

## REPORT SUMMARY

<b>REFERENCE NO:</b> - 22/502032/FULL		
<b>APPLICATION PROPOSAL:</b> Erection of single storey side and rear extension. Erection of single storey rear extension to garage to create utility store. Conversion of loft into habitable space with insertion of rear dormer and front rooflights and internal alterations. Relocation of existing solar panels to flat roof of rear dormer (resubmission of 22/500698/FULL).		
<b>ADDRESS:</b> 2 Reader Drive Marden Kent TN12 9FD		
<b>RECOMMENDATION:</b> <b>GRANT</b> subject to the planning conditions set out in Section 8.0 of the report		
<b>SUMMARY OF REASONS FOR RECOMMENDATION:</b> For the reasons set out below it is considered that the proposed extensions and alteration to the property would be acceptable and would not cause significant visual harm, harm to neighbouring amenity nor be unacceptable in terms of any other material planning considerations such as the proposed development is considered to be in accordance with current policy and guidance.		
<b>REASON FOR REFERRAL TO COMMITTEE:</b> The application has been called in by Marden Parish Council by reason of the recommendation being contrary to their comments (see report below for reasons).		
<b>WARD:</b> Marden And Yalding	<b>PARISH/TOWN COUNCIL:</b> Marden	<b>APPLICANT:</b> Mr Luis Goncalves <b>AGENT:</b> Blackburn Architects Limited
<b>CASE OFFICER:</b> Rachael Elliott	<b>VALIDATION DATE:</b> 22/04/22	<b>DECISION DUE DATE:</b> 02/09/22 (EOT)
<b>ADVERTISED AS A DEPARTURE:</b> <b>NO</b>		

### Relevant Planning History

22/500698/FULL

Erection of single storey side and rear extension. Erection of single storey rear extension to garage to create utility store. Conversion of loft into habitable space with insertion of rear dormer and front rooflights and internal alterations. Relocation of existing solar panels to flat roof of rear dormer.

Withdrawn 19.04.2022

13/0115/FULL

Demolition of existing industrial buildings and breaking up of associated hardstanding and redevelopment of site to accommodate 110 dwellings together with associated play trail, amenity space, allotments, new access, parking and landscaping as shown on schedule of submitted plans and documents received 06/08/2013.

Permitted 01.10.2013

### MAIN REPORT

#### **1. DESCRIPTION OF SITE**

1.01 The application site relates to a two-storey detached dwelling being part of a contemporary housing estate in Marden.

#### **2. PROPOSAL**

2.01 The proposal is as set out above and summarised as below :

2.02 **Single storey side and rear extension**

This would be approximately 3m in depth, 9.7m in width (projecting approx.1.3m beyond the side wall of the existing dwelling). It would essentially infill the existing gap between the dwelling and the garage. It would have a part dual pitched/part mono-pitched roof with an eaves height of 2.4m and a maximum height of 3.7m.

**2.03 Rear extension to existing garage**

This would adjoin the rear of the existing garage and infill the gap between the rear wall of the garage and the rear boundary with a depth of approximately 4.8m, width of 2.8m. It would have a dual pitched roof with an eave height of 1.9m and a ridge height of 3.4m.

**2.04 Rear dormer and front rooflights, to facilitate loft conversion**

The rear dormer would have a flat roof and extend approximately a width of 8m across the rear roofslope, have a height of 2.9m (set down slightly from the ridge and set above from the eaves) and would have a maximum projection of 3.4m.

Two rooflights are proposed within the front facing roofslope.

**2.05 Relocation of solar panels**

There are existing solar panels on the rear facing roofslope, these would be relocated to be sited on the roof of the proposed new flat roofed dormer.

**3. POLICY AND OTHER CONSIDERATIONS (where directly relevant)**

Maidstone Borough Local Plan (2011-2031): Policies DM1, DM9 and DM23

Neighbourhood Plan: Marden Neighbourhood Plan

Supplementary Planning Documents: Residential Extensions SPD

Emerging Policy : Maidstone Borough Council has also submitted its Regulation 22 Submission relating to the Local Plan Review. The Regulation 22 submission comprises the draft plan for submission (Regulation 19) dated October 2019, the representation and the proposed main modifications. It is a material consideration and some weight must be attached to the document because of the stage it has reached. The weight is limited, as it has yet to be subject to examination in public. Policy LPRSP15 – Principles of Good Design, LPRHou 2 – Residential extensions, conversions, annexes and redevelopment in the built-up areas, Policy LPRTRA4 - Parking Matters

**4. LOCAL REPRESENTATIONS : None received**

**5. CONSULTATIONS**

Marden Parish Council

**5.01** "Cllrs noted the minimal changes to the scheme. However, their previous comments still stand and recommend refusal.

