area; respect local building styles and materials; have no significant adverse impact on the form, appearance or setting of the building, and would respect the architectural and historic integrity of any adjoining building or group of buildings of which it forms part.*

6.06 The residential extensions SPD in relation to rear extensions sets out that rear extensions should not normally exceed 4m in the depth in the case of a detached dwelling. The SPD also sets out:

*'The acceptable depth and height of a rear extension will be determined by the ground levels, distance from the boundaries and also the size of the neighbouring garden/amenity space. Amenity considerations set out elsewhere in the document*

*are important factors in determining the appropriateness of the depth of any rear extension'. (Para 4.9)*

- 6.07 The residential extensions SPD in relation to extension within the countryside sets out that any proposed extensions should not adversely impact on the form and character of the original building or the character of the countryside. Additionally, the SPD states where an extension is acceptable in principle, its form should be well proportioned and present a satisfactory composition with the house. The roof shape is critical to creating a successful built form. The SPD in relation to screening also sets out that existing mature screening can help assimilate a modest extension into the rural landscape. The SPD also states:

In considering an extension to a residential dwelling in the countryside, the Local Planning Authority would normally judge an application as modest or limited in size if, in itself and cumulatively with previous extensions, it would result in an increase of no more than 50% in the volume of the dwelling. Proposed new garages and outbuildings within 5 metres of the existing dwelling will be calculated as part of this volume. The gross volume will be ascertained by external measurement taken above ground level and include the volume of the roof. (Para 5.18)

### **Visual Impact**

- 6.08 The application site is situated higher than the street Pilgrims Way and there are trees located along the boundary of the curtilage of the site and the road which act as a screen meaning there is significantly reduced public visibility to the site. At the present time considering the difference in ground height and the existing boundary treatments, the proposed two-storey extension would not impact on the visual amenity of the streetscene. The proposed replacement front porch would be visible to the streetscene, however considering the difference in ground height, and the small scale of the increased footprint of the replacement porch, it is considered that the proposal would not adversely affect the streetscene.
- 6.09 Planting cannot however be relied on a permanent screening and therefore it also needs to be considered, should that be removed would the proposal remain acceptable. The proposed design of the two-storey extension is considered to be in keeping with the original property with the roof pitch matching the original and with the eaves height and ridge height also matching the existing property. The proposed porch is considered to be in keeping with the original property due to the use of matching materials to the existing dwelling, as such is it is considered the proposal would not adversely impact on the character of the area.
- 6.10 Concerns have been raised regarding the overdevelopment and density of buildings within the area. The proposed two-storey extension would only exceed the recommended depth beyond the existing rear wall of the property by 1m for a detached dwelling. Additionally, paragraph 4.9 of the residential extensions SPD sets out that the acceptable depth and height of a rear extension will be determined by the ground levels, distance from the boundaries and also the size of the neighbouring garden/amenity space. The proposed two-storey extension is considered to be well accommodated within the large site. Furthermore, referring to paragraph 5.18 of the

Residential Extensions SPD the proposal is considered to be of a modest size and therefore would not make a detrimental impact to the overdevelopment and density of buildings within the area.

- 6.11 The effect of the proposal on nearby listed buildings, in particular the Grade II listed Dovecot in the garden of the neighbouring property Medway House is considered acceptable. The Dovecot is located approximately 28m from the proposed porch and there is an existing hedge and wall located along the boundary dividing the two sites, the hedging would act as a screen between the proposal and the Dovecot and considering the minimal additional scale of the proposed porch it is considered that the proposed porch would not adversely affect the setting of the listed building. The proposed two-storey extension is located at the rear of the application property, and due to the orientation of the site, the application property is therefore located between the proposal and the Dovecot, it is therefore considered that due to the proposal not exceeding the height of the existing property that it would not harmfully impact the listed building.
- 6.12 Additionally, concerns were raised about the proposal affecting the setting of the conservation area. The proposal and existing property fall just outside the boundary of the conservation area, only part of the driveway is within it. No harm would result, the larger two storey extension would be to the east of the dwelling furthest from the Conservation Area and screened by the existing dwelling. Design acceptable and would not result in harm to setting of Conservation Area or adjacent Listed Buildings.
- 6.13 The dwelling is situated as part of a cluster of buildings, although situated within the open countryside, the characteristics are such that there is existing built development in this part of the AONB. It is not considered the proposal would harm the openness and intrinsic character of the countryside or AONB.
- 6.14 Overall the proposed developments are of an acceptable design and appearance which would appear subservient to the existing dwelling and would not harm visual amenity of the streetscene or character of the surrounding area, nor would it harm the site itself.

