

REPORT SUMMARY

REFERENCE NO - 22/502259/FULL		
APPLICATION PROPOSAL Erection of a two storey side and part rear wrap around extension and a part single storey rear extension. Erection of an outbuilding to create a home office.		
ADDRESS 44 Queens Road Maidstone Kent ME16 0LJ		
RECOMMENDATION : GRANT subject to the planning conditions set out in Section 8.0 of the report		
SUMMARY OF REASONS FOR RECOMMENDATION 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.		
REASON FOR REFERRAL TO COMMITTEE The application has been called in by Cllr Ashleigh Kimmance for the reason that the extension would cause overshadowing and loss of light to the neighbouring property and would also being detrimental to the street scene.		
WARD Heath	PARISH/TOWN COUNCIL	APPLICANT Mr Jason Law AGENT CAD Drafting
CASE OFFICER Rachael Elliott	VALIDATION DATE 17/5/22	DECISION DUE DATE 12/7/22
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites): 21/504055/FULL : Demolition of rear store. Erection of two storey front and side extension, part single and part two storey rear extension. Erection of 1no. outbuilding to create home office. – Refused 02/2156 : Creation of access, drop kerb and hardstanding to side of dwelling, as shown on two number A4 sized sheets showing the site location plan and a plan at scale 1:100 received on 15.11.02. and 05.12.02. – Permitted 85/0928 : Front bathroom cloakroom extension – Permitted		

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site relates to a two-storey semi-detached dwelling, the existing property has a central gable, half of which relates to the application site and a cat-slide roof, mirrored on the application site and the neighbouring property. The street scene is varied, with those immediately adjacent built at a similar time, with the semi-detached pair being central to a terraced row of 4 properties. The dwellings have a distinctive character, however they are not listed and no other land designations apply.

2.0 PROPOSALS

These are summarised as follows :

Two storey side extension (which extends rearwards of the existing dwelling and also to the rear creating a L-shaped footprint)

The existing cat slide roof would be lost continued whereby the extension would then extend the width of the existing dwelling and beyond to the side by approximately 2.8m. It would extend along the side of the dwelling, in line with the front face, rearwards by approximately 11m. It would project beyond the existing rear wall by approximately 3m and at its widest point where it overlap the rear of the existing dwelling would have a width of approximately 4.5m.

Single rear extension

This would have a width of approximately 6m, a depth of 4.1m and would have a flat roof with a central roof lantern, with a height of 2.7m.

Outbuilding

The outbuilding would be utilised as a home office and would be sited in the south-eastern most corner of the garden. It would be single storey with an irregular shape, with a maximum length of 6.5m and width of 4.6m. It would have flat roof with a height of 2.6m.

3.0 POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan 2017 : Policies DM1, DM9 and DM23

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

4.0 LOCAL REPRESENTATIONS : No representation received

5.0 CONSULTATIONS : None

6.0 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 This submission follows an earlier refusal WHICH was refused for the following reason :

The proposed 2-storey front, side and rear extension by reason of its design, proportions and siting would result in a form of development which would be at odds with the character and appearance of the host dwelling, resulting in a poorly designed, dominant extension which would subsume the existing dwelling and would be visually harmful to the host dwelling, its relationship with the neighbouring property and the wider street scene contrary to the National Planning Policy Framework 2021, Policies DM1 and DM9 of the Maidstone Borough Local Plan 2017 and the Residential Extensions Supplementary Planning Document.

6.03 An extract of the plans is shown below :



6.04 This submission seeks to overcome the previous reason for refusal with the principle changes to the scheme being :

- Removal of the two-storey front extension
- Continuing the existing cat-slide roof into the design of the side extension
- Introduction of a front dormer into the new cat slide
- Alterations to the roof design of the two-storey projecting element

6.05 The proposed plans now appear as follows :



6.07 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."*

Impact on Visual amenity

6.09 Policy DM1 (Principle of good design) outlines the importance of high-quality design for any proposal. This includes taking into account the scale, height, materials, detailing, mass, bulk, articulation and site coverage, respecting the amenities of neighbouring occupiers and properties, incorporating adequate storage for waste and recycling, providing adequate parking facilities to meet adopted Council standards, protect and enhance biodiversity.

6.10 Policy DM9, as stated above, of the Local Plan also requires that the scale, height, form and appearance should fit the character of the existing local area.

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

- *Acceptable height of side extensions is determined by ground levels and distance from boundaries*
- *A side extension built flush with the existing front elevation of the house may also affect the symmetry of a pair of semi-detached properties with adverse impact on the street scene*
- *Where a pattern of gaps between properties within the street scene exists, a minimum of 3 metres between the side wall of a two storey side extension and the adjoining property for the full height of the extension is normally desirable*
- *The use of, for example a set back from the front elevation of the original house and lower roof can assist in assimilated development where it is desirable that the form, proportions or symmetry of the original building are respected*
- *Front extensions can have an adverse effect on the street scene because of their prominence on the front elevation*
- *Where a front extension is acceptable, the roof should match the roof of the original house in style in order to compliment the existing building and the character of the area*
- *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 shall be well proportioned and present a satisfactory composition with the house. The extension should normally be roofed to match the existing building in shape. Where visible from public view, a flat roof extension would not normally be allowed.

6.12 The character is extremely varied as has been developed over time. The character on the opposite side of the road from the application site is very different and is a much more recent development. The application site how sits amongst 5 groups of terraced dwelling and are the sole semi-detached pair, exhibiting differing design qualities in terms of the prominent central gable and the cat slide roof.