The Clerk was asked to reiterate previous comments on application 22/500698 (see below) and Cllrs wish this to go to MBC Planning Committee if MBC are minded to approval.

Response on application 22/500698/FULL:

As this was a detailed application Cllrs broke it down into sections to discuss:

Erection of single storey side and rear extension

Cllrs had no issue, in principle, with a single storey rear extension on its own. However, the connection from the side of the property to the garage is poorly detailed at roof level and creates an unwelcomed terracing effect to the street scene in the context with other properties on the development. Cllrs also had concerns about the lack of direct access to the rear garden.

Erection of single storey rear extension to garage to create utility store  
The rear extension of the utility store to the garage would have a detrimental effect on the already modest amenity/ garden space and would minimise the plot.

Conversion of loft into habitable space with insertion of rear dormer and front rooflights and internal alterations. The introduction of a large flat roofed dormer is in no way in keeping with any of the other properties and design on this development and therefore would be overbearing when viewed from various other nearby locations. Cllrs noted that given that there are other properties in close proximity to the rear the rear windows of the second floor would create significant overlooking issues to neighbours.

The houses on this estate were developed not to have solar panels on the front elevation of the properties and similarly the insertion of rooflights would be detrimental to the street scene in context with the surrounding properties.

Relocation of existing solar panels to flat roof of rear dormer. The proposed relocation of the solar panels from the existing roof to the new flat roof would render them considerably less effective and efficient.

General comments Furthermore, in regard to the front elevation of this proposal the property faces the open countryside and will be visible from PROWs KM244 and KM245.

Cllrs recommended refusal due to the above comments and contrary to Marden Neighbourhood Plan Policies BE1 and BE2 and Maidstone Borough Council Local Plan Policies including DM1, DM2 and DM9.

Cllrs would want to see this go to Committee if MBC are minded to recommend approval."

## **6. APPRAISAL**

6.01 The key issues for consideration relate to:

- Site Background/Principle of development/Policy context
- Visual amenity
- Residential amenity
- Parking/Highway safety
- Other matters

### **Site Background/Principle of development/Policy context**

6.02 Policy DM1 (Principle of good design) outlines the importance of high-quality design for any proposal.

6.03 Policy DM9 (Residential extensions, conversions and redevelopment within the built up area) sets out the criteria for determining applications which involve extensions within built up areas. The policy reiterates the requirements highlighted in paragraph 118(e) of the NPPF above. Such proposals are 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."*

6.04 The residential extension expands of these policies and provides further guidance which includes (points summarised) :

*- 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.*

*- On detached houses situated close to a neighbouring property, extensions should generally extend no more than 4 metres from the rear elevation.*

*- Acceptable height of a side extension will be determined by the ground levels and distance from the boundaries. A side extension should be subordinate to the original building.*

*-Where acceptable, dormer windows should be proportionate in scale to the roof plane and where there is a logical or symmetrical layout of doors and windows, should follow the vertical lines of these openings. They should never project above the original ridgeline and should be set back a minimum of 20 centimetres from the eaves to maintain the visual appearance of the roof line.*

*-The scale, proportion and height of an extension should not dominate the original building or the locality, 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.*

*-Garages and other outbuildings should be subservient in scale and position to the original dwelling and not impact detrimentally on the space surrounding buildings or the street scene by virtues of their scale, form or location.*

6.06 Policy BE1 of the Marden Neighbourhood Plan seeks to promote local character and *Development must be both visually and functionally sympathetic to the existing styles and materials.*

6.07 The application site is situated in a sustainable location within the Marden Larger Settlement Boundary, as such, the principle of development in this location is considered acceptable subject to the material planning considerations discussed below. Planning permission is principally required as permitted development rights were removed on the original consent for the dwelling. This was to give a greater degree of control but not to prohibit development. If it was to be the latter then this should have been set out in a design code and incorporated into a s106 legal agreement.

#### **Impact on Visual amenity**

6.08 The proposal seeks to extend the existing dwelling, such proposals or those similar would generally not require planning permission, however permitted development rights have been removed for the dwelling and as such there is an additional level of

control regarding the proposals. This does not however means that all proposals to extend the dwelling would be unacceptable.