### **Residential Amenity**

- 6.15 Representation has been received from two of four adjoining neighbouring properties (East Court, The Street and Medway House, Pilgrims Way). It is those properties together with Downsfield, Pilgrims Way, Romantica, Pilgrims Way, Emmerton Lodge, The Street and Elva Cottage, Pilgrims Way that would be most likely impacted by the proposal. The other neighbouring properties are considered to be a significant distance away to be unaffected by the proposal.
- 6.16 *Medway House*

Medway House, Pilgrims Way is the adjoining neighbour located west of the application site. There is tall hedging and a wall dividing the two properties. The proposed two-storey extension is located on the east elevation at the rear of the application property, the existing property is therefore located between the proposal and Medway House, it is therefore considered that the proposed two-storey

extension would not impact upon the residential amenity of Medway house by causing a loss of light, overshadowing or privacy as the extension would not exceed the height of the existing property.

The proposed replacement porch is on the west elevation at the front of the application property. It is approximately 22m from the boundary with Medway House. The proposed porch is considered to be of a modest scale and considering the existing boundary treatment and the distance from the proposal to the boundary with Medway House, I am satisfied that the proposed porch would not adversely affect the residential amenity of Medway House.

#### 6.17 *Emmerton Lodge*

Emmerton Lodge, The Street is the adjoining property located north-west of the application site. Emmerton Lodge is situated higher than the application site, there is a tall existing hedge dividing the two sites. The proposed two-storey extension is approximately 20m from the boundary with Emmerton Lodge. It is considered that due to the distance from the proposal to the neighbouring property and existing boundary treatment that the proposal would not adversely affect the residential amenity of Emmerton Lodge. Additionally, there are no windows proposed that would result in a loss of privacy or overlooking.

The proposed replacement porch is located approximately 21m from the boundary with Emmerton Lodge. The porch would not extend any further beyond the existing front elevation and considering the proposed height is would not exceed the height of the existing property, it is therefore considered that the proposal would not impact upon the residential amenity of Emmerton Lodge by causing a loss of light, privacy or overlooking.

#### 6.18 *East Court*

East Court, The Street is the adjoining property located north of the application site. East Court is also situated higher than the application site and there is also an existing tall hedge dividing the two properties. Concerns were raised about the two-storey extension overshadowing East Court, however, the proposal is approximately 16.3m from the boundary with East Court and considering the boundary treatment and the difference in ground height of the two sites, I am satisfied that the proposal would not adversely affect the residential amenity of East Court by overshadowing. Additionally, there are no windows proposed that would result in a loss of privacy or overlooking towards East Court.

As the proposed replacement porch is located on the west elevation and does not extend any further beyond the front elevation and also does not exceed the height of the existing property, it is considered that the proposed porch would not impact upon the residential amenity of East Court by causing a loss of light or overshadowing or a loss of privacy or overlooking.

#### 6.19 *Downsfield*

Downsfield, Pilgrims Way is the neighbouring property located east of the application site. There is a road which divides the two properties. The proposed replacement porch is considered to be a significant distance away to not impact on this property. Additionally, as it is located on the west elevation and therefore the existing property would act as a screen from the development to Downsfield.

The main impact would be from the proposed two-storey extension, which is approximately 28m from the boundary with Downsfield (including the road dividing the two properties). There are existing trees located on the boundary of the curtilage of the application site which would act as a screen from the neighbouring property to the proposal. It is considered that due to the distance from the proposal to the neighbouring site and the existing boundary treatment that the proposal would not adversely affect the residential amenity of Downsfield by causing a loss of light or overshadowing. There are windows proposed on the rear elevation of the extension which would look towards Downsfield, however, the existing trees would block any views available from the proposal to the neighbouring property. I am therefore satisfied that the extension would not impact upon the residential amenity of Downsfield by causing a loss of privacy or overlooking.

#### 6.20 *Romantica*

Romantica, Pilgrims Way is the neighbouring property also located east of the application site. The proposed replacement porch is considered to be a significant distance away to not impact on this property. Additionally, as it is located on the west elevation and therefore the existing property would act as a screen from the development to Romantica.

The main impact would be from the proposed two-storey extension, which is approximately 30.5m from the proposal to the boundary with Romantica (including the road which is located between the two properties). The boundary treatment consists of hedging. It is considered that due to the distance from the proposal to the neighbouring property and the orientation of the site that the proposal would not adversely affect the residential amenity of Romantica by causing a loss of light or overshadowing. The windows proposed on the rear elevation of the extension would look towards Romantica, however, they would provide similar views to the existing windows located on the rear elevation, and considering the distance, I am satisfied that the proposal would not impact upon the residential amenity of Romantica by causing a loss of privacy or overlooking.