6.13 The loss of the gap between the two properties in itself has previously been accepted with the earlier report reading as follows with the conclusion still applicable :

Although the extension would diminish the gap between the application site and its neighbour to the south, of which the gaps between properties do make a contribution (as without them, the application site would be read as a continuation of the adjoining terrace), however a gap of approximately 2.6m would remain from the new flank wall to the flank wall of the neighbouring property and although slightly below the 3m recommended by the SPD, it is considered that enough of a gap would remain such that no terracing effect would result.

6.14 The main difference between this and the refused scheme would be that the proposed side extension would now mirror the existing cat slide roof form. This principally overcomes the earlier reasons for refusal and would introduce a form of development which would no longer be an incongruous addition. Although there is no set back of the extension, nor set down from the roof which is often preferred, with

this type of roof form introducing such an element becomes more difficult and could appear as more awkward than the extension being flush.

- 6.15 Introducing dormers within the front roofscape is not always appropriate, however there are existing front dormers within street scene and due to the proposed pitched roof and scale of the dormer it is not considered that it would appear as so visually harmful to warrant refusal of the application.
- 6.16 The single storey rear extension and the detached outbuilding are both considered acceptable in terms of their visual impact.
- 6.17 Overall it is considered this revised proposal and the proposed extensions would overcome the previous reason for refusal and would not result in undue harm to the visual amenity of the street scene, surrounding area or host dwelling.

Impact on neighbouring amenity

- 6.18 The nearest neighbouring properties are to the south (no.42), to the north (no 46 and the adjoining semi-detached dwelling) and number 16 West Walk (to the east). All other neighbouring properties are considered to be a significant distance away to be unaffected by the proposed development.
- 6.19 16 West Walk is a significant distance away to not be affected by the proposed extension to the dwelling itself, the main consideration is whether the proposed outbuilding would be harmful. No 16 has an existing fairly large outbuilding to the rearmost part of their garden. The proposed outbuilding would be sited along the side boundary to the furthest extension of their garden, it would not be overly high, nor extend across the entire boundary, such that it is not considered that it would result in a form of development that would be overbearing, overshadowing or cause loss of light or outlook. Similarly the impact on no.42 to the south would be acceptable, being at the furthest part of the garden where they have their own outbuilding and due to its side and proportions no harm would result. The outbuilding would be a significant distance from the boundary with number 46 to not result in harm.
- 6.20 The impact on Number 46 will be broadly from the proposed single storey rear extension which would be built essentially along the adjoining boundary. The proposed two storey rear extension would be visible from the neighbouring property but is considered to be a significant distance from the adjoining boundary such that it would not result in loss of light, outlook or be overbearing or cause undue loss of privacy or be harmful to amenity in any other respect. The rear extension would extend approximately 4.1m from the rear of the dwelling. The neighbouring dwelling broadly appears to mirror the application site and as such the nearest ground floor window is likely to serve the living room or another habitable room. An extension of up to 3m could be constructed without the need for planning permission and although 1m greater in depth, further permitted development rights do allow for such extensions in the absence of objections (which there hasn't been in this case.) Although the proposal would fail the floor plan 45degree test, it would pass in elevation and as such is considered to pass. It is therefore not considered that undue loss of light would result and the extension would not be unduly overbearing, overshadowing or cause loss of light or privacy and in isolation would be broadly in line with what is considered acceptable under permitted development.
- 6.21 The property that is most likely to be affected by the proposal is the neighbouring dwelling to the south. The extension would as good as abut the adjoining boundary

for the full depth of the existing dwelling and for a further projection of approximately 3m beyond the rear of the existing dwelling. Number 42 has windows at ground floor in the flank wall and a dormer at eaves height. These openings are believed to predominantly serve non-habitable spaces or be secondary windows, with the window one of the windows potentially serving as the main window for the kitchen, but with a glazed rear door. Although the flank wall would be closer to these windows, extend further rearwards and introduce additional bulk and mass, it is unlikely that the amenity of these rooms would be significantly compromised and a gap of approximately 2.6m would be maintained on the neighbouring side. The orientation of the site is such that the application site is to the north and therefore would not impact on the passage of sunlight.

- 6.22 To the rear the properties are both sited at oblique angles, so where the extension would be at its closest to the boundary would be where the 2-storey extension would project beyond the existing dwelling. This is also where the gaps between the properties is at its least, however due to the position of the neighbouring first floor window which is situated centrally to the gable and the nearest ground floor fenestration being a back door, and the orientation of the application site to the north, it is not considered significant loss of light would result. The mass and bulk would be more prominent and would definitely be visible from the neighbouring site, however due to the angled relationship of the properties, the proposed projection (which is unlikely to extend significantly beyond the rear corner of the neighbouring dwelling) and the orientations of the site it is not considered significant harm would result to neighbouring amenity by reason of the extension being overbearing, causing overshadowing or loss of privacy or outlook.
- 6.23 Overall the proposal on balance would be acceptable in terms of neighbouring amenity in terms of all neighbouring dwellings.

Impact on parking

- 6.24 The proposal would increase the number of bedrooms from 3 to 4, Appendix B of the Local Plan sets out that in suburban locations 4 bedrooms will provide 2 parking spaces. The proposal would involve the introduction of an attached 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

- 6.25 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.
- 6.26 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 extensions to an existing dwelling such that it would be unreasonable to seek to secure such measures which do not accord with the scale of the development. Energy efficiency can be secured through measures such construction, or renewables 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.

- 6.27 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.

7.0 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.

8.0 RECOMMENDATION – GRANT Subject to the following conditions

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:

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) 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 occupation 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.

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.