- 6.09 The main focus of the appraisal should be the reason for permitted development rights being removed, which ultimately is *To safeguard the character, appearance and functioning of the surrounding area*. The proposals by their very nature are by no means uncommon in terms of their design, appearance and scale. Instances of similar single storey rear extensions, flat roofed dormers and outbuildings are common place across the Borough and can also be observed within Marden itself.
- 6.10 Cumulatively, including other changes (namely the rooflights and relocated solar panels), it is not considered that the proposals would result in visual harm to the street scene or the host dwelling such that the application should be refused. When viewed from the street the dwelling would not appear as significantly different as existing, and although some views maybe possible the extensions would not dominate the dwelling or appear as significant overdevelopment of the site.
- 6.11 Overall it is considered that the proposed extensions and alterations would be visually acceptable and in accordance with current policy and guidance.

### **Residential Amenity**

- 6.12 The nearest neighbouring properties are Number 3 Reader Drive to the north, Number 1 Reader Drive to the south and 2 Russell Road (to the east), all other neighbouring properties are considered a significant distance away to be unaffected by the proposed development.
- 6.13 The single storey rear extension would be modest in scale, it would be adjoin the garage of the application site to the north, and the garage of the neighbouring property to the south and a significant distance from the property to the east such that it is not considered harm would result by reason of loss of light, outlook, or the extension being overbearing or overshadowing or causing loss of privacy or overlooking.
- 6.14 The extension to the existing garage would be akin to a shed in terms of its scale and it is not considered that it would be overly overbearing or overshadowing in proportion or scale such that it would harm neighbouring amenity.
- 6.15 The rear dormer would introduce additional rear facing windows at second floor level, however there are existing windows in the rear facing elevation and it is generally accepted that within the built up area there will be some element of mutual overlooking and the dormers relationship to neighbouring properties would not be uncommon and generally accepted to not cause significant harm.
- 6.16 All other elements of the proposal are considered acceptable such that overall no significant harm would result to neighbouring amenity.

### **Highways**

- 6.17 The proposal would increase the number of bedrooms from 3 to 5, Appendix B of the Local Plan sets out that in suburban locations 5 bedrooms will provide 2 parking spaces. The proposal would involve the retention of an existing garage and would retain the driveway which can accommodate two cars. As such it is not considered any harm would result to parking arrangements or highway safety.

### **Other Matters**

- 6.18 In itself the proposal would not result in the need for further ecological surveys, there is not considered to be any protected species which would be at risk, however Policy DM1, the residential extensions SPD and the NPPF all promote ecological enhancement and due to the nature and extent of the proposals it is considered that biodiversity enhancements would need to be provided, both integral to the extensions and within the curtilage. These details could be conditioned.

- 6.19 The NPPF, Local Plan and residential extensions SPD all seek to promote the use of renewables and energy/water efficient buildings. The proposals would relocate the existing solar panels and it is considered that this would fulfil the requirement for the promotion of energy efficiency. The relocation of the solar panels could be conditional to the consent.

#### **PUBLIC SECTOR EQUALITY DUTY**

- 6.20 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

### **7. CONCLUSION**

- 7.01 For the reasons set out above it is considered that the proposed extensions and alteration to the property would be acceptable and would not cause significant visual harm, harm to neighbouring amenity nor be unacceptable in terms of any other material planning considerations such as the proposed development is considered to be in accordance with current policy and guidance.

### **8. RECOMMENDATION**

#### **GRANT planning permission subject to the following conditions**

with delegated powers to the Head of Planning and Development to be able to settle or amend any necessary planning conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

- (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:

Drawing No. 3 Rev B (Proposed Block and Floor Plans)  
Drawing No. 4 Rev B (Proposed Elevations)  
Drawing No. 5 (Proposed Outbuilding Plan and Elevations)

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 and application form.

Reason: To ensure a satisfactory appearance to the development

- (4) No part of the development hereby approved shall 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/outbuilding 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 part of the development hereby approved and all features shall be maintained thereafter.

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

- (5) Prior to first use of the loft conversion hereby approved the relocated solar panels shall be inserted and functional within the flat roof of the dormer as shown on drawing no. 2202\_23 Rev A (Proposed Roof Plan) and maintained thereafter;

Reason: To ensure an energy efficient form of development.

Case Officer: Rachael Elliott

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