#### 6.21 *Elva Cottage*

Elva Cottage, Pilgrims Way is located south of the application site. Pilgrims Way divides the two properties and there are existing tall trees located along the boundary of the curtilage of South View Lodge. The application site is situated higher than Elva Cottage. The proposed two storey extension is approximately 24.6m from the boundary with Elva Cottage (including Pilgrims Way). It is considered that due to the boundary treatment, the distance from the proposal and the difference in ground height that the proposal would not negatively impact the residential amenity of Elva



Cottage by causing a loss of light or overshadowing. There are no windows proposed that would result in a loss of privacy or overlooking towards Elva Cottage.

The proposed replacement porch is approximately 28.5m from the boundary with Elva Cottage. It is considered that due to the minor alterations to the height and depth of the porch and the distance from the proposal to Elva Cottage that it would not impact upon the residential amenity of Elva Cottage by causing a loss of light, overshadowing or a loss of privacy or overlooking.

#### 6.22 *Overall*

The proposals would not result in significant harm to neighbouring residential amenity that would warrant a refusal.

#### **Parking/Highway Safety**

- 6.23 The existing parking provisions at the site would remain. The proposal does not include any additional bedrooms, the extension would only extend the existing three bedrooms. It is therefore considered that the proposal would not impact upon parking at the site or the wider highway network.

#### **Other Matters**

- 6.24 The site boundary treatment along the boundary with the street Pilgrims Way consists of tall trees, concerns were raised about the proposal causing harm to these trees. The proposed extension would replace the existing conservatory, considering the extension would only be a further 0.4m closer to the trees than the existing conservatory and a further 1.3m beyond the rear wall than the existing conservatory, it is considered that the proposal would not harmfully impact upon the trees.
- 6.25 Concerns were also raised about the proposal causing harm to local endangered species such as slow worms, glow worms and small reptiles. The proposed extension would be built upon already developed garden land. However, in line with the NPPF, policy DM1 of the local plan and the residential extension SPD biodiversity enhancements should be encouraged, details of which can be sought by condition.
- 6.26 The NPPF, Local Plan and residential extensions SPD all seek to promote the use of renewables and energy/water efficient buildings. The proposals by their nature are fairly modest, such that it may be unreasonable or inappropriate to seek to secure such measures for an extension to the dwelling. However, energy efficiency can be secured through construction or water efficient for use of measures such as water butts, as such to secure such measure a condition is considered reasonable to ensure that the development incorporates appropriate measures.

### **7.0 CONCLUSION**

- 7.01 For the reasons set out above it is considered that the proposed extension and replacement porch would be acceptable and would not cause significant visual harm, harm to neighbouring amenity nor would it be unacceptable in terms of any other material planning considerations. The proposed developments are considered to be in accordance with current policy and guidance.

**8.0 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:

Site Location Plan - Received 27/01/2022

Existing Elevations, Floor and Block Plans - Drawing No. SVLGW/P - Received 27/01/2022

Proposed Elevations, Floor and Block Plans - Drawing No. SVLGW/P - Received 27/01/2022

Reason: To clarify which plans have been approved.

(3) The materials to be used in the development hereby approved shall be as indicated on the approved plans.

Reason: To ensure a satisfactory appearance to the development

(4) The extension/s hereby approved shall not commence above slab level until details of 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 at least one integrated method into the design and appearance of the extension by means such as swift bricks, bat tubes or bee bricks, and through the provision within the site curtilage such as bird boxes, bat boxes, bug hotels, log piles, wildflower planting and hedgehog corridors. The development shall be implemented in accordance with the approved details prior to first use of any extension hereby approved and all features shall be maintained thereafter.

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

(5) The development shall not commence above slab level until details of how the proposal hereby approved shall be constructed to secure the optimum energy and water efficiency of the extension/building have been submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to first use and maintained thereafter; The details shall demonstrate that consideration has been given to incorporating small scale renewable energy generation options have been considered first and shall only be discounted for reasons of amenity, sensitivity of the environment or economies of scale, installing new energy efficient products, such as insulation, energy efficient boilers, low energy lighting shall be considered as a secondary option if the use of renewables has been demonstrated to not be appropriate.

Planning Committee Report  
24 March 2022

Reason: To ensure an energy efficient form of development.

Case Officer: Chloe Berkhauer-Smith